

Winchester District Gypsy Traveller and Travelling Showpeople Development Plan Document

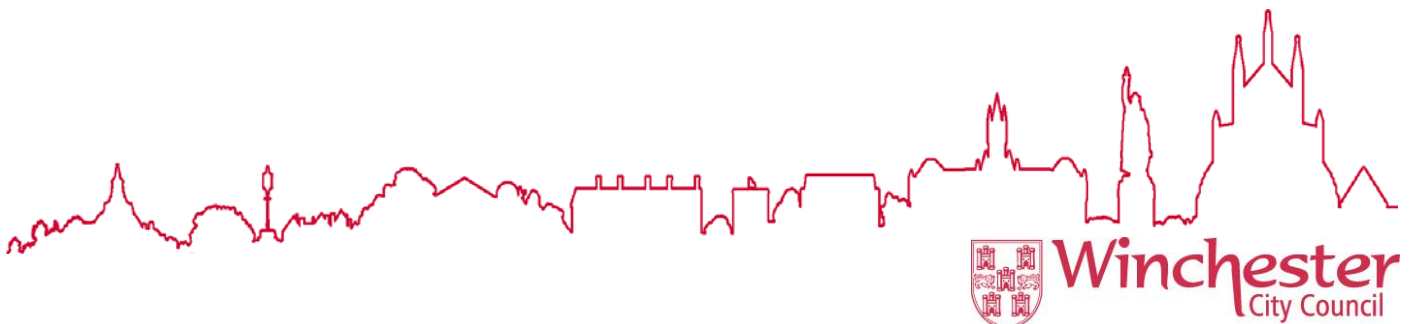
‘Traveller DPD’

Examination September 2018

Matter 3 – Evidence Base

Winchester City Council’s Response

WCC Matter 3



Winchester District Gypsy and Traveller and Travelling Showpeople DPD

WCC Response to Inspector's Matters, Issues and Questions

Matter 3 – Evidence Base

1. Firstly, the Council wishes to highlight a key point in relation to the GTAA before responding to the Inspector's specific questions. This is that one of the key purposes of the GTAA was to inform the future pitch/plot requirements, which are now established in Local Plan Part 2 (LPP2) and hence are already part of the Development Plan. Therefore, while the evidence that led to the pitch/plot requirements now included in LPP2 may be of interest to the Traveller DPD Inspector, the proper forum for this to be tested was during the examination of LPP2. The pitch/plot requirements now contained in LPP2 policy DM4 were published for consultation as proposed modifications to LPP2, informed by the GTAA which was also published.
2. Any challenges to the GTAA could and should have been raised at that stage, when they could have been examined by the Inspector who recommended the inclusion of the pitch/plot requirements in LPP2. There were no representations made on the GTAA and the Inspector went on to find LPP2 sound, subject to Main Modifications which included the insertion of what is now policy DM4, defining the pitch/plot requirements. Accordingly, the Council does not consider that there is any need or merit in this examination considering the GTAA insofar as this relates to matters that may affect pitch/plot requirements, given that these are now established in an up to date and NPPF/PPTS-compliant Local Plan.

Question 1 - The Winchester Gypsy and Traveller Accommodation

Assessment (GTAA) fieldwork was carried out from late June to early October. Is this likely to have affected the number of families available to take part in the survey? Was consideration given to conducting the surveys over a longer period to try to increase response rates and if not, why not?

WCC Response:

3. The GTAA (document EB1) summarises the approach to the household interviews at paragraphs 2.8 – 2.12, with paragraph 2.13 focussing on the timing of the fieldwork. Before considering the timing of the fieldwork, it is worth noting some important points regarding the methodology:
 - The overall assessment included desk-based research into the location of traveller sites and yards together with surveying travelling communities and their purposes for travelling. Multiple visits were made where it was not possible to conduct an interview initially due to households not being present (paragraph 2.8);
 - The GTAA attempted to survey all households rather than adopt the approach of using sample surveys, as some GTAAs do (paragraph 2.9);
 - The surveys were carried out by experienced interviewers using semi-structured interviews to determine key information (paragraphs 2.10 – 2.11);
 - Other sources were used where possible if an interview was not possible following multiple visits (paragraph 2.12).

