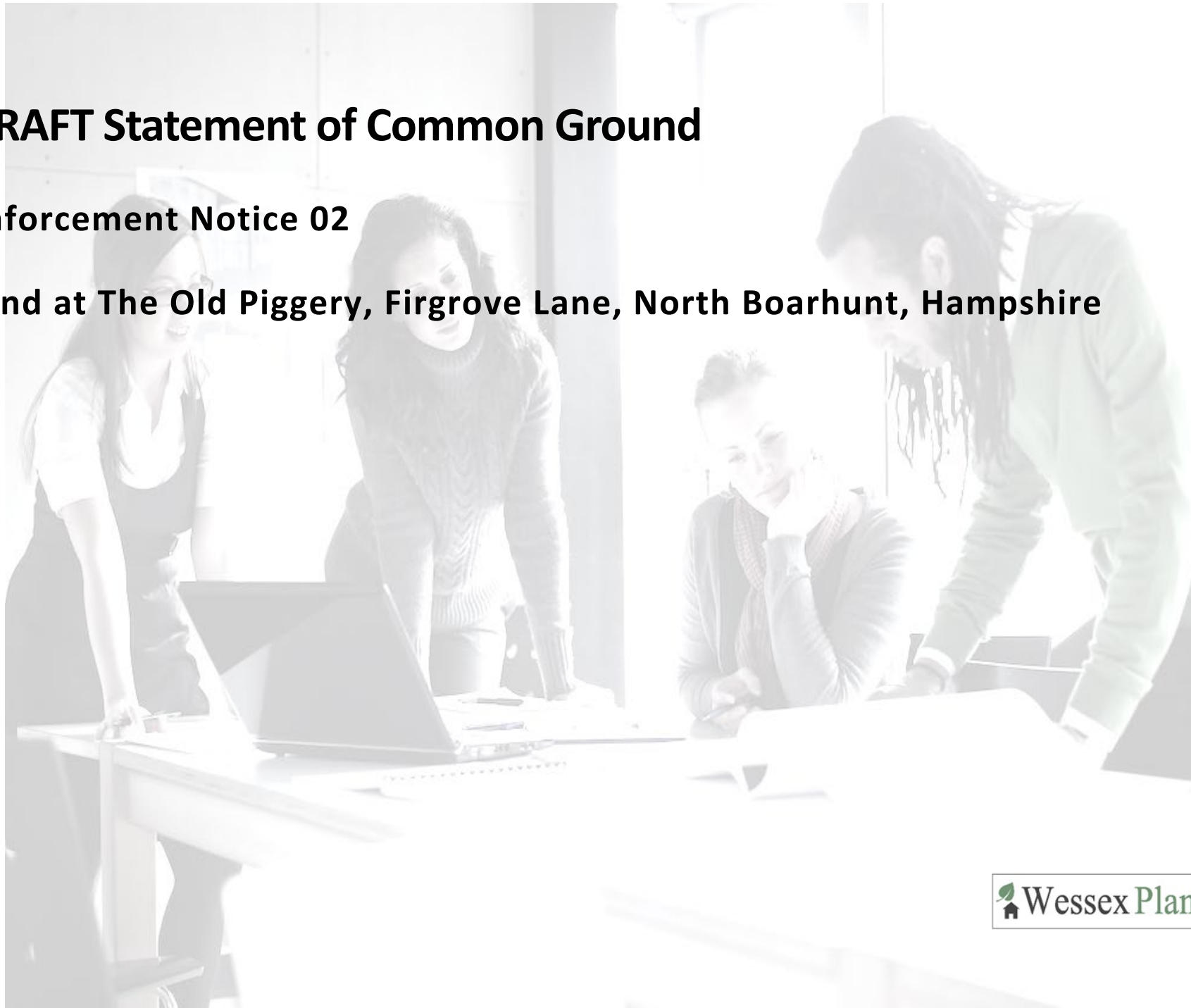


# **DRAFT Statement of Common Ground**

**Enforcement Notice 02**

**Land at The Old Piggery, Firgrove Lane, North Boarhunt, Hampshire**



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## 1 Appeal Reference

1.1 To be confirmed

## 2 Site Address

2.1 The site address used by WCC is The Old Piggery, Firgrove Lane, North Boarhunt, Hampshire. This is agreed as set out in the appeal statement.



## 3 Agreed Description of Development

3.1 The material change of use of the land to use as a residential caravan site; together with the construction of associated areas of hardstanding, buildings and fencing which facilitate the change of use of the land.

Enforcement Notice 02

Land at The Old Piggery, Firgrove Lane, North Boarhunt, Hampshire

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#### **4 List of Plans that informed the Council's Decision**

4.1 None – the appeal relates to an enforcement notice.

4.2 However, the related refused planning application (LPA reference 21/00399/FUL) plans including this site, were

- Existing site plan SD-2149-101 Rev A
- Planning, Design and Access Statement
- Tricel Novo UK30 Sewage Treatment Plant Brochure, PIA Certificate, Manual and Plant details

Amended plans were also submitted to the LPA but were not consulted on (see below) and did not inform the decision (see next section)

## **5 List of Any New Plans not previously seen or consulted on by the LPA**

5.1 The amended plans that were submitted in relation to the related planning application were designed to address the criticisms of the existing layout and are:

- Re-organisation and upgrade July 2021 (which showed the potential to remove the caravan from this site).

5.2 With reference to the Wheatcroft principles, the lack of consultation on the amended layout, if considered by the Inspector, would not result in any prejudice to third parties as the occupier could be relocated within the amended plan. The appellant is willing for the Inspector to consider these amended plans as the deemed application under Ground A.

## 6 Planning History

6.1 For the site outlined in red on the enforcement notice, there is only one relevant planning application 19/02250/FUL (see below). However, the following is the planning history for the land around the site:

6.2 11/01875/FUL – Siting of 4 residential gypsy caravans – temporary permission until 30/11/16



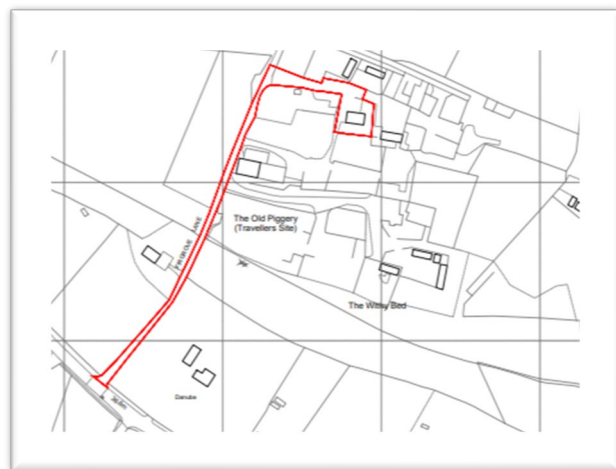
Enforcement Notice 02

Land at The Old Piggery, Firgrove Lane, North Boarhunt, Hampshire

6.3 18/01691/FUL– Continued stationing of 4 residential gypsy caravans without complying with Condition 3 of planning permission 11/01875/FUL – Permitted 1/11/2018



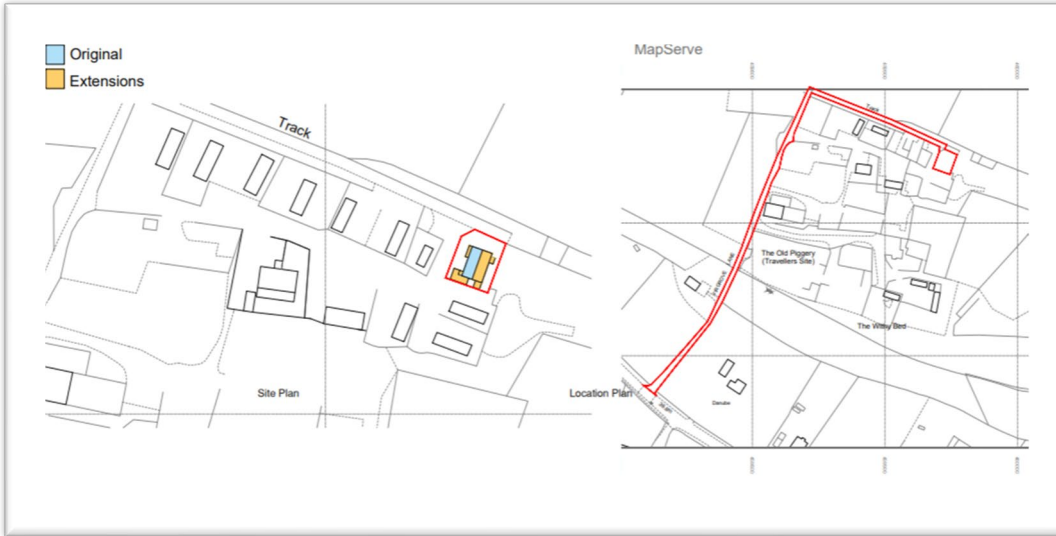
6.4 19/01564/LDC – Retention of building as a single dwellinghouse (7, The Old Piggery) – Permitted 13/9/19 (Home of Mr and Mrs J Keet)



Enforcement Notice 02

Land at The Old Piggery, Firgrove Lane, North Boarhunt, Hampshire

6.5 19/01684/LDC – Retention of building as a single dwellinghouse (6A The Old Piggery) – Permitted 26.09.2019



6.6 19/02250/FUL – Stationing of residential caravans (retrospective) – Refused 19/12/19





Enforcement Notice 02

Land at The Old Piggery, Firgrove Lane, North Boarhunt, Hampshire

6.7 20/01510/FUL – Erection of replacement three-bedroomed bungalow, with adjustment to curtilage – Permitted 19/9/2020

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Enforcement Notice 02

Land at The Old Piggery, Firgrove Lane, North Boarhunt, Hampshire

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## **7 Most Important Development Plan Policy**

- Local Plan Part 1 – Joint Core Strategy: Policies MTRA3, MTRA4 and CP5
- Local Plan Part 2 – Development Management and Site Allocations: Policies DM1 and DM4
- Winchester District Gypsy, Traveller and Travelling Showpeople Development Plan Document: Policy TR6 and TR7

## 8 Other relevant Development Planning Policy/Guidance/Material Considerations/Weight

- 8.1 **Strategic Planning History** - It is **agreed** that in the draft Gypsy, Traveller and Travelling Showpeople DPD that the site outlined below was considered acceptable 'primarily for' a Travelling Showpersons Site under draft policy TR5, but that this was removed from the pre-submission DPD and ultimately the adopted DPD on the basis of a consultation response sought by the LPA from the Showman's Guild of Great Britain, repeated by the site owner of adjacent land which 'indicated that travellers and travelling show people do not mix therefore delivery of the policy is doubtful' (See DPD Pre-submission Draft Regulation 19 Consultation Statement – Jan 2018 and (Cabinet (Local Plan) Committee report of December 2017) Appendix 1 + 2. However, it is clear that whoever is occupying the 'Firgrove Lane Caravan Park' to the south (and the LPA is pursuing enforcement action that will reveal this) the fact of the matter is that the site has been occupied apparently by these two groups, living side by side in a peaceful manner for at least 5-6 years. There is no evidence of difficulties between the occupiers of the site to the south (Firgrove Lane Caravan Park) the occupiers of either the Withy Beds site (the middle site) or The Old Piggery site (the authorised 4 pitch site to the west of the appeal site).



