

WINCHESTER GYPSY AND TRAVELLER AND TRAVELLING SHOWPERSONS DEVELOPMENT PLAN DOCUMENT EXAMINATION HEARINGS

AGENDA – DAYS 1 and 2

Monday 3 September 2018 at 10.00am and
Tuesday 4 September 2018 at 10.00am

Venue: The Wykeham Room, The Guildhall, The Broadway,
Winchester SO23 9GH

OPENING

MATTER 1 - LEGAL COMPLIANCE/PROCEDURAL REQUIREMENTS

MATTER 2 - DUTY TO CO-OPERATE

MATTER 3 – EVIDENCE BASE – See note below regarding this matter

MATTER 4 – SUPPLY OF SITES

MATTER 5 – CRITERIA BASED POLICIES

MATTER 6 – SITE ALLOCATIONS

Please note:

- All participants are encouraged to familiarise themselves with the hearing statements (and any additional evidence) produced by the Council and other parties in respect of the matters addressed at this session. These are available on the examination website.
- Most references to questions refer to those posed by the Inspector in her Schedule of Matters, Issues and Questions (already circulated).
- Detailed site-specific representations will be considered under matter 6 on day 2.
- I am satisfied with the responses from the Council on matter 3. In light of these responses and the fact that the GTAA was considered by the Inspector examining LPP2, including the soundness of Policy DM4, I intend to cover this matter very briefly and will hear no further evidence in relation to the GTAA in so far as it provides the basis for pitch/plot requirements in Policy DM4.
- The Examination will be based upon the guidance set out in the original National Planning Policy Framework (2012) and Planning Policy for Traveller Sites (2015).
- The hearings will run until around 17:00 each day with a mid-morning break, a lunch break around 1pm and a mid-afternoon break.

OPENING

1. Inspector's Opening, including legal and procedural questions
2. Questions/procedural or programming matters
3. Council's opening statement

MATTER 1 – LEGAL COMPLIANCE AND PROCEDURAL REQUIREMENTS

Plan preparation

1. Is the DPD compliant with:
 - (a) the Local Development Scheme?
 - (b) the Statement of Community Involvement?
 - (c) the 2004 Act and the 2012 Regulations?

Sustainability Appraisal

2. Are the likely environmental, social and economic effects of the DPD adequately and accurately assessed in the Sustainability Appraisal (SA)?
3. How has the SA been reported?
4. Does the SA test the DPD against all reasonable alternatives?
5. Have any concerns been raised about the SA and what is the Council's response to these?
6. Have the requirements for Strategic Environmental Assessment been met?

Habitat Regulations Assessment

7. Is the Council satisfied that the Habitats Regulations Assessment is adequate and complies with the relevant legislation?

Other matters

8. How have issues of equality been addressed in the DPD?
9. Are there any updates or changes to the Schedule of Proposed Modifications (CD8)?

MATTER 2 – DUTY TO CO-OPERATE

1. Overall, has the DPD been prepared in accordance with relevant legal requirements, including the 'Duty to Cooperate' imposed by Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended)? Has the duty to co-operate been met? What has been the nature of the co-operation and on what issues? How is the planning work of the various planning authorities co-ordinated?

MATTER 3 – EVIDENCE BASE

See note above

1. Are there any updates in terms of the evidence base.

MATTER 4 – SUPPLY OF SITES

1. Do the Council have a 5 year supply of gypsy and traveller sites?
2. Are there any potential problems with deliverability of sites being relied upon in the DPD?
3. Does the DPD identify a supply of specific, deliverable sites, or broad locations for growth for years 6-10?
4. A need for 24 plots for showpeople has been established in LPP2 Policy DM4, but the DPD identifies a shortfall in provision for such sites. How is the DPD sound in these circumstances? What would be the impact on those in need of a plot? Is the lack of provision resulting in unauthorised encampments?
5. Have all options been exhausted in relation to identifying and allocating sites for showpeople? Have the Council considered using its CPO powers to provide sites to remedy the shortfall?
6. Can the Council please provide an update on outstanding planning issues with sites such as the Piggeries and Carousel Park and how this affects the supply of pitches?
7. Do all the 'sites with planning permission' identified in row b of the table at the bottom of page 13 of the DPD have a permanent planning permission? If not, can the Council please provide details of all of these permissions. In addition, are any of the permissions personal to the occupants? If so, can the Council please provide details.

MATTER 5 – CRITERIA BASED POLICIES

1. Is policy TR5 too restrictive? Should this policy be open and not make reference to sites TR1-TR4?
2. Is policy TR6 justified and effective? Are any changes proposed to the policy wording?

MATTER 6 – SITE ALLOCATIONS

1. Is site W008, under policy TR1 too close to the A31? Is it close enough to facilities?
2. Is the site boundary of site W014 correctly defined?

3. Is the access to site W014 safe and suitable? Does it impact on a public footpath?
4. Do any of the proposed sites lie within the inner consultation zone set by the Health and Safety Executive? If so which ones and what are the implications of this?
5. Is Policy TR2 justified and effective?
6. Is policy TR3 justified and effective?
7. Is policy TR4 justified and effective?
8. Any other relevant matters?
9. Close.