4. With regard to the timing of the surveys, paragraph 2.13 of the GTAA shows that the consultants (ORS) were well aware of seasonal variations in occupancy and tailored the surveys accordingly, with repeat surveys at later dates where necessary. The overall fieldwork period was over a 5-month period between June and October 2016 with the majority of interviews being completed outside of the summer holiday period of July and August. Where households were not present at the time of the initial visit up to 2 further visits were made at different times of the day and days of the week.

5. In addition, the GTAA was publicised in the local area and on social media pages known to be popular with Travellers.
6. It should be borne in mind that the GTAA was commissioned by a consortium of 7 Hampshire local authorities, of which Winchester City Council was one. A common methodology and timescale was used for the whole of the GTAA, with a separate Interim Report being produced for Winchester to support the Local Plan Part 2 preparation. The primary reason for the authorities commissioning the GTAA was in response to the revised PPTS (2015) and its change to the definition of travellers for planning purposes.
7. All of the authorities had varying local plan / DPD production timescales, but they felt it important to achieve an up to date and PPTS-compliant evidence base as soon as reasonably practical. The authorities were aware of the seasonal issues and did consider whether to delay the survey work to avoid the summer period. However, in discussion with the preferred and experienced consultants (ORS), the authorities were satisfied that robust surveys could be undertaken over a 5-month period without delaying the work. It can be seen that the main survey periods were June (but avoiding Appleby Horse Fair and other local and national events), September and October, thus avoiding the main travelling and summer holiday period in July/August.
8. The work would have had to be delayed by at least 4 months to avoid completely the summer period. While the authorities would have done this if the advice had been that the survey would not be robust, this was not the case. Therefore; given the need of some authorities to incorporate the results into their local plans as soon as practical, the decision was taken to press on with the GTAA to the consultant's proposed programme.
9. In terms of the impact on the GTAA survey results, paragraph 4.4 of the Winchester GTAA Need Summary Report sets out that the overall adjusted

interview response rate¹ for Winchester for Gypsies and Travellers was 81% and the adjusted response rate for Travelling Showmen was 73 %. These represent a very robust response rate for this type of assessment.

10. Researchers from ORS were also able to identify a small number of pitches and plots that were not occupied by Gypsies, Travellers or Travelling Showmen. As these households would not meet the PPTS definition of a traveller, their needs would not be dealt with by the Traveller DPD in any event.
11. In considering whether the timing of the GTAA affected the response rate, it is necessary to consider not just the number of interviews completed, but the number of 'contacts' made – it is not a valid criticism of the GTAA that some households decided to refuse an interview or that some plots were vacant/not laid out. There would, however, be a valid concern if there were a large number of cases where no contact was possible, as this might be caused by the timing of the GTAA survey work. In the case of the Winchester GTAA it can be seen that the number of 'no contact possible' entries in the GTAA (Figure 1) was extremely small, amounting to 2 Gypsy and Traveller pitches and 2 Travelling Showmen plots. This amounts to a very high 'contact rate' of 97% for gypsies and travellers (63 pitches out of a possible 65) and 92% for travelling showpeople (24 plots out of a possible 26).
12. It is concluded that the timing of the survey work did not result in a lack of contacts with pitch/plot occupiers and so did not affect the resulting pitch/plot requirements. In fact, notwithstanding whether they responded to the survey, all of the sites listed in Figures 1 and 2 of the GTAA are addressed by the Traveller DPD with the exception of one (Cushty Tan - a tolerated site occupied by an elderly couple). All of these sites are either safeguarded for traveller use (policy TR1), proposed for permanent consent (policy TR2), or allocated for Travelling Showmen's use (policies TR3 and TR4). They are, therefore, also subject to the provisions of policy TR5 which allows for intensification where justified.

¹ Taking account of vacant/unimplemented pitches and pitches not occupied by Travellers.