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## Enforcement Notice 02

Land at The Old Piggery, Firgrove Lane, North Boarhunt, Hampshire

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- 8.2 **Landscape** – It is **agreed** that there is no landscape objection and the site cannot be seen from the adjacent Right of Way or from wider public vantage points.
- 8.3 **Children’s Play Areas** – It is **NOT agreed** that there is sufficient play areas for the children on this pitch. This is despite the children within this caravan being housed on a pitch with a garden area, with access to ‘street play’ environment in a safe overlooked communal area subject to low traffic speeds, as well as the wider countryside through the rights of way network and finally, with easy access to a formal play area (with zip wire) within the village.
- 8.4 **Drainage** – It is **NOT agreed** that the level of wastewater emanating from the site will not change as a result of a Ground A approval of planning permission. It is also **NOT agreed** that, as a result of the proposed new Sewage Treatment Plant, that the amount of nitrate emanating from the site will be significantly reduced, offering an overall improvement in the nitrate situation.
- 8.5 **Human Rights** – It is **agreed** that the implementation of this enforcement notice would render the occupier and her children homeless (and therefore breach the occupier’s human rights) as there are no other vacant authorised sites in the area that the occupier could move to.
- 8.6 **Public Sector Equality Duty** – It is **NOT agreed** that a proper assessment of the PSED has taken place. The forced removal of this occupier with no alternative appropriate accommodation suitable for her way of life is discriminatory.
- 8.7 **Best Interests of the Child** – It is **NOT agreed** that the best in interests of the children living on site have been addressed as a primary consideration in the assessment. The children on this site are enrolled in local schools. Forcibly removing them from their homes into a less secure roadside existence would seriously compromise their education.

## **9 Areas where Appellant and LPA are working together to Resolve Issues**

- 9.1 The SPA mitigation financial payment will be paid imminently, and the Planning Inspectorate will be updated once payment has been made.
- 9.2 A new planning application will shortly be submitted to the LPA addressing the wider site layout issues using the amended plan that was submitted but not considered for the related refused planning application.
- 9.3 The status of this occupier will be verified for the LPA.

**10 Table of Areas of Agreement and Disagreement**

Area of Agreement/Disagreement	Agreement	Disagreement
Strategic Planning History	x	
Accuracy of Site Addresses	x	
Gypsy/Traveller Status of occupants		x
Need for gypsy/traveller pitches		x
Adequacy of Drainage (Nitrates)		x
Adequacy of Children's play area		x
Human Rights Breach		x
Public Sector Equality Duty Breach		x
Best Interests of the Child Breach		x
Acceptable Landscape Impact	x	
Acceptable SPA mitigation (Birds)	X (Mitigation Payment Made)	
Acceptable location in transport and access terms	x	
Acceptable impact on surrounding residential amenity	x	

**11 List of possible conditions**

11.1 The appellant is willing to accept conditions in relation to the drainage scheme itself, and its monitoring and maintenance. The appellant is also willing to accept conditions with regard to the submission of a site layout scheme and landscaping if considered to meet the six tests.

## 12 Suggested Core Documents List

- CD1 – Enforcement Notice 01
- CD2 – Existing site plan SD-2149-101 Rev A
- CD3 - Planning, Design and Access Statement
- CD4 - Tricel Novo UK30 Sewage Treatment Plant Brochure, PIA Certificate, Manual and Plant details
- CD5 - Re-organisation and upgrade July 2021
- CD6 – Officer Report to Committee and Minutes of Committee Meeting
- CD7 - Decision Notice
- CD8 - Appeal Statement with Appendices
- CD9 – Gypsy and Traveller Accommodation Assessment (ORS, October 2016)
- CD10 – Reg 18 DRAFT Gypsy, Traveller and Travelling Showpeople DPD (July 2017)
- CD11 – Cabinet (Local Plan) Committee report (December 2017) (proposing wider site deleted due to no mixing/deliverability justification)
- CD12 – Reg 18 Consultation Statement (Undated)
- CD13 - Reg 19 PRE-SUBMISSION Submission Gypsy, Traveller and Travelling Showpeople DPD (January 2018) (removing wider site)
- CD14 – Reg 19 Consultation Statement – (January 2018)
- CD15 – Inspectors Report (January 2019)
- CD16 - Adopted Gypsy and Travellers DPD (February 2019)



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**13 Appendix 1 - DPD Pre-submission Draft Regulation 19 Consultation Statement – Jan 2018**



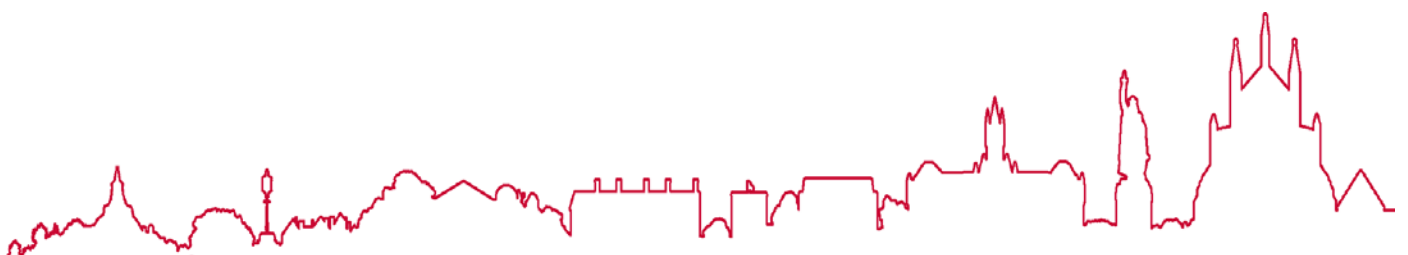
**Winchester**  
City Council

# **Winchester District: Gypsy, Traveller and Travelling Showpeople Development Plan Document**

**‘Traveller DPD’  
(Pre-Submission Draft)**

**Regulation 19 Consultation  
Statement**

January 2018



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## **1. INTRODUCTION**

### **Purpose of the Consultation Statement**

This Consultation Statement accompanies the Reg 19 publication of the Traveller Development Plan Document (DPD). It sets out what consultation and engagement has been undertaken to date and how it has influenced the content of the plan to be considered under Regulation 19. It therefore updates the statement published under Regulation 18, as to the number and nature of comments received at that stage. Following publication the Council aims to submit the DPD for examination in May 2018.

### **Legislative Requirements**

- 1.1 The preparation of the DPD must comply with the National Planning Policy Framework (NPPF) and the Town and Country Planning (Local Planning) (England) Regulations 2012. The nature of this DPD also requires compliance with Government guidance Planning Policy for Traveller Sites (August 2015).
- 1.2 The Regulation 18 consultation statement accompanied the consultation and reflected the early frontloading and engagement previously undertaken.
- 1.3 Regulation 19 represents the second key stage in preparing a DPD. It specifies the requirements for who must be notified of the preparation of the plan that they must be invited to comment on its content and what supporting documents should be made available for inspection.

## **2. CONSULTATION**

### **Regulation 18 Consultation**

- 2.1 Consultation on the draft DPD commenced on 10 July 2017 for an eight week period to cover the summer holidays, closing on 4 September, compared to the statutory six weeks. This was widely publicised through the LDF e-newsletter (Appendix 3), Parish Connect (Appendix 4) and communication with all statutory and general consultees (Appendix 1) listed on the local plan database, plus those that had previously responded to the commencement notice and options consultation. A press release was issued (Appendix 6), together with items on social media (Appendix 5) and a public notice in the local press (Appendix 8). Examples of these are set out in the following Appendices.
- 2.2 An online consultation was launched on the Council's consultation hub Citizenspace.
- 2.3 A copy of the DPD, together with the Sustainability Appraisal and paper copies of the comment form were sent to local and neighbouring libraries for inspection. Social media was utilised with regular updates on Facebook and Twitter and travellers and travelling organisations were informed directly and occupiers of individual traveller sites were also notified. The Facebook post reached 1303 people whereas after seven tweets throughout July – September some 11, 814 people had seen the information.

- 2.4 A briefing was also held for Parish Councils on 24 July, with approximately 20 members of parish councils, together with some District Councillors in attendance.

**Feedback from Regulation 18 consultation.**

- 2.5 99 responses were received, the full responses can all be viewed at <https://winchester.citizenspace.com/policy-and-planning/gypsy-traveller-and-travelling-showpeople/>.
- 2.6 Appendix A of the [Cabinet Report](#) sets out a schedule of the responses, analysis and suggested changes. This was reported to the [Cabinet \(Local Plan\) Committee on 04 December 2017](#), which included a number of appendices including, site assessment analysis and conclusions, schedule of proposed changes, the Sustainability Appraisal and Strategic Environmental Assessment and assessment under the Habitats Regulations, together with the proposed Regulation 19 version of the DPD. Key issues raised include:
- 2.7 **General comments** – a number of representations were received from statutory consultees raising no objection. An objection was raised by the National Federation of Gypsy Liaison Groups in relation to the ORS study and reference to 10% provision. This group considers that the GTAA under represents the actual requirement and sees this as a device for not providing the appropriate provision. Para 3.6 of the [Gypsy and Traveller Accommodation Assessment \(GTAA\)](#) undertaken by ORS, acknowledges that data collected from numerous interviews across the country has revealed that overall approximately 10% meet the new definition as set out in Government Guidance Planning Policy for Traveller Sites (PPTS) published in August 2015. Based on this, ORS then apply this as a 10% allowance to those that they recorded within the ‘unknown’ category for Winchester (unknown because they were not interviewed or refused to be interviewed), but may in fact be travellers in terms of PPTS. The Winchester GTAA recorded those that meet the new definition, those that do not meet the new definition and unknown. Provision of sites for gypsies and travellers in the draft DPD does include a small overprovision, which is aimed at addressing this unknown element.
- 2.8 Historic England requested more details on the impacts on heritage assets, particularly those sites listed under Policy TR1 and TR7. Any new sites promoted would be assessed against Policy CP5 of Local Plan Part 1 and this provides reference to “*proposals should be consistent with other policies such as on design, flood risk, contamination, protection of the natural and built environment.....*”, policies in both local plan part 1 and 2 provide detailed advice on heritage matters, and the DPD includes a note on page 5 to raise awareness that the Traveller plan is part of the Development Plan for the Winchester District and that the policies should be read as a whole. However, an amendment to policy TR7 is suggested to respond to this matter.
- 2.9 Other general comments raise matters such as future provision. It is worth noting that it will be necessary in the future for the GTAA to be updated and policies correspondingly updated, the draft Traveller DPD covers the period

2016 – 2031 (to correspond to the plan periods of Local Plan Parts 1 and 2), however, the ORS GTAA provides guidance up to 2036.