13. In conclusion, the GTAA achieved a very high and robust contact and interview response rate with the main reason for there being a lower number of interviews being households that refused to be interviewed. The response rates recorded for the most recent GTAA are also significantly higher than those achieved in the previous (2013) Hampshire Traveller Accommodation Assessment (38% for Gypsies and Travellers and 30% for Travelling Showmen). This was despite the 2013 GTAA being undertaken by a local charity that worked closely with the travelling community (Forest Bus).

Question 2 - The GTAA does not identify any gypsies and travellers living in bricks and mortar accommodation. A representor has provided evidence to show that such families do exist. What lengths did the interviewers go to, to identify such families and obtain interviews with them? Was this sufficient?

WCC Response:

14. The 2011 Census recorded 50 households living in a house, bungalow or flat that identified as Gypsy or Irish Traveller.
15. The approach taken by the assessment to identify households in bricks and mortar to interview is set out in paragraphs 2.14 – 2.15 of the GTAA (document EB1). This shows that a rigorous approach was taken, not least because this is often a matter raised at Local Plan Examinations and Planning Appeals.
16. As well as the efforts that were made to identify households to interview in bricks and mortar, ORS has advised that there has now been at least 14 years of detailed research into Gypsies and Travellers living in bricks and mortar, as part of the wider GTAA process. This has found no evidence whatsoever of large numbers of households seeking to move to pitches. A wide range of methods have been used across the country to identify households who wish to move to sites and few (the majority being in Inner London), if any, have ever shown high numbers.
17. In the case of Winchester, no household in bricks and mortar approached the Council during the GTAA study period seeking a site and none have declared themselves homeless. The representor that raises this issue has presented no evidence to contradict this position. Given that no one came forward during the study period, it is fair to conclude that no allowance should be made for bricks and mortar households because none have identified themselves as being in need. The fact that the GTAA did not identify any need arising from those currently in bricks and mortar is not in itself a valid criticism of the GTAA, provided that conclusion is justified.

18. With regard to the specific cases raised by one representor (paragraph 50 of Dr Murdoch's representations), these do not represent cases that should have been identified by the GTAA, primarily because the bricks and mortar housing was in another local authority area and the alleged needs were already met at the time of the Winchester GTAA. Dealing with the cases specifically:
19. **Botany Bay Road.** This road is in Southampton, which is some distance from Winchester District and in the Southampton City Council area. ORS also completed a GTAA for Southampton in 2014 and interviewed residents living on Botany Bay Road.
20. Botany Bay Road is home to a historic Traveller community consisting of approximately 8 extended families living in accommodation units comprising a mixture of chalets and mobile homes. There are also a number of stable blocks within the curtilage of the properties. The plots have been in family ownership for over 80 years and as such pre-date current planning laws. The occupants confirmed that they manage their own need for family members by extending existing units and siting new units on their plots as required. As such the GTAA did not identify any additional need arising from these households (see extract from Southampton GTAA 2014 at Appendix A).
21. The Council has checked the current position with officers of Southampton City Council and Appendix B is an email exchange which concludes with confirmation that there are no known changes from the position recorded in the Southampton GTAA. Even if a need were identified, that would be in Southampton City Council's area and that authority would need to deal with it, not the Winchester GTAA or DPD. The emails refer to the possibility of a Statement of Common Ground with Southampton, but this was not considered necessary given the limited scope of the issue and the fact that Southampton is not a neighbouring authority to Winchester.
22. Therefor there is nothing to support Dr Murdoch's claim that the site has been / will be closed and it is clear that it is owned by travellers who consider themselves capable of managing their own needs.

23. **Bowen Farm.** This site is at Curdridge, in the south of Winchester District. An appeal for 3 gypsy pitches was allowed in December 2015 (appeal decision reference APP/L1765/W/3017453). Dr Murdoch's evidence to the appeal hearing was that the 3 appellant households lived in bricks and mortar at Hedge End, Botley and West End. These settlements are all located in Eastleigh Borough so, like the Botany Bay Road case, any needs arising from these households should be identified and met by Eastleigh Borough Council. There is no reason to expect them to be included in the Winchester GTAA and, in any event, it is clear from the date of the appeal decision (Dec 2015) that any need had already been met by the time of the Winchester GTAA survey work (June – Sept 2016).
24. The additional caravan on this site that was permitted in January 2018 was for elderly relatives of the Bowen Farm occupiers. Like the other occupiers, the bricks and mortar housing they occupied was in Hedge End, in Eastleigh Borough. There is, therefore, no reason why the Winchester GTAA would have identified this need, but the fact that permission was granted for this additional pitch indicates that the City Council is flexible in appropriate cases and is an example of emerging policy TR5 in action.
25. **Big Muddy Farm.** This is a site close to Lower Upham. An appeal to vary the planning condition allowing for only 1 mobile home was allowed in 2013, permitting three mobile homes which would accommodate the appellant and his sister, mother and elderly grandparents (appeal decision reference APP/L1765/A/12/2188816). The appeal was allowed in September 2013 and the GTAA survey (carried out in mid-2016) would obviously not have identified this as a need, as it had long since been met.
26. **The Page Family.** It is not clear which site this refers to, although Page is the family name of the occupiers of Bowen Farm (see above). A planning application for the use of a site for 1 traveller pitch at Durley was refused in January 2018 and may be the application referred to by Dr Murdoch. The personal information provided with the application is not clear as to whether

the applicant was living in bricks and mortar, or where, although it seems the family may have had links to Botany Bay Road (see above).

Question 3 - Can the Council please provide an update on the Tynefield site and in particular whether the refurbished pitches are now available for use and if they have been re-let?

Question 4 - If these pitches are now available, should they be counted in the 'supply side' (GTAA fig 4) of future pitches given that they were available

27. The Council has prepared a 'Situation Statement' on Tynefield which is attached at Appendix C. It sets out the history of the site and deals with the issue of whether the site forms part of the 'need' or 'supply' of traveller sites. It shows that the site has been vacated to varying degrees since it ceased to be managed by Hampshire County Council in 2015 and that the former occupiers have moved away from the area. The Council's experience is consistent with this as it is not aware of any former Tynefield residents settling or seeking sites within Winchester District.

28. Therefore, any 'need' that existed (or was identified by the GTAA) at Tynefield has dissipated and a site visit in mid-July 2018 confirms there is now only 1 household present on the site (substantially less than when the GTAA was undertaken) and the planned refurbishment has not yet happened. The site owner plans not only to refurbish the existing number of pitches (18), but to substantially increase these. Therefore, the Council is satisfied that, not only was the GTAA right to count the 10 pitches vacant at that time as 'supply', but that the supply available on this site has increased since the GTAA (by further pitches being vacated) and is likely to increase further. While the refurbishment has not yet happened, this is still expected within the short term and certainly within the timescale of the 5-year land supply.

29. Given the ownership and nature of the site, it is likely to remain in use for Gypsies and Travellers, providing further flexibility in the supply of these sites. However, it is not suitable for Travelling Showmen's use despite the shortfall of this accommodation.

Matter 3 - APPENDIX A – Extract from Southampton GTAA 2014

Opinion Research Services

Southampton Gypsy, Traveller and Travelling Showpeople Accommodation Assessment

December 2014

**Southampton Gypsy, Traveller and
Travelling Showpeople Accommodation
Assessment**



Final Report

December 2014

Pitch 7 – Vacant at Survey ⁴	1	Welsh	1	5	0
Pitch 8	1	Romany	2	0	0
Pitch 9	1	Irish	1	2	2
Pitch 10	3	Romany	3	1	0
Pitch 11	2	Irish	2	2	2
Pitch 12	1	Irish	2	5	0
Pitch 14	1	Romany	1	2	0
Pitch 15	2	Romany /Irish	2	3	1
TOTAL	18		21	20	7