- 2.10 **Policy TR1** – lists existing sites providing traveller accommodation and seeks to ensure these are retained in the future. East Hants DC has suggested that the policy is clarified to ensure that the intention is to meet the identified need of ‘travellers’ an amendment was recommended to this effect. There are a number of general comments relating to the nature of the sites; distribution of the sites and behaviour of occupants. The majority of the sites listed under the policy have been in traveller occupation for many years and are owned by traveller families.
- 2.11 Historic England raised concern that there is a lack of clarity as to how impact of the site on heritage assets has been assessed, with regard to those sites listed under Policy TR1. These sites are in existence and some have been for many years, so a detailed assessment has not taken place to inform the DPD, further discussions have been held with Historic England who acknowledge these are existing sites and if any changes are proposed these will be covered by the requirements of Policy TR7 (as amended) which reflect the need to take into account impact on heritage and biodiversity interests.
- 2.12 Over half of the representations to Policy TR1, relate to one of the proposed safeguarded sites (W008) Travellers Rest, Bishops Sutton. Representations cover detailed site comments- access, landscaping, site unsuitable for traveller occupation, impact of site on proposed businesses area and a history of alleged anti –social behaviour.
- 2.13 Micheldever PC refer to the existing site at Carousel Park, Micheldever. This site has an extensive planning history and is currently the subject of a public inquiry regarding enforcement action taken by the Council in relation to its alleged use for non-travelling showpersons purposes which are in breach of the planning permission given.
- 2.14 **Policy TR2** – this policy identifies those sites which have been granted a temporary consent and seeks to regularise the authorised use of the sites. Sites with a temporary consent contribute to the unmet need of the District, so if the existing temporary sites are not authorised they would need to be replaced by new sites elsewhere. Most of the sites have been in occupation for sometime and the occupants utilising existing local services.
- 2.15 Since publication of the draft DPD, planning applications have been received and planning permission granted on two of the sites listed in the policy; Joymont Farm and Stablewood Farm. It was recommended that these are deleted from Policy TR2 and listed under Policy TR1 as permanent sites to be safeguarded for traveller use.
- 2.16 Comments have also been received in relation to the site at Ourlands, Knowle on the basis that the site lies within a Strategic Gap and the consequent harm to the character and appearance of the countryside.
- 2.17 Shedfield PC object to the allocation of land adjacent to Gravel Hill for permanent occupation, on the basis of location of the site within a defined Settlement Gap; alleged abuse of planning laws; impact on local residents

and request that, as there is a surplus in provision of gypsy traveller sites through the DPD, this site could be deleted.

- 2.18 This site was granted a temporary consent in February 2017, following a previous refusal in 2015 and commencement of enforcement proceedings. The officer's report acknowledged that a lack of a 5 year supply of traveller accommodation at the time carried significant weight, particularly given that an appeal for a similar sized site (Bowen Farm) had been allowed on the basis of lack of provision in the locality. The site was considered suitable and in compliance with the requirements of Policy CP5 and a temporary consent was granted for 3 pitches, pending preparation of this DPD, expiring 28 February 2019.
- 2.19 Given the identified need on the site by virtue of the temporary consent, together with the assessment process undertaken through the planning application process, it was concluded that regularisation of the site would meet some of the unmet need. It is acknowledged that this may contribute to the total provision through the DPD being slightly in excess of the requirements of Policy DM4. The figure expressed in DM4 is not a maximum and any over provision provides for elements of those travellers that fall within the 'unknown' category as discussed above. Consequently, no change is recommended in light of this objection.
- 2.20 **Policy TR3** – Carousel Park, Micheldever: the policy seeks to ensure that the site is retained for travelling showpersons use and enforcement action is being taken which seeks to achieve this as the Council considers that the site is not currently being used for travelling showpersons purposes and its use is therefore in breach of planning control.. This is a site with a long standing planning history and there is currently an enforcement planning inquiry in progress, the results of which are unlikely be known until mid 2018. The Parish Council is keen to see the site reinstated for its original purpose to address the needs of travelling showpeople. This is what Policy TR3 seeks to achieve so the comment is essentially supporting the policy. Indeed, given the shortfall in travelling showpeople provision in the District against the unmet set out in Policy DM4, it is essential that sites permitted for showpersons' use are retained for such purposes.
- 2.21 **Policy TR4** – This policy relates to The Nurseries in Shedfield, and at present this site is a mix of authorised and unauthorised uses for travelling showpeople. The policy seeks to regularise the position for the whole site and the ORS study identified future needs on the site and therefore there is an opportunity to assess whether any of the plots are capable of sub-division. At present there is no intention to amend Policy TR4 as Policy TR6 allows for the consideration of additional provision if deemed necessary in the future.
- 2.22 **Policy TR5** – Firgrove Lane, North Boarhunt. This is a complex site in several ownerships. Policy TR5, attempted to resolve the various elements of the site in addition to providing a substantial portion of plots to meet the identified unmet needs of travelling showpersons. However, a number of detailed

representations have been received, including comments stating that the policy is not deliverable and there is doubt over the capacity of the Council to deal with the various issues on the site given the scale of occupation. Part of the site is subject of a current planning application for 26 travellers pitches.

- 2.23 This has led officers to re-evaluate the policy in light of the tests of soundness and specifically the need for policies and proposals to be deliverable.
- 2.24 Part of the site has a long standing history of travelling showpersons occupation and this part is covered by Policy TR1, albeit the officers' view is that existing occupants are not travelling showpeople. Therefore, the intention is to retain this part of the site within Policy TR1 safeguarding policy. This will however, require the instigation of necessary enforcement action in relation to alleged occupation of the land by non travelling showpeople.
- 2.25 Advice has been sought from the Showmans Guild of Great Britain as to the deliverability of the draft policy, which included a masterplan to be prepared for the whole site to demonstrate the provision of both gypsy/travellers pitches together with travelling showpersons plots. The Guild's view is that *"showmen and the travelling community do not mix . There is no possibility of showmen taking up plots / positions alongside the travelling community. Our needs are different, as is our background"*.
- 2.26 **Policy TR6** – provides guidance on the expansion or intensification within existing sites. A number of parish councils and others have raised issue with the capacity of the Council to deal with unauthorised activity on sites. Publication of the Traveller DPD puts the Council in a stronger position to respond to unauthorised activity.
- 2.27 The GTAA identified a future need on two of the existing travelling showpersons sites in the District (The Orchard and The Nurseries). Both have some capacity for additional plots and it is the intention to amend to the supporting text to Policy TR6, to reflect this opportunity.
- 2.28 **Policy TR7** – the purpose of this policy is to add another layer of guidance in terms of site layout and infrastructure provision. Support has been received from neighbouring local authorities and specifically from the Environment Agency in terms of the reference to the treatment of waste water. However, both Historic England and Natural England request more specific details relating to both heritage and biodiversity matters. Whilst further detail is not considered necessary because these policies should not be read in isolation from the adopted Policies in Local Plan Parts 1 and 2, which provide for the appropriate level of policy guidance, it is suggested that to ensure these matters are not overlooked an additional bullet to the policy is inserted to this effect
- 2.29 In response to the above, the Council prepared a schedule of changes which was considered by the Cabinet (Local Plan) Committee, this is set out at Appendix 9.



**3. Conclusion**

- 3.1 Winchester City Council has engaged positively with a range of organisations in the preparation of the Traveller DPD, in order to guide the proposed strategy, allocations, policy content and detail. The DPD proposes a practical approach that reflects existing, known provision of sites in view of the lack of alternatives being submitted for consideration.
- 3.2 Engagement with neighbouring authorities has taken place on an ongoing basis and this is detailed in the Duty to Co-operate Statement.

**Appendix 1: Gypsy and Traveller Reg 18 text used in letter/email**



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13 July 2017

**Consultation on draft Traveller Plan for Winchester District**

Dear Sir/Madam

You may be interested to know that Winchester City Council has published a draft document which provides planning guidance for both gypsies and travellers and travelling showpeople on sites in the Winchester District.

Your site or land that you own, may be specifically referred to in the document, which can be viewed on line at <http://www.winchester.gov.uk/planning-policy/gypsy-and-traveller-development-plan/> and you can comment on it by completing the on-line questionnaire.

Alternatively you can visit the Council offices or local libraries to look at the document and pick up a comment form and return to the City Council at the following address:-

- At Winchester City Council's City Offices, Colebrook Street, Winchester, SO23 9LJ  
Monday to Thursday 8.30am - 5.00pm and Friday 8.30am - 4.30pm.
- At local libraries
  - Winchester Discovery Centre, Jewry Street, Winchester
  - Stanmore Community Library, Carroll Centre, Somers Close
  - Alresford Library, Broad Street, New Alresford
  - Bishops Waltham Library, Free Street, Bishops Waltham
  - Waterlooville Library, The Precinct, Waterlooville
  - Eastleigh Library, The Swan Centre, Eastleigh
  - Fareham Library, Osborn Road, FarehamOpening times can be found at [Hampshire County Council](http://www.hampshire.gov.uk) website.

You can also email any comments direct to [LDF@winchester.gov.uk](mailto:LDF@winchester.gov.uk).

**All comments must be received no later than 5.00pm on 4 September 2017.**

Please be aware that we cannot accept anonymous comments – all comments we receive will be included on our website (including your name but not your address or email details).

Yours Faithfully,



INVESTOR IN PEOPLE

Jenny Nell **Head of Strategic Planning**



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**Appendix 2: Statutory / general and interested consultees notified**

South Downs National Park Authority	Overton Parish Council
Eastleigh Borough Council	Laverstoke Parish Council
Fareham Borough Council	Leckford and Longstock Parish Council
Havant Borough Council	Little Somborne Parish Council
Portsmouth City Council	Robert Tutton Town Planning Consultants Ltd
Test Valley Borough Council	Savills
East Hampshire District Council	Hazeley Developments Ltd
Basingstoke & Deane Borough Council	Alfred Homes
South Downs National Park Authority	Trustees of Jenkyns
PUSH	Turley Associates
Hordean Parish Council	Bloombridge
Clanfield Parish Council	Crest Strategic Projects
Froxfield Parish Council	RPS / CgMs
Ropley Parish Council	Savills on behalf of Crown Golf
Medstead Parish Council	CLH Pipeline System Ltd
Wield Parish Council	WYG Planning & Environment
Candovers Parish Council	Rapleys on behalf of Summerbrook Ltd
Steventon Parish Council	Robert Tutton Town Planning Consultants Ltd
Whitchurch Town Council	Goadsby Professional Services
Hurstbourne Priors Parish Council	Edgars Ltd on behalf of Portico Property Ltd
Bullington Parish Council	Vail Williams
Barton Stacey Parish Council	Stratus Environmental Limited
Chilbolton Parish Council	Tetlow King (Bristol)
Kings Somborne Parish Council	Shrimplin Brown Planning & Development
Braishfield Parish Council	Turnberry Planning on behalf of University of Southampton
Ampfield Parish Council	Boyer on behalf of Linden Homes
Bishopstoke Parish Council	Knight Frank LLP
Fair Oak and Horton Heath Parish Council	Terence O'Rourke
Botley Parish Council	Space Strategy
East Meon Parish Council	GL Hearn
West Tisted Parish Meeting	Knights Professional Services
Popham Parish Council	