Botany Bay Road – Established Site

- ^{3.7} Staff from ORS visited Botany Bay Road in March 2014. This unique community consists of approximately 8 extended families living in approximately 12 accommodation units, comprising a mixture of chalets and mobile homes. There are also a number of stable blocks within the curtilage of the plots, which are situated at 53 to 69 Botany Bay Road. There are also two trailers at 58 Botany Bay Road.
- ^{3.8} The plots have been in family ownership for over 80 years and as such pre-date current planning laws. The occupants confirmed that they manage their own need for family members by extending existing units and siting new units on their plots as required.
- ^{3.9} The residents are an accepted part of the community in the area, pay taxes, and wish to be left alone without assistance from the Council or any other organisations. This is a rather unique situation where the families live as a Romany group with the benefits of “bricks and mortar” facilities adjacent to each other in a traditional suburban environment.
- ^{3.10} ORS have identified similar situations in other GTAA studies, most recently in Birmingham and Three Rivers. Given that the community are historic and established and that the residents did confirm that they are happy that all of their future accommodation needs can be met on the site we would exclude them from any calculations of future accommodation need.
- ^{3.11} This view is supported by the requirements set out in section 6 (a) of PPTS which states that ‘*local planning authorities should pay particular attention to early and effective engagement with traveller communities...including discussing travellers accommodation needs with travellers themselves*’.

Travelling Showpeople

- ^{3.12} Through the desk-based research and stakeholder interviews ORS sought to identify all authorised and unauthorised Travelling Showpeople yards and encampments in the study area. This identified no public yards or transit yards owned by the Council; 1 private yard at Candy Lane; and 1 unauthorised yard at Botley Lane, which straddles the border between Southampton and Eastleigh.

Matter 3 - APPENDIX B – Correspondence Regarding Botany Bay

Email from Graham Tuck, Southampton City Council 30.5.18

Hi Steve, re Botany Bay I have checked with planning and housing colleagues and no-one is aware of any changes since 2014 or displacement from bricks and mortar

Thanks
Graham

From: SOpacic@winchester.gov.uk [<mailto:SOpacic@winchester.gov.uk>]
Sent: 25 May 2018 14:43
To: Tuck, Graham
Cc: JNell@winchester.gov.uk; Heppell, Dawn; graham.tuck@southampton.gov.uk
Subject: RE: Traveller Provision in Local Plans

Thanks for that Graham, very useful.

We may not yet have authorised the TSP sites at The Nurseries, Shedfield (depending on which ones were picked up by your GTAA) but our emerging Traveller DPD proposes to authorise them all so we would agree that the need for 3 plots identified in your GTAA has/will be met.

That's useful background on Botany Bay. Do you know whether anything significant has changed since Southampton's 2014 GTAA as our objector is suggesting various travellers have/will be displaced from bricks and mortar? That doesn't sound like it's the case from the GTAA but I wonder whether something has happened since?

Would you mind if WCC drafted a short Statement of Common Ground on G&T issues to agree with Eastleigh and Southampton to confirm these points please?

Thanks,



Steve Opacic
Strategic Planning Projects Officer (part-time)
Winchester City Council



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T 01962 848101 (Direct)
F 01962 841365
sopacic@winchester.gov.uk

The Government Standard

From: Tuck, Graham [<mailto:Graham.Tuck@eastleigh.gov.uk>]
Sent: 25 May 2018 14:06
To: Steve Opacic
Cc: Jenny Nell; Heppell, Dawn; Graham Tuck; Tuck, Graham
Subject: RE: Traveller Provision in Local Plans

Hello Steve

[Eastleigh](#)

Our GTAA showed an outstanding need for 5 travelling show people plots to 2036. This consisted of:
 -3 plots – relating to an unauthorised site in Winchester. Yes, this was the Shedfield site which we understand has now been authorised, so this need falls away
 -2 plots – possible unconfirmed long term need post 2026, relating to potential general TSP household growth in Eastleigh. Our Local Plan does allocate a site at Netley Firs which could accommodate this and possibly more. However as I understand it based on the previous Local Plan examination (before my time here), there is some uncertainty re deliverability given landowner aspirations (the rest of the site is allocated for employment). If that site weren't to be delivered we consider that our plan is sound because the remaining 2 plots relate to long term need and we have a criteria based policy to address any proposals.

Southampton

Yes there is a site at Botany Bay Road in Southampton where as I understand it the community is spread between chalets / mobile homes / bricks and mortar. Southampton's GTAA identified they did not consider they had future needs that could not be met in that area. This is set out in paras. 5.7 – 5.11 of that report, which I'm about to send through.