## Winchester District Traveller DPD – Regulation 19 Consultation Statement

GL Hearn	Royal Winchester Golf Club
Barton Willmore LLP	M25 Group (S Brown, Solent Planning)
Murdoch Planning Limited	The Carroll Centre
Bryan Jezeph Consultancy Ltd	Community First
Linden Homes South	Oliver's Battery Community Centre
Bargate Homes Ltd	Alresford Professional Group
GL Hearn	Winchester Town Forum
Savills	Alresford Professional Group
Wessex Planning	Winchester Muslim Cultural Association
GL Hearn	Central Hampshire Filipino Association
Deloitte	Winchester Action on Climate Change (WinACC)
Aston Mead	The Wickham Society
Rapleys LLP on behalf of Summerbrook Ltd	Action Hampshire
Carter Jonas LLP	Winchester Area Community Action (WACA)
Pro Vision Planning	Kilmeston Village Hall Management Committee
Wessex Planning	Winchester and District Mencap Society
Pro Vision	Age UK
Rapleys LLP	Waltham Chase Women's Institute
Southcott Homes	Winchester Fit for the Future Campaign
Foreman Homes	Carroll Centre and Stanmore Community Association
Vail Williams	Upper Itchen Valley Society
Linden Homes	Bishop's Waltham Society
Thakeham	Bishop's Waltham Society
Winchester BID	Thames Water Utilities
Hampshire Chamber of Commerce	Pure Town Planning
M3 Enterprise LEP	Adams Hendry on behalf of Bovis Homes and Heron Land Developments
Solent LEP	The Planning Bureau/Yourlife management Services/McCarthy&Stone
Alresford Chamber of Commerce	Winchester City Council
Alresford and District Partnership	City of Winchester Trust
Aldi Stores (Swindon)	Theatres Trust
Winchester Business Improvement District	
Hampshire Chamber of Commerce	

## Winchester District Traveller DPD – Regulation 19 Consultation Statement

Drew Smith Limited	Highways Agency
Foreman Homes	Environment Agency
Pennyfarthing Homes	Historic England
Linden Limited	Natural England
HAB Housing	The Planning Inspectorate (PINS)
Bloombridge Development Partners	Homes and Communities Agency
Taylor Wimpey	Hampshire County Council
Iberian Investments Ltd	Office of the Rail Regulator
Lightwood Property	Marine Management Organisation
Reedrent Ltd	Forestry Commission
Martindale Homes	Hampshire Probation Trust
Bargate Homes (Land East of Waltham Chase)	Equality and Human Rights Commission
Southcott Homes (Fareham) Ltd	Civil Aviation Authority
Foreman Homes Limited	NATS
Croudace	Hampshire County Council
Orchard Homes	Hampshire County Council
Persimmon Homes South Coast	Hampshire County Council Strategic Planning
Gladman Developments Ltd	Hampshire County Council (Public Health)
Winchester University	Public Health Team, Hampshire County Council
Sun Hill Junior School	Planning Policy Team, Hampshire County Council
University of Winchester	HCC
Peter Symonds College	NHS England (Wessex)
Southern Gas Networks	NHS West Hampshire CCG
Southern Electricity Plc	NHS South East Hampshire CCG
Southern Electric Plc	Winchester and Eastleigh NHS Trust
EDF Energy Networks	South Central Ambulance Service NHS Trust
E.on Energy	The Alresford Surgery
Npower	NHS Property Services (NHSPS)
Centrica Plc	Lainston Estate
National Grid	The Hospital of St Cross
National Grid Plant Protection	South West Defence Estates
Highways England	

## Winchester District Traveller DPD – Regulation 19 Consultation Statement

Atisreal UK	Dev Plan
King Sturge	SSA Planning
Avington Associates	Burton Property
Bryan Jezeph Consultancy	Edgehill Battersea Ltd
Broadway Malyan	Frobisher Ltd
Mapledean Developments Ltd	Seaward Properties and Langtons Farm
Persimmon Homes	Forest Holidays
Highbridge Properties	Laishley Developments Ltd
Bovis Homes and Heron Land Developments	International Group
Heron Land Developments	The Church Commissioners
Winchester College	Holmes & Sons
Taylor Wimpey - Re Waterlooville	Landmark Development AG
Chalkbank Estates Ltd	Huxley (UK) Ltd
Tichbourne Estate	Welbeck Land LLP
Eagle Star Estates Ltd	Bargate Homes
Weatherstone Properties Ltd	Crest Strategic Projects Ltd
Gleeson Homes	Linden Homes
Grainger Plc	London & Henley (Winchester) Ltd
Taylor Wimpey UK Ltd (PUSH)	Portico Property
CALA Homes	Lone Star Land Ltd
Laney Properties	Abbotswood Properties
Trehaven Group Ltd	Kebbell Homes
The Grange Estate	PC Ltd
Orchard Homes	Barrett David Wilson
Cavendish and Gloucester PLC	Romberg Investments Ltd
Southcott Homes	Swifts Property Ltd
Heine Planning	Bellway Homes
Malcolm Scott Consultants	Steeple Court Estate
Summerbrook Ltd	Harley (Winchester) Ltd
BBC Pension Trust	Trustees of Tier
Blue Cedar Homes Limited	David Wilson Homes
Firstplan	Barratt David Wilson Southampton

## Winchester District Traveller DPD – Regulation 19 Consultation Statement

Bewley Homes	Winchester Friends of the Earth
J S Bloor (Newbury) Ltd	Hampshire and Isle of White Wildlife Trust
Byng's Business Development Ltd	Winchester Action On Climate Change
BST Group	Adjutant General Corps
The Gray Family	Army Training Regiment
Whiteley Co-Ownership	The National Trust - London & South East Region
Portsmouth Diocesan Board of Finance (c/o Cluttons)	BAA Southampton
CALA (c/o G L Hearn)	Health and Safety Executive
Bargate Homes	RSPB
Tichborne Estate (Upex G )	Royal Mail Group
on behalf of Portico Property Ltd	National Federation of Gypsy Liaison Groups (NFGLG)
Vail Williams	Defence Science and Technology Laboratory (DSTL)
Turley Associates	CPRE Hampshire
Turley Associates	CPRE
Quick Move Properties	Marine Management Organisation
A R B Mechanical Engineering	People's Trust for Endangered Species
Longacre Properties Limited	RSPB
Whiteley Developments Ltd	Home Builders Federation (HBF)
Croudace Strategic	Natural England
C Morgan and Sons Ltd (c/o agent)	Badger Farm Parish Council
Bargate Homes	Bighton Parish Council
Arcus Consultancy Services Ltd (Planning Division)	Bishops Sutton Parish Council
Deloitte	Bishops Waltham Parish Council
Rapleys	Boarhunt Parish Council
Thakeham	Bramdean and Hinton Ampner Parish Council
Wessex Planning	Cheriton Parish Council
Dean Lewis Estates Limited	Colden Common Parish Council
Gladman Developments Ltd	Compton and Shawford Parish Council
The Coal Authority	Corhampton and Meonstoke Parish Council
Hampshire & IOW Local Nature Partnership	Crawley Parish Council
Hampshire Fire and Rescue	Curdridge Parish Council

## Winchester District Traveller DPD – Regulation 19 Consultation Statement

Denmead Parish Council	Chilcomb Parish Meeting
Droxford Parish Council	Exton Parish Meeting
Durley Parish Council	Warnford Parish Meeting
Hambledon Parish Council	South Wonston Parish Council
Headbourne Worthy Parish Council	Droxford Parish Council
Hursley Parish Council	Chairman, Kilmeston Parish Council
Itchen Stoke and Ovington Parish Council	Upham Parish Council
Itchen Valley Parish Council	Compton and Shawford Parish Council
Kilmeston Parish Council	Otterbourne Parish Council
Kingsworthy Parish Council	Curdrige Parish Council
Littleton and Harestock Parish Council	Hampshire Constabulary
Micheldever Parish Council	Hampshire Police Liaison
New Alresford Town Council	Police and Crime Commissioner
Northington Parish Council	A2 Dominion Housing
Old Alresford Parish Council	Radian Group
Olivers Battery Parish Council	Sovereign Kingfisher
Otterbourne Parish Council	First Wessex
Owslebury Parish Council	First Wessex
Shedfield Parish Council	Hyde Housing Association
Soberton Parish Council	Sentinel Housing Association
South Wonston Parish Council	Sovereign Housing Association
Southwick and Widley Parish Council	Alresford Society
Sparsholt Parish Council	Bishops Waltham Society
Swanmore Parish Council	Wickham Society
Tichborne Parish Council	Alresford Society
Twyford Parish Council	Winchester City Residents Association
Upham Parish Council	Bishops Waltham Residents Association
West Meon Parish Council	Bishops Waltham Society
Whiteley Town Council	Denmead Village Association
Wickham Parish Council	Save Barton Farm Group
Wonston Parish Council	The Dever Society
Beauworth Parish Meeting	St Giles Hill Residents Association



## Winchester District Traveller DPD – Regulation 19 Consultation Statement

St Swithun Street and Symonds Street Res Assoc	Winchester City Football Club
Badger Farm and Olivers Battery Residents Associat	Sport England
Twyford Residents Association	The Winchester Sport Art and Leisure Trust
Sleepers Hill Association	Winchester Rugby Club
Stanmore and District Community Centre	Winchester & District Athletics Club
Shawford Village Residents Association	BT Openreach
Funtley Village Society	Vodafone and O2 c/o EMF Enquires
St Swithun St and Symonds St Residents Association	EE
Residents of Forest Close, Waltham Chase	Three
Shedfield Parish Residents' Group	Railtrack Plc - Southern Zone
St Swithun Street & Symonds' Street Resident's Ass	Network Rail
South Downs Society	South West Trains
Curbridge Preservation Society	Network Rail
Residents of East Stratton	English Welsh and Scottish Railway Ltd
The Nursery Road Residents Group	Highways England
Sun Hill and Tichborne Residents	Highways England
Wickham Community Land Trust	South East Water
Wickham Residents Association	Southern Water
Sleepers Hill Association	Southern Water
Perins School	South East Water
Sport England (South East Region)	Thames Water
The Lawn Tennis Association	Albion Water

**Appendix 3: E – Newsletter June, July and November 2017**



Issue 51 June 2017

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**Publication of draft Traveller Development Plan for consultation**

Following completion of the options consultation in May, to which over 100 comments were received, the Council has considered the responses together with the [accommodation needs assessment and initial site assessments](#), undertaken by Opinion Research Services (ORS) and Peter Brett Associates (PBA) respectively in 2016.

The Council has also clarified whether the sites identified in the PBA site assessment study are actually available for traveller purposes. A number of the sites assessed are owned by Hampshire County Council, the County has since confirmed that its land and premises are not available for traveller use as they are required to be retained for operational purposes.

Given the identified need for 15 gypsy and traveller pitches and 24 travelling showpersons plots during the period 2016 -2031, the strategy proposed focusses on existing sites and the options available to meet the need. This has led the Council to propose a strategy which:-

- Safeguards existing sites
- Regularises suitable existing temporary sites
- Includes specific site allocation policies for the larger more complex sites in multiple ownerships

## Winchester District Traveller DPD – Regulation 18 Consultation Statement

The Council's Cabinet (Local Plan) Committee is being requested to agree the draft document for consultation at its meeting on 30 June – all papers can be viewed at

[Cabinet \(Local Plan\) Committee to be held on 30 June 2017](#)

Supporting evidence can be viewed at <http://www.winchester.gov.uk/planning-policy/gypsy-and-traveller-development-plan/>.