I hope that helps

Thanks

Graham

Graham Tuck

Planning Policy Senior Specialist

Strategy - Strategic Planning

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Eastleigh Borough Council

From: SOpacic@winchester.gov.uk [<mailto:SOpacic@winchester.gov.uk>]

Sent: 15 May 2018 14:47

To: Tuck, Graham

Cc: JNell@winchester.gov.uk

Subject: Traveller Provision in Local Plans

Graham,

Winchester is approaching the examination of our Traveller DPD and I am trying to bottom out a few queries that may come up. I wonder if you could help with a couple of them please?

I see that in the Eastleigh GTAA there is a need identified for 3 Travelling Showpersons' plots due to in-migration from Winchester (presumably from the Nurseries, Shedfield). Your emerging Local Plan allocates 4 Gypsy & Traveller pitches but I assume this is to meet the G&T need as they are not specified as being for Travelling Showpersons'. Is this correct please and what is Eastleigh's position

on providing for Travelling Showpersons' needs – I assume that you have looked for suitable sites but couldn't find any, like Winchester?

On a separate point, one objector refers to 'bricks and mortar' housing and suggests there will be pressure from residents moving from 'Botany Bay'. I can't find much info about this site but it seems to be a travelling community in Southampton (Sholing?). I'm not clear whether they are currently in currently bricks and mortar or when/whether the existing residents were displaced. I wonder if you can let me know what's happened/happening on the Botany Bay (Road?) site please?

Thanks for your help. Regards,



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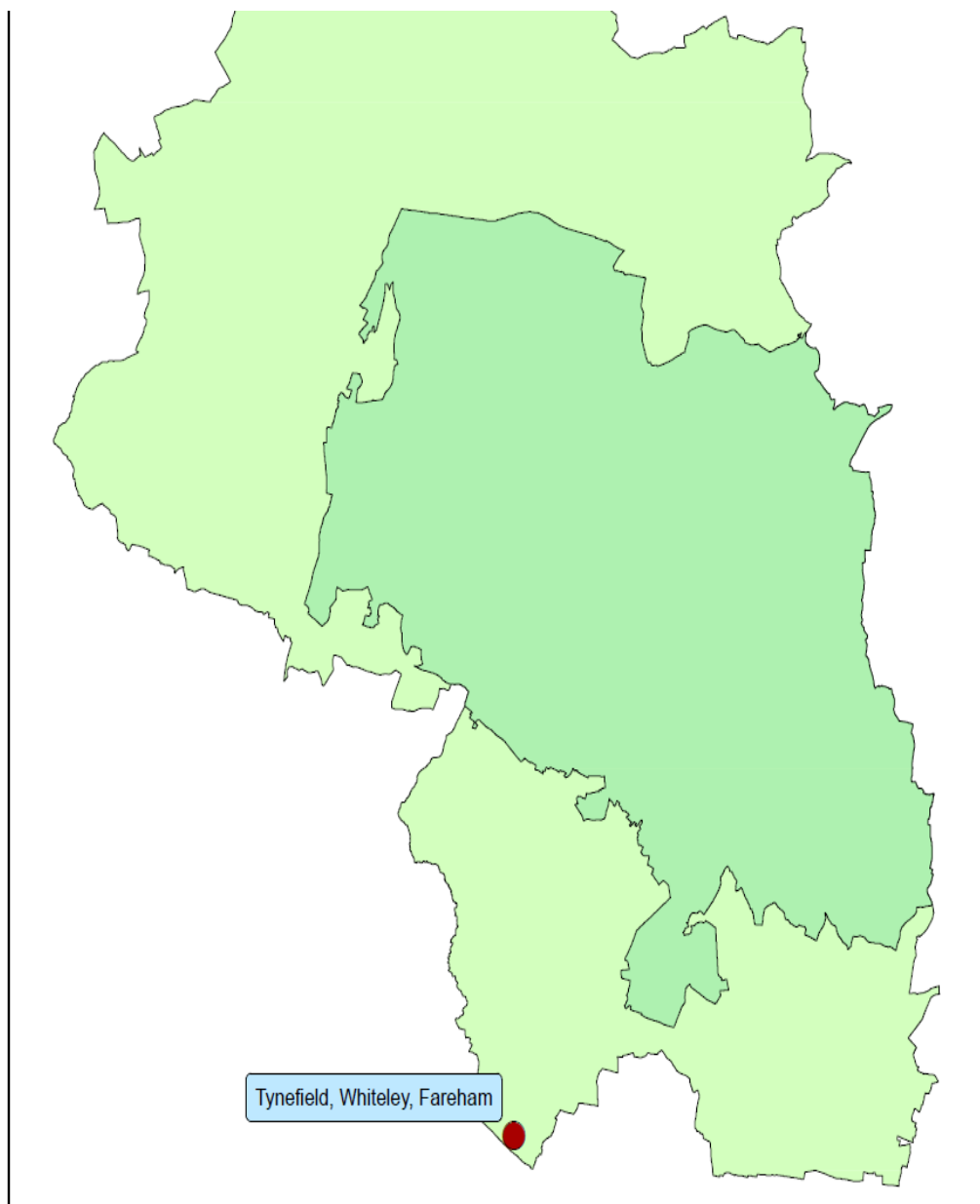
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Matter 3 - APPENDIX C – Tynefield Situation Statement