The consultation will commence on Monday 10 July until Monday 4 September and will include an online consultation which can be accessed at the Council's consultation hub <https://winchester.citizenspace.com/>. All consultees will be notified, together with those that have been involved to date, copies of documents will also be placed in local libraries.

After the close of the consultation the Council will assess the responses received, and report these together with any proposed changes to a future meeting of Cabinet (Local Plan) Committee.

Strategic Planning Team  
[ldf@winchester.gov.uk](mailto:ldf@winchester.gov.uk)  
01962 840 222

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Issue 52 July 2017

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**Reminder Consultation Closing Monday 4th September 2017**

The consultation on the draft Gypsy and Traveller Development Plan Document will be closing on Monday 4th September. Please see information below on how to respond to this consultation.

**Publication of draft Traveller Development Plan for consultation**

Following completion of the options consultation in May, to which over 100 comments were received, the Council has considered the responses together with the [accommodation needs assessment and initial site assessments](#), undertaken by Opinion Research Services (ORS) and Peter Brett Associates (PBA) respectively in 2016.

The Council has also clarified whether the sites identified in the PBA site assessment study are actually available for traveller purposes. A number of the sites assessed are owned by Hampshire County Council, the County has since confirmed that its land and premises are not available for traveller use as they are required to be retained for operational purposes.

Given the identified need for 15 gypsy and traveller pitches and 24 travelling showpersons plots during the period 2016 -2031, the strategy proposed focusses on existing sites and the options available to meet the need. This has led the Council to propose a strategy which:-

- Safeguards existing sites

## Winchester District Traveller DPD – Regulation 18 Consultation Statement

- Regularises suitable existing temporary sites
- Includes specific site allocation policies for the larger more complex sites in multiple ownerships

The Council's Cabinet (Local Plan) Committee is being requested to agree the draft document for consultation at its meeting on 30 June – all papers can be viewed at [Cabinet \(Local Plan\) Committee to be held on 30 June 2017](#)

Supporting evidence can be viewed at <http://www.winchester.gov.uk/planning-policy/gypsy-and-traveller-development-plan/>.

The consultation will commence on Monday 10 July until Monday 4 September and will include an online consultation which can be accessed at the Council's consultation hub <https://winchester.citizenspace.com/>. All consultees will be notified, together with those that have been involved to date, copies of documents will also be placed in local libraries.

After the close of the consultation the Council will assess the responses received, and report these together with any proposed changes to a future meeting of Cabinet (Local Plan) Committee.

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Issue 53 November 2017

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### **Traveller Development Plan update**

The Council's Cabinet (Local Plan) Committee will meet on Monday 4 December to consider and agree the next stage of the preparation of this document. Following, consultation on the draft Plan, during July – September, the Council has considered the representations received and now proposes to make some changes to the document to ensure that the proposals are deliverable to meet the identified traveller needs in the District.

All papers can be viewed at <http://www.winchester.gov.uk/meetings/meeting/5001>

After the revised document has been agreed there will be a further round of consultation in January/February 2018, this will focus on whether the document complies with the 'tests of soundness' – based on evidence, is the most appropriate strategy, can be delivered etc. This is prior to the Council submitting the document for examination before an independent planning inspector during spring/summer next year.

### **Revised Local Development Scheme**

The Local Development Scheme (LDS) sets out a three year plan for the preparation of local plan documents, with the adoption of Local Plan Part 2 in April 2017 and progression of the Traveller Plan to its next stage, it is an appropriate time to update the LDS.

All papers can be viewed at <http://www.winchester.gov.uk/meetings/meeting/5001>

A key element of the update is to establish a timetable for the Local Plan Review – this will commence during 2018, once pending changes to Government Planning Policy have been finalised. In the meantime, it is the Council's intention to commence evidence gathering with an update of the Strategic Housing Land Availability Assessment (SHLAA) in the New Year – further details will be published in 2018.

### **Local Plan Part 2**

The written statement and all policies maps can be viewed at

<http://www.winchester.gov.uk/planning-policy/local-plan-part-2-development-management-allocations/lpp2-adoption>

### Central Winchester Regeneration Area

Winchester City Council is consulting on a draft Supplementary Planning Document (SPD) for the Central Winchester Regeneration Area (CWR Area). The draft SPD sets out a vision and urban design framework for the future development of the CWR Area. The document will, once adopted, provide design guidance for development in the CWR Area and will supplement the Winchester District Local Plan Part 1 adopted in 2013 and Part 2 adopted in 2017.

Pending approval from the Council's Cabinet on 6 December 2017, formal consultation will begin on 11 December for eight weeks, concluding on 5 February 2018 and will include exhibitions across the district.

The draft SPD and consultation forms are available on the Council's website along with details of the exhibitions: [winchester.gov.uk/CWR](http://winchester.gov.uk/CWR) Paper copies are available from the Council reception on Colebrook Street, Winchester, SO23 9LJ. Monday to Thursday 8.30am – 5.00pm and Friday 8.30am – 4.30pm.

Feedback should preferably be submitted using the online comment form at:

[winchester.gov.uk/CWRfeedback](http://winchester.gov.uk/CWRfeedback) alternatively the questions are available to download as a PDF document, print and complete by hand if required.

A free post address is provided for those completing the form by hand; alternatively forms can be handed into the Council reception.

You can also comment by email to [CWRRegen@winchester.gov.uk](mailto:CWRRegen@winchester.gov.uk) or in person by completing the form during exhibitions or write to us at: Freepost Plus RTLH-KXUA-SEEC, Central Winchester Regeneration, WCC, Winchester, SO23 9ZT

Paper copies of the draft SPD will be available for inspection from local libraries after 11 December (opening times can be found on the Hampshire County Council website):

- Winchester Discovery Centre, Jewry Street, Winchester
- Stanmore Community Library, Carroll Centre, Somers Close
- Alresford Library, Broad Street, New Alresford
- Bishops Waltham Library, Free Street, Bishops Waltham
- Waterlooville Library, The Precinct, Waterlooville
- Eastleigh Library, The Swan Centre, Eastleigh
- Fareham Library, Osborn Road, Fareham
- Romsey Library, Station Road, Romsey
- Chandlers Ford Library, Oakmount Road, Chandler's Ford, Eastleigh

Please be aware that we cannot accept anonymous comments – all comments we receive will be included on our website (including your name but not your address or email details).

If you wish to be notified of the adoption of the SPD please include your contact details with your response.

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## Appendix 4: Parish Connect July and August 2017



July 2017

Welcome to this bumper July edition of Parish Connect! We are pleased to be back after a three month break, due to a prolonged period of purdah in the run up to both the Local and General elections.

This issue is packed with important information on public consultations, as well as useful information on health, events and opportunities in your area.

### Publication of draft Traveller Development Plan for consultation



The Council is required to plan for the needs of gypsies and travellers in accordance with Government guidance. Last week the Council's Cabinet agreed to publish the draft plan for consultation. The draft plan seeks to identify sites across the District that will provide for the identified need of 15 gypsy and traveller pitches and 24 travelling showperson's plots.

The draft plan takes a positive approach to existing sites within the District by proposing that these sites are retained; those with a temporary planning permission are granted a permanent consent where appropriate and for the more complex sites, bespoke policies are proposed to ensure the necessary requirements are met. This will give the Council stronger control over traveller development on other sites which are not proposed to be allocated in the plan.

Cllr Caroline Brook, Portfolio Holder for the Built Environment said:

*"With the adoption of Local Plan Part 2 in April setting out the gypsy and traveller requirement to be met in the District, the Council has made significant progress in preparing a positive strategy that will provide certainty to both the travelling and settled communities."*



## Winchester District Traveller DPD – Regulation 18 Consultation Statement

*Our draft traveller plan takes a pragmatic approach to identifying sites and we pleased to be able to publish this for consultation over the following weeks. We would encourage all those with an interest to contribute and we will be contacting National Gypsy and Traveller organisations to promote publication of the draft plan.”*

The consultation period commences on Monday 10 July. For all documents and how to comment go to

<http://www.winchester.gov.uk/planning-policy/gypsy-and-traveller-development-plan/>

Documents can also be inspected at the Councils offices and in local libraries.

The consultation will close on 4 September, after which the Council will assess any responses received before amending the draft plan and submitting to the Planning Inspectorate for examination during 2018.

Strategic Planning  
LDF@winchester.gov.uk

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August 2017

Welcome to the August edition of Parish Connect. The weather may not be as seasonal as we would like, but we nevertheless, hope that your summer is shaping up well.

This issue is packed with important information on public consultations, as well as useful information on health, events and opportunities in your area.

#### **Publication of draft Traveller Development Plan for consultation**

The draft Traveller plan is now out for consultation and all documents can be viewed at <http://www.winchester.gov.uk/planning-policy/gypsy-and-traveller-development-plan/>  
The consultation will run until Monday 4 September and includes an online consultation which can be accessed at the Council's consultation hub <https://winchester.citizenspace.com/>.

Parish councils were invited to a briefing on 24 July and the presentation has now been forwarded to all parish councils.

If your Parish Council will struggle to submit its response by 4 September due to your meeting schedule over the summer, please get in contact with the Strategic Planning team to agree an extension of time.

Strategic Planning Team  
[ldf@winchester.gov.uk](mailto:ldf@winchester.gov.uk)  
01962 840 222

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**Appendix 5: Social Media**

FACEBOOK

The following post was published on Winchester City Council’s Facebook page on 1 September 2017



On 5 September, a customer contacted the Council via Facebook private message looking for more information on the plan and specific sites. The customer was referred to the head of Strategic Planning for advice.

Analytics:

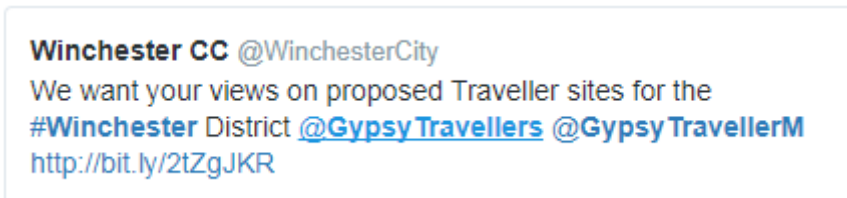
Date:	People reached	Shares	Likes	Comments
1 Sep 2017	1,303	7	4	<p>The proposed allocation of Gypsy and Traveller site Ref W008 at Appledown Lane off Whitehill Lane Bishops Sutton is ill conceived and should be withdrawn.</p> <p>A brief Summary key points are:-</p> <p>The Travellers Rest Site W008 has been abandoned for 5 years</p> <p>The Travellers Rest Site does not comply with</p>

## Winchester District Traveller DPD – Regulation 18 Consultation Statement

				<p>WCC's own policies</p> <p>The site is approximately 50m from the new business area which could affect its viability. Future access to the Town will be via the new Employment Zone.</p> <p>The Site was refused permission in the past</p> <p>The Site is very close (20m) to residential properties Site W008 is not suitable for a number of reasons including its position, location, and size.</p> <p>Its location next to the A31 (See map below) is totally unsuitable. There has a long history of Planning applications, Appeals and Social problems with this site.</p> <p><b><i>(The customer was urged to record his response using the consultation, which he did)</i></b></p>
TOTAL	1,303	7	4	

### TWITTER

The following tweet was published on 10 July 2017, 19 July 2017, 2 August 2017, 10 August 2017, 15 August 2017, 25 August 2017 and 1 September 2017. FFT (@Gypsy Traveller) and Traveller Movement (@GypsyTravellerM) were tagged in every tweet.



Date	People reached	Re-tweets	Likes	Comments
10 July 2017	1,099	3	1	
19 July 2017	2,024	5	3	-
2 Aug 2017	2,242	4	1	-
10 Aug 2017	1,758	1	1	-
15 Aug 2017	1,533	3	1	-
25 Aug 2017	1,819	4	2	-
1 Sep 2017	1,339	3	-	-
<b>TOTAL</b>	<b>11,814</b>	<b>23</b>	<b>9</b>	

## Appendix 6: Press Release 12/07/17

### Publication of Traveller Plan for Consultation

The Council is required to plan for the needs of gypsies and travellers in accordance with Government guidance. This week the Council's Cabinet agreed to publish the draft plan for consultation. The draft plan seeks to identify sites across the District that will provide for the identified need of 15 gypsy and traveller pitches and 24 travelling showperson's plots.

The draft plan takes a positive approach to existing sites within the District by proposing that these sites are retained, those with a temporary planning permission are granted a permanent consent where appropriate and for the more complex sites bespoke policies are proposed to ensure the necessary requirements are met. This will give the Council stronger control over traveller development on other sites which are not proposed to be allocated in the plan.

The consultation period commences on Monday 10 July, for all documents and how to comment go to <http://www.winchester.gov.uk/planning-policy/gypsy-and-traveller-development-plan/>, documents can also be inspected at the Councils offices and in local libraries.

*"Cllr Caroline Brook, Portfolio Holder for the Built Environment said; With the adoption of Local Plan Part 2 in April setting out the gypsy and traveller requirement to be met in the District, the Council has made significant progress in preparing a positive strategy that will provide certainty to both the travelling and settled communities. Our draft traveller plan takes a pragmatic approach to identifying sites and we pleased to be able to publish this for consultation over the following weeks. We would encourage all those with an interest to contribute and we will be contacting National Gypsy and Traveller organisations to promote publication of the draft plan."*

The consultation will close on 4 September, after which the Council will assess any responses received before amending the draft plan and submitting to the Planning Inspectorate for examination during 2018.

Strategic Planning

[LDF@winchester.gov.uk](mailto:LDF@winchester.gov.uk)

**Appendix 7: Letters to travellers (hand addressed and stamped envelopes)**

**Consultation on draft Traveller Plan for Winchester District**

Dear Sir/Madam

You may be interested to know that Winchester City Council has published a draft document which provides planning guidance for both gypsies and travellers and travelling showpeople on sites in the Winchester District.

Your site or land that you own, may be specifically referred to in the document, which can be viewed on line at <http://www.winchester.gov.uk/planning-policy/gypsy-and-traveller-development-plan/> and you can comment on it by completing the on-line questionnaire.

Alternatively you can visit the Council offices or local libraries to look at the document and pick up a comment form and return to the City Council at the following address:-

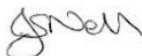
- At Winchester City Council's City Offices, Colebrook Street, Winchester, SO23 9LJ Monday to Thursday 8.30am - 5.00pm and Friday 8.30am - 4.30pm.
- At local libraries
  - Winchester Discovery Centre, Jewry Street, Winchester
  - Stanmore Community Library, Carroll Centre, Somers Close
  - Alresford Library, Broad Street, New Alresford
  - Bishops Waltham Library, Free Street, Bishops Waltham
  - Waterlooville Library, The Precinct, Waterlooville
  - Eastleigh Library, The Swan Centre, Eastleigh
  - Fareham Library, Osborn Road, FarehamOpening times can be found at [Hampshire County Council](http://www.hampshire.gov.uk) website.

You can also email any comments direct to [LDF@winchester.gov.uk](mailto:LDF@winchester.gov.uk).

**All comments must be received no later than 5.00pm on 4 September 2017.**

Please be aware that we cannot accept anonymous comments – all comments we receive will be included on our website (including your name but not your address or email details).

Yours Faithfully,



Jenny Nell, Head of Strategic Planning

## Appendix 8: Public Notice



### WINCHESTER CITY COUNCIL PUBLIC NOTICE

#### The Town and Country Planning (Local Planning) (England) Regulations 2012: Preparation of a Local Plan (Regulation 18)

#### Public Consultation on draft Traveller Development Plan Document

Winchester City Council is consulting on a draft Traveller Development Plan Document (Traveller DPD). The Traveller DPD safeguards and allocates sites to meet identified traveller accommodation needs for the District, outside of the South Downs National Park. There has been much work with the traveller community, Parish Councils, settled communities and other organisations to develop the draft Traveller DPD and this is the first time it has been consulted on in its entirety.

The draft Traveller DPD, Sustainability Appraisal (incorporating Strategic Environmental Assessment [SEA] and Habitats Regulations Assessment [HRA]), and other supporting documents can be viewed:

- Online on the City Council's website – <http://www.winchester.gov.uk/planning-policy/gypsy-and-traveller-development-plan/gypsy-and-traveller-development-plan-document/>
- At Winchester City Council's City Offices, Colebrook Street, Winchester, SO23 9LJ Monday to Thursday 8.30am - 5.00pm and Friday 8.30am - 4.30pm.
- At local libraries:
  - Winchester Discovery Centre, Jewry Street, Winchester
  - Stanmore Community Library, Carroll Centre, Somers Close
  - Alresford Library, Broad Street, New Alresford
  - Bishops Waltham Library, Free Street, Bishops Waltham
  - Waterlooville Library, The Precinct, Waterlooville
  - Eastleigh Library, The Swan Centre, Eastleigh
  - Fareham Library, Osborn Road, FarehamOpening times can be found at [Hampshire County Council](http://www.hampshire.gov.uk) website.

You can complete an online comment form at:

<https://winchester.citizenspace.com/policy-and-planning/gypsy-traveller-and-travelling-showpeople>. Alternatively, you can comment using the form provided on the website or by email to [LDF@winchester.gov.uk](mailto:LDF@winchester.gov.uk). Paper copies, for return to City Offices at the above address, are available at the places where the Plan can be inspected. All comments must be received no later than 5.00pm on 4 September 2017.

Please be aware that anonymous comments will not be accepted – all comments received will be included on our website (including your name but not your address or email details).

Jenny Nell  
Head of Strategic Planning, 10 July 2017

**Appendix 9: Schedule of Proposed Changes to draft Traveller DPD**

<b>Page/ para ref</b>	<b>Proposed change</b>	<b>Reason for change</b>
Title page and contents	Amend to read 'Publication (pre-submission) consultation February 2018 and updating as required to reflect following changes	updating
1.5	Update para 1.5 to refer to the SA/SEA process and updating	Updating
1.7	Add the following to para 1.7 '... , those sites that lie within 5.6km of the SPA, are listed in the schedule at Appendix D.'	to reflect the comments of Natural England
1.9 - 1.10	Updating to reflect stage reached	Updating
1.13	Update to confirm no new sites have been identified through the Duty to Co-operate process.	Update to reflect responses received from neighbouring local planning authorities under Duty to Co-operate
1.14	Update as required and to include confirmed closing date for Regulation 19 consultation.	Updating to reflect next stage of consultation
2.2 – 2.3	Update to reflect stage reached	Updating
2.8- 2.12	Update to reflect stage reached	Updating
2.14	Update table	Updating to reflect revised policies and proposals
3.2 – 3.10	Update to reflect stage reached	Updating
After 3.10	Insert summary of Regulation 18 consultation:	Updating
3.11 – 3.13	Delete section on site assessment methodology from main text and place in an Appendix (E)	To reflect stage reached
4.1 – 4.5	Update to reflect stage reached	Updating
Policy TR1	Insert 'traveller' to clarify the purpose of the policy  Update policy to reflect current status of sites	To reflect comments from East Hampshire District Council
4.7 – 4.10 Policy TR2	Updating to reflect those sites that now have a permanent planning permission – Joymont Farm, Curdridge Lane and Stablewood Farm, The Lakes, Swanmore	Updating and amendment to proposed strategy to reflect advice from Showmans Guild of Great Britain.



Winchester District Traveller DPD – Regulation 18 Consultation Statement

Page/ para ref	Proposed change	Reason for change
	Insert plan and policy to allocate 4 pitches for gypsy and traveller purposes at Firgrove Lane, North Boarhunt.	
4.15 – 4.17 Policy TR5	Delete policy as evidence received through the consultation has indicated that as travellers and travelling showpeople do not mix therefore delivery of the policy is doubtful.	Amendment to proposed strategy to reflect representations to the consultation and the views of the Showmans Guild of Great Britain.
4.18 – 4.21 Policy TR6	Updating to reflect current position Amendment of Policy TR6 to cross refer to others policies to ensure these requirements are not overlooked	Updating and clarification
Additional paragraph	Reference to the shortfall of provision of travelling showpersons plots and suggested approach going forward.	Updating and clarification
Policy TR6	Amendments to clarify the intention of the policy;  Insertion of new bullet to refer to heritage and biodiversity matters to be taken into consideration	Updating and clarification and to reflect the representations from Historic England and Natural England
Insert new section on Transit sites	It is necessary to refer to transit sites as these are specifically referred to in Government guidance and this paragraph reflects the GTAA findings and how the Council will deal with unauthorised encampments in the foreseeable future.	Updating and clarification
Insert new section implementation and monitoring	To indicate how the policies will be delivered and monitored	Updating
Appendix A – F	Update to reflect above changes	Updating

**14 Appendix 2- Cabinet (Local Plan) Committee report - December 2017**

REPORT TITLE: WINCHESTER DISTRICT TRAVELLER DEVELOPMENT PLAN  
DOCUMENT – APPROVAL OF PLAN FOR PUBLICATION AND SUBMISSION FOR  
EXAMINATION

CABINET (LOCAL PLAN) COMMITTEE - 4 DECEMBER 2017

CABINET - 6 DECEMBER 2017

REPORT OF PORTFOLIO HOLDER: Councillor Caroline Brook, Portfolio Holder for  
Built Environment

Contact Officer: Jenny Nell Tel No: 01962 848278 Email [jnell@winchester.gov.uk](mailto:jnell@winchester.gov.uk)

WARD(S): ALL

PURPOSE

The Draft Traveller Development Plan Document (DPD) was published for consultation during July – September 2017. This follows key evidence studies undertaken in 2016 and the adoption of Local Plan Part 2 in April 2017. Local Plan Part 2 Policy DM4 sets out the requirement for 15 gypsy/traveller pitches and 24 travelling showpersons plots within the Winchester District (excluding South Downs National Park) during the period 2016 – 2031.

This report summarises the responses received to the consultation under Regulation 18 of the Town and Country Planning (England)(Local Plan) Regulations 2012 and proposes any necessary changes to the draft DPD, prior to its publication and further consultation under Regulation 19, and then submission for examination in 2018.

RECOMMENDATIONS:

THAT IT BE RECOMMENDED TO CABINET:

1. That the responses to the representations, as set out in Appendix A, be noted and taken into account in considering the amendments proposed to the Traveller DPD.