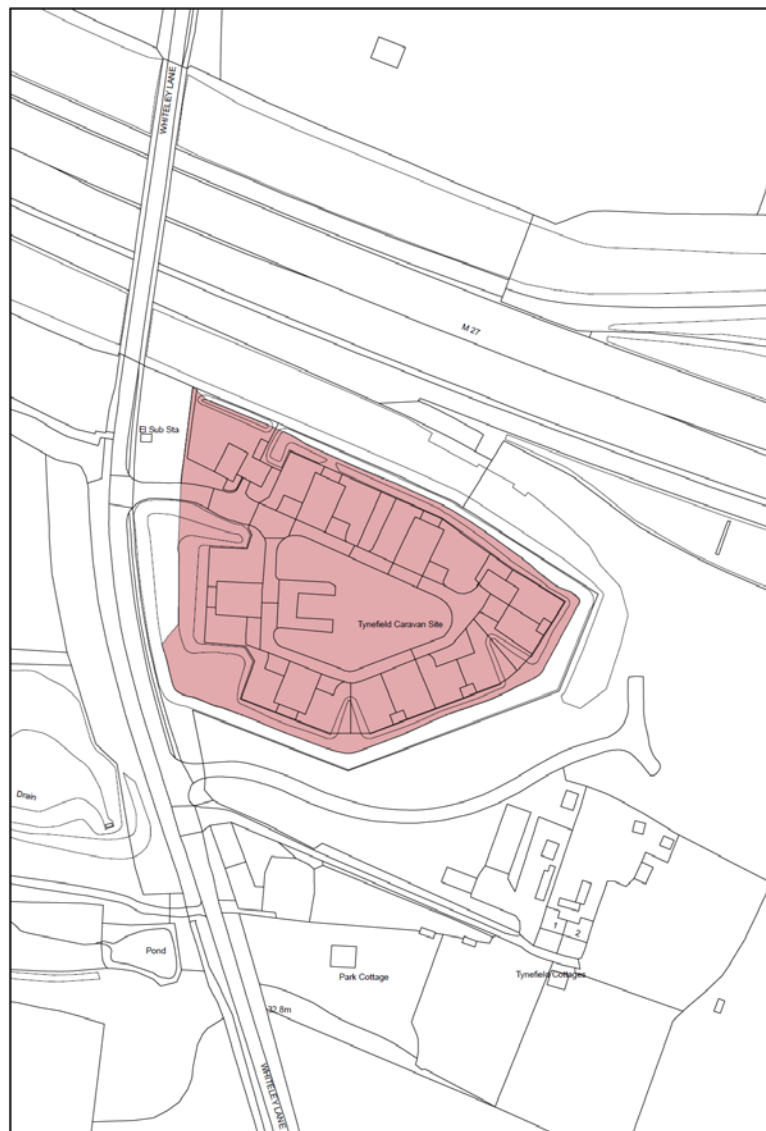
Situation Statement for Tynefield Caravan Park, Whiteley Lane

1. This Statement is based on information provided by Hampshire County Council's Gypsy Liaison Officer, Barry Jordan-Davis, during May 2018. It summarises the local authorities' understanding of the recent history of Tynefield Caravan Park, a former local authority traveller site situated in the south of Winchester District on the edge of Fareham Borough (see below).