2. That subject to any changes made at the meeting, the content of the Pre-Submission DPD, as recommended in Appendix D of this report, be approved for submission to full Council.
3. . That authority be delegated to the Head of Strategic Planning, in consultation with the Portfolio Holder for Built Environment, to make any minor amendments to the DPD and accompanying documents prior to presentation to the Council and publication, in order to correct errors and format text without altering the meaning of the Plan.

**AND THAT IT BE RECOMMENDED TO COUNCIL:**

4. That the Winchester District Gypsy, Traveller and Travelling Showpeople Development Plan Document (Traveller DPD) be approved for Publication (Pre-Submission) and subsequent Submission to the Secretary of State, together with supporting documents including the Sustainability Appraisal and the Habitats Regulations Assessment, in accordance with the relevant statutory and regulatory requirements.
5. That the Head of Strategic Planning, in consultation with the Portfolio Holder for Built Environment, be authorised to submit the Winchester District Gypsy, Traveller and Travelling Showpeople Development Plan Document and accompanying documents to the Secretary of State following the publication period, in accordance with the relevant statutory and regulatory requirements.
6. That the Head of Strategic Planning, in consultation with the Portfolio Holder for Built Environment, be authorised to make editorial amendments to the Winchester District Gypsy, Traveller and Travelling Showpeople Development Plan Document and accompanying documents prior to submission to the Secretary of State, to correct errors and format text without altering the meaning of the DPD.
7. That the Head of Strategic Planning, in consultation with the Portfolio Holder for Built Environment /Leader, be authorised to make changes to the Winchester District Gypsy, Traveller and Travelling Showpeople Development Plan Document before, during and after the public examination process, in order to respond to matters raised through the consultation and examination process.
8. That the Head of Strategic Planning be authorised to appoint a Programme Officer and undertake other work as necessary to prepare for and undertake the public examination (including agreeing to meet the Planning Inspectorate's fees), provided this is within the allocated Local Plan budget/Reserve.

## IMPLICATIONS:

### 1 COUNCIL STRATEGY OUTCOME

- 1.1 This development plan document (DPD) will complete the suite of plans under the existing Winchester Development Framework. It will contribute to achieving the Council Strategy Housing outcome which aims to ensure residents of the district have access to quality housing options which are affordable. It is necessary for this DPD to have regard to the Council Strategy, which is a legal requirement in the plan making process.

### 2 FINANCIAL IMPLICATIONS

- 2.1 The resources for the preparation of this DPD have been approved as part of the budget process. Studies commissioned in 2016 were undertaken as part of a joint project with neighbouring authorities, the total cost of these studies was approximately £20,000 and has been met from existing budgets.
- 2.2 More recently specific consultancy advice has been sought to advise on the content of the draft DPD, this has included the appointment of the Hampshire County Council Gypsy Liaison Officer whose fees are able to be covered by the existing budget for this DPD. Consultants Enfusion were also appointed (PHD 730) to undertake the Sustainability Appraisal/Strategic Environmental Assessment, at a cost of £10,000. It will be necessary for the SA/SEA to be updated to reflect any comments received to the publication of the draft SA/SEA as part of the Regulation 18 consultation
- 2.3 Proposed publication arrangements as set out at paras 10.58 – 10.65 will be covered by the existing budget for this DPD.
- 2.4 The DPD process includes a public examination, which will require the appointment of a programme officer, hire of venue and payment of the planning inspector's fees. Provision of £50,000 for this have been included in existing budgets and timing of this is anticipated to be during 2018/19 financial year.
- 2.5 The ability of the Council to ensure the delivery of its proposed strategy is one of the key tests against which the DPD will be examined in due course. An important aspect of the proposed strategy is to ensure that allocated sites are deliverable and used for the correct type and number of travellers. At the meeting on 30 June (CAB2947(LP)) members agreed (Recommendation 5) *That the Assistant Director (Estates and Regeneration) be instructed to advise further on the option of acquiring land for the purpose of providing a site for traveller occupation within the District.*
- 2.6 This work has now been completed and the results are set out in the following sections of this report.
- 2.7 It should be noted that some of the sites proposed to be allocated for the purposes of travelling showpeople's accommodation as part of the DPD will potentially generate enforcement action. This is based on an understanding

that groups currently occupying these sites, or at least some areas within them, may not be regarded as travelling showpeople in planning policy terms. A further consideration will therefore need to be given to the resources which may be required to instigate appropriate action and this will be reviewed by the Head of Development Management as part of the budget setting process for 2018/19 in consultation with other relevant heads of service.

### 3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 Preparation of a DPD is required to comply with various processes and procedures set out in the Town and Country Planning (England)(Local Plan) Regulations 2012 and NPPF, and Part 2 of the Planning and Compulsory Purchase Act 2004, together with environmental regulations. Failure to comply with the various elements of legislative procedure could result in the DPD being found 'unsound' in due course.
- 3.2 In addition to regulations establishing plan making procedures, the Government published in August 2015, specific planning advice in relation to travellers – Planning Policy for Traveller Sites, which sets out matters to be taken into account in policy making and planning decisions.

### 4 WORKFORCE IMPLICATIONS

- 4.1 The Strategic Planning team is leading the preparation of this DPD, taking advice from other specialists within the Council as required. Other officers have provided specific advice as necessary with regard to the content and details included in the draft DPD, particularly in relation to the sites allocated.
- 4.2 Publication of this DPD is likely to result in planning applications being submitted to the Council which together with any necessary enforcement processes will be dealt with by the Development Management Team (see para 2.7 above)

### 5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 Following instructions to the Assistant Director (Estates and Regeneration) to investigate the possibility of acquiring the site, five sites were identified as being potentially available to purchase on the open market. These sites have been subsequently assessed as to their suitability for traveller use against adopted local plan policies, the results of this are set out in the following sections of this report and Appendix B. Generally none of the sites were deemed suitable for taking forward, some being within the South Downs National Park and others having planning policy constraints that prevent them from further consideration.

### 6 CONSULTATION AND COMMUNICATION

- 6.1 Consultation on the draft DPD commenced on 10 July 2017 for an eight week period to cover the summer holidays, closing on 4 September, compared to the statutory six weeks. This was widely publicised through the LDF e-newsletter, Parish Connect, and communication with all statutory and general

consultees listed on the local plan database, plus those that had previously responded to the commencement notice and options consultation. A press release was issued, together with items on social media and a public notice in the local press. An online consultation was launched on the Council's consultation hub Citizenspace. A copy of the DPD, together with the Sustainability Appraisal and paper copies of the comment form were sent to local and neighbouring libraries for inspection. A briefing was also held for Parish Councils on 24 July. Social media was utilised with regular updates on Facebook and Twitter and travellers and travelling organisations were informed directly and occupiers of individual traveller sites were also notified. The Facebook post reached 1303 people whereas after seven tweets throughout July – September some 11, 814 people had seen the information.

- 6.2 The Council is required to publish a Consultation Statement at each stage of DPD preparation and this can be viewed on the Council's website. It will be necessary for this to be updated in time for the publication consultation during January 2018.
- 6.3 A total of 99 responses were received and these can be viewed at <https://winchester.citizenspace.com/policy-and-planning/gypsy-traveller-and-travelling-showpeople/>.
- 6.4 A summary of the responses and analysis of the comments received are appended to this report (Appendix A) and considered further below.
- 6.5 This report seeks authorisation to publish the draft DPD under Regulation 19 of the Local Plan Regulations (2012). This stage of consultation is focussed on the tests of 'soundness' and the consultation forms will be structured to reflect these and other procedural matters a DPD must comply with (see para 10.60 below).

## 7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 This DPD is required to comply with Government policy including the PPTS and NPPF which set out the requirements for sustainable development. The SA/SEA published alongside the draft DPD includes specific environmental assessment of all the sites and draft policies. The consultation raised some queries in relation to the SA/SEA and the Council's consultants Enfusion have considered these in the schedule at Appendix A.

## 8 EQUALITY IMPACT ASSESSMENT

- 8.1 All development plan documents are assessed in accordance with the Council's Equality Policy. The draft Traveller DPD was subject to an Equalities Impact Assessment and this did not raise any specific recommendations. It will be necessary to repeat the assessment at the next stage of publication to ensure that the proposals have no adverse impacts from an equality perspective.
- 8.2 On a broader note, the Government's revised definition of travellers (incorporated in the Planning Policy for Traveller Sites 2015 and used during

the accommodation assessment process undertaken by ORS) has been challenged nationally by a member of the travelling community. This matter is currently being considered by the High Court and the timescale is unknown as to when a decision can be anticipated, which could be some time. The definition remains as set out in the 2015 Policy, unless the High Court challenge is successful. Whilst this generates an element of risk to the Council in terms of moving forward with the DPD, it is considered necessary to proceed with publication of it, to provide certainty to both communities and travellers as Council's approach to meeting the accommodation needs identified.

## 9 RISK MANAGEMENT

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
<p><i>Property</i></p> <p><i>lack of sites available to meet identified need.</i></p>	<p>Assessment of WCC land-holdings' potential to provide traveller sites; investigate possibility of WCC purchasing a site suitable for traveller occupation.</p>	<p>Assistant Director (Estates and Regeneration) instructed to advise further on option undertake assessment of sites currently on the market.</p>
<p><i>Community Support</i></p> <p><i>Lack of consultation and engagement would undermine public confidence in the DPD and may lead to challenges further down the line.</i></p>	<p>Consultation on the draft DPD was extended by 2 weeks as the consultation period extended over the summer holidays. Consultation on the pre-submission version of the DPD will focus on the tests of soundness. DPD's are required to comply with several stages of publication and an independent examination.</p>	<p>Communication to date has used existing techniques. Both the options consultation and the consultation on the draft DPD extensively utilised social media.</p>
<p><i>Timescales</i></p> <p><i>There has been some slippage on the published timescales set out in the LDS due to the options consultation undertaken in March 2017 and level of resources within the Strategic Planning team given the scale and complexity of the issues involved in the preparation of this DPD.</i></p>	<p>The DPD is on track for adoption by end 2018 and sufficient resources will be made available to support the process against the revised timeframe.</p>	<p>The approved LDS refers to publication under Reg 19 during November 2017 this is being updated It is necessary to update the LDS to reflect a revised timescale which will publish the pre-submission DPD for 6 weeks following approval at Council on 10 January 2018 (see CAB2994(LP) on this agenda). At this stage the consultation focusses on the tests of soundness</p>



		and there is no requirement to respond to the responses received these are submitted with the various background papers to the planning Inspectorate for Examination.
<i>Project capacity</i>  <i>Insufficient staff resources will hinder delivery against the agreed programme for the adoption of the DPD.</i>	Ensure sufficient staff resources are available by reviewing likely requirements as part of the budget setting process for 18/19.	Utilise skills and expertise from staff within the Council and external consultants for specialist advice as necessary.
<i>Financial / VfM</i>  <i>Lack of financial resources will hinder delivery against the agreed programme for the adoption of the DPD..</i>	Funding for the preparation of this DPD is already in the budget	Commissioning of research with neighbouring authorities.
<i>Legal</i>  <i>There is a current challenge to the definition of 'travellers' pending a High Court hearing and subsequent judgement. This is an external matter beyond the Council's control. The ORS report sets out the need requirement for the District in compliance with the current Government definition; if this changes in the future it will be necessary to update the ORS report and potentially the strategy proposed in the draft DPD.</i>	Ensure all processes are followed and duly documented.	Monitor progress of the legal challenge and review this DPD in light of the outcome, if required.
<i>Innovation</i>	n/a	
<i>Reputation</i>	See community support above	
<i>Other</i>  <i>DPD does not allocate sufficient sites to meet identified need for travelling show people despite extensive work to</i>	The Council can show it has taken all reasonable steps to find sufficient sites.  Take enforcement action as appropriate albeit the	In the absence of sites the DPD proposes to deal with the issue through enabling sites that contribute to the unmet need of travelling showpersons and are