Location of Tynefield Within Winchester District



Tynefield Location Plan



2. Hampshire County Council previously operated Tynefield as a gypsy and traveller site since it was granted planning consent (for 20 pitches for 'Gypsies and Travelling families') in 1986 and developed in 1987. The County Council employed a site warden who lived in the on-site bungalow. The site was sold to Tynefield Park Ltd in March 2015, following a selection process which took account of prospective purchasers' experience of operating Traveller sites, knowledge of Gypsy culture, management and rent proposals, and financial status. The site manager continued to live on the site until retirement in 2016.
3. The Director of Tynefield Park Ltd was Royston Cooper who proposed to refurbish the 18 pitches existing when Tynefield was acquired. At the time of the 2016 Winchester Gypsy and Traveller Accommodation Assessment (GTAA) the site was recorded as accommodating 8 pitches (7 interviews and

1 refusal), with 10 vacant pitches. The aerial photograph below is taken from Google and dated 2018 (although it is likely to have been taken somewhat earlier). This appears to show mobile homes on approximately 8 plots, with another 10 vacant plots, which is consistent with the position recorded in the 2016 GTAA.



4. Hampshire County Council's Gypsy Liaison Officer and the former site manager advise that all or most of the recent residents were Irish Travellers and that, when pitches were vacated, these residents left the Hampshire area with most going to other sites in the London area and the Midlands. Therefore the displacement of these residents did not create a need for additional traveller accommodation in Winchester District, or Hampshire.
5. Data from Companies House shows that in July 2017 a further Director, John Connors, was appointed. Mr Connors discussed his plans for Tynefield with Hampshire County Council's Gypsy Liaison Officer and the former site manager in early 2017 and indicated an intention to start the refurbishment of the whole of Tynefield Park in summer 2018. The intention is to demolish the remaining utility blocks / day rooms and, subject to any necessary planning consents, to install 2 mobile homes on each former pitch, potentially doubling the current 18 pitches.
6. Hampshire County Council's Gypsy Liaison Officer and the former site manager believe that, as of May 2018, there was 1 occupied pitch and 17 vacant pitches at Tynefield. While the GTAA recorded 18 pitches in total at Tynefield in 2016, the owners' plans for the site could potentially result in the total number of pitches doubling to 36. Currently, only 1 pitch is occupied, so

at least 17 pitches are / will be available and this number could increase to as many as 35.

7. Given the recent history of Tynefield, the City Council is satisfied that the GTAA deals with the site in an appropriate way. The GTAA was a snapshot in time which correctly recorded 10 pitches as being vacant and forming part of the 'supply' available to meet identified traveller needs at the time. In fact, this number has now increased to 17 vacant pitches and, following refurbishment, could increase further to as many as 35 pitches. With refurbishment planned to start in summer 2018, all or most of these pitches are / will be available in the short term.
8. Given the potential availability of all / much of the site, the City Council has considered whether it could contribute to meeting the ongoing need for travelling showpersons' plots. Hampshire County Council's Gypsy Liaison Officer advises that it is very difficult to contact the site owners and, in view of their Gypsy heritage, it is most unlikely either that they would be willing to develop the site for travelling showpersons' yards, or that travelling showpeople would want to occupy it. Furthermore, travelling showpeople tend to want to own their plots, rather than rent them. Therefore, the Council did not pursue this option any further.

Conclusion

9. Tynefield will continue to be available as a site for Gypsies and Travellers, but given its current ownership and the owners' plans, it is not available or suitable for travelling showpersons' use. The site represents a significant opportunity to increase the supply of Traveller pitches, should this be needed and acceptable. In terms of Traveller accommodation needs, with the vacation of further plots since the GTAA, any needs identified to meet the residents of these pitches locally have now disappeared as these families have met their needs in other parts of the country.