<p><i>find such sites which will be an issue at public examination stage of the process.</i></p>	<p>outcome cannot be guaranteed.</p>	<p>policy compliant to be considered favourably.</p>
<p><i>It is understood that some proposed sites are not currently being occupied in accordance with the allocation which may limit their availability to travelling show people.</i></p>	<p>It may be necessary to review the DPD in light of unsuccessful enforcement action in regard to allocated sites.</p>	<p>Ensure appropriate monitoring mechanisms are expressed and reviewed as necessary.</p>
<p><i>Outcome of the Carousel Park inquiry is unknown at this stage.</i></p>	<p>Depending on the outcome of the appeal at Carousel Park, this could change the need for show persons plots.</p>	<p>See above</p>

## 10 SUPPORTING INFORMATION:

### Background and progress to date

- 10.1 Both Part 1 and Part 2 of the adopted Local Plan, include policies in relation to the provision of sites for gypsies and travellers. The Winchester District Local Plan Part 1 includes a criteria based Policy CP5 which establishes parameters for the consideration of sites. Local Plan Part 2 Policy DM4 establishes the gypsy and traveller accommodation need for the plan period 2016 – 2031, identified as ‘about 15 gypsy/traveller pitches and 24 travelling showpersons’ plots’ for those meeting the current Government definition of ‘travellers’ (in the PPTS).
- 10.2 Two key evidence studies were completed in 2016, and reported to the February meeting of this committee (CAB2904(LP)) refers – the Site Assessment Study (PBA) and the Gypsy and Traveller Accommodation Needs Assessment (ORS). These studies can be viewed on the Council’s website.
- 10.3 During March – May 2017, the Council held a broad ‘options’ consultation, to inform the preparation of the draft Traveller strategy, the results were considered by this committee on 30 June 2017 (CAB2947(LP)), and used to inform the strategy and policies in the draft DPD.

### Proposed Draft Traveller DPD

- 10.4 The draft DPD, set out a strategy that reflected the limited options available to the Council, that included i) safeguarding existing permitted sites which are distributed across the District, ii) regularising those sites which have a temporary planning permission, iii) policies to consider the expansion of existing sites and to provide detailed guidance for the consideration of

planning applications and iv) specific policies for the larger/complex sites within the District.

- 10.5 Government guidance (PPTS August 2015), requires local authorities to have a five year supply of available traveller sites and to identify a supply of specific developable sites for years 6-10 and where possible years 11- 15. The guidance advises that to be considered developable, sites should be in a suitable location with a reasonable prospect that the site is available and can be developed for such purposes.
- 10.6 Since publication of the needs assessment in late 2016 and Policy DM4, some sites have been allowed on appeal and the Council has granted planning permission for others. Along with the sites that the draft DPD proposes to authorise/allocate, the Council has a current five year supply and can meet its identified needs in relation to the provision of gypsy and traveller pitches. There however, remains a shortfall in the provision of travelling showpersons plots.
- 10.7 Given, the identified shortfall the Council has explored options to resolve this, through the following mechanisms:
- Duty to co-operate
  - Acquisition of land for such purposes
- 10.8 The results of these exercises are set out below.
- 10.9 In addition it is a requirement to assess the draft DPD through the Sustainability Appraisal / Strategic Environmental Assessment process. This followed existing procedures and applies the Sustainability Appraisal objectives consistently. It will also be necessary to update this for the next stage; any specific responses to the SA/SEA published under the Regulation 18 consultation are included in Appendix A.

#### Key Matters raised through the consultation

- 10.10 The consultation closed at midnight on Monday 4 September, with 99 responses being received. Appendix A summarises the responses to both the draft DPD and SA/SEA and includes an officer response, together with any recommended actions to amend the DPD.
- 10.11 **General comments** – a number of representations were received from statutory consultees raising no objection. An objection was raised by the National Federation of Gypsy Liaison Groups in relation to the ORS study and reference to 10% provision. This group considers that the GTAA under represents the actual requirement and sees this as a device for not providing the appropriate provision. Para 3.6 of the [Gypsy and Traveller Accommodation Assessment \(GTAA\)](#) undertaken by ORS, acknowledges that data collected from numerous interviews across the country has revealed that overall approximately 10% meet the new definition as set out in Government Guidance Planning Policy for Traveller Sites (PPTS) published in August

2015. Based on this, ORS then apply this as a 10% allowance to those that they recorded within the 'unknown' category for Winchester (unknown because they were not interviewed or refused to be interviewed), but may in fact be travellers in terms of PPTS. So in terms of the results for Winchester, the GTAA recorded those that meet the new definition, those that do not meet the new definition and unknown. Provision of sites for gypsies and travellers in the draft DPD does include a small overprovision, which is aimed at addressing this unknown element.

- 10.12 Historic England has requested more details on the impacts on heritage assets, particularly those listed under Policy TR1 and TR7. Any new sites promoted would be assessed against Policy CP5 of Local Plan Part 1 and this provides reference to "*proposals should be consistent with other policies such as on design, flood risk, contamination, protection of the natural and built environment.....*", policies in both local plan part 1 and 2 provide detailed advice on heritage matters, and the DPD includes a note on page 5 to raise awareness that the Traveller plan is part of the Development Plan for the Winchester District and that the policies should be read as a whole.
- 10.13 So whilst it might be considered that there is sufficient local plan guidance without the need to make further changes to draft policies in the Traveller DPD, to aid clarity to this issue (and that raised by Natural England in terms of the natural environment), an additional bullet is suggested to be added to policy TR7.
- 10.14 Other general comments raise matters such as future provision. It is worth noting that it will be necessary in the future for the GTAA to be updated and policies correspondingly updated, the draft Traveller DPD covers the period 2016 – 2031 (to correspond to the plan periods of Local Plan Parts 1 and 2), however, the ORS GTAA provides guidance up to 2036.
- 10.15 A representation has also been received in relation to the specific lack of provision for Travelling Showpersons and that the identified shortfall needs to be addressed to ensure that the DPD is found 'sound' in due course. (See para 10.51 below)
- 10.16 **Policy TR1** – lists existing sites providing traveller accommodation and seeks to ensure these are retained in the future. East Hants DC has suggested that the policy is clarified to ensure that the intention is to meet the identified need of 'travellers' and an amendment is recommended in Appendix A to this effect. There are a number of general comments relating to the nature of the sites; distribution of the sites and behaviour of occupants. The majority of the sites listed under the policy have been in traveller occupation for many years and are owned by traveller families. If any subsequent changes are proposed these will need to comply with the policies in the Traveller DPD and other adopted local plans.
- 10.17 Historic England has raised concern that there is a lack of clarity as to how impact of the site on heritage assets has been assessed, with regard to those sites listed under Policy TR1. These sites are in existence and some have been for many years, so a detailed assessment has not taken place to inform

this DPD, where Policy TR1 seeks to ensure existing sites are retained for traveller purposes. Further discussions have been held with Historic England who acknowledge these are existing sites and if any changes are proposed these will be covered by the requirements of Policy TR7 (as amended) which reflect the need to take into account impact on heritage and biodiversity interests.

- 10.18 Over half of the representations to Policy TR1, relate to the proposed safeguarded site (W008) Travellers Rest, Bishops Sutton. Representations cover detailed site comments- access, landscaping, site unsuitable for traveller occupation, impact of site on proposed businesses area and a history of alleged anti –social behaviour.
- 10.19 Use of the site for gypsy occupation was originally allowed on appeal in 2003. The Inspector accordingly applied the policy tests applicable at that time acknowledging the small size of the site, existing landscaping and concluding that the proposal would harm the character and appearance of the surrounding area. However, the Inspector subsequently considered the personal circumstances of the applicant to which he gave significant weight and so allowed the appeal, subject to a personal restriction.
- 10.20 The permission was then varied in 2008 to allow anyone of gypsy origin/status to occupy the site, this still restricted the site to no more than one mobile home/caravan and one trailer (touring) caravan. A further application was made in 2010 for one additional caravan/mobile home and erection of a timber clad utility building. This was granted in 2011, subject to a condition stating that the additional mobile home shall only be occupied as part of a single gypsy family.
- 10.21 In planning terms the site is not considered to be abandoned just because it was vacant for a few years, therefore it retains an existing lawful use as a gypsy site and should be included as such a site in the DPD.
- 10.22 Therefore, Policy TR1 seeks to continue to safeguard the site for 1 pitch given its planning history and the land owner has confirmed that the site is still available for such purposes. Even if the Council deleted this site from the list of safeguarded sites in Policy TR1, this would not negate the fact that the site has a valid planning permission for traveller use. It is therefore, not the intention to amend Policy TR1.
- 10.23 Micheldever PC refer to the existing site at Carousel Park, Micheldever. This site has an extensive planning history and is currently the subject of a public inquiry regarding enforcement action taken by the Council in relation to its alleged use for non-travelling showpersons purposes which are in breach of the planning permission given. Policies within the Traveller DPD seek to retain it for its lawful use as a travelling showpersons' site.
- 10.24 **Policy TR2** – this policy identifies those sites which have been granted a temporary consent and seeks to regularise the authorised use of the sites. Sites with a temporary consent contribute to the unmet need of the District, so

if the existing temporary sites are not authorised they would need to be replaced by new sites elsewhere. Most of the sites have been in occupation for sometime and the occupants utilising existing local services.

- 10.25 Since publication of the draft DPD, planning applications have been received and planning permission granted on two of the sites listed in the policy; Joymont Farm and Stablewood Farm. It is therefore recommended that these are deleted from Policy TR2 and listed under Policy TR1 as permanent sites to be safeguarded for traveller use.
- 10.26 Comments have also been received in relation to the site at Ourlands, Knowle on the basis that the site lies within a Strategic Gap and the consequent harm to the character and appearance of the countryside. Para 4.9 – 4.10 of the draft DPD cover this issue through acknowledgement that sites with a temporary consent are currently contributing to the unmet need. However, as they are existing sites with few options for alternative provision being presented, this provides a deliverable solution, which on balance constitute special circumstances to warrant allowing the sites to become permanent despite being in a sensitive location. The policies also require the provision of additional landscaping to mitigate any visual harm.
- 10.27 Shedfield PC object to the allocation of land adjacent to Gravel Hill for permanent occupation, on the basis of location of the site within a defined Settlement Gap; alleged abuse of planning laws; impact on local residents and request that, as there is a surplus in provision of gypsy traveller sites through the DPD, this site could be deleted.
- 10.28 This site was granted a temporary consent in February 2017, following a previous refusal in 2015 and commencement of enforcement proceedings. The officers report acknowledged that a lack of a 5 year supply of traveller accommodation at the time carried significant weight, particularly given that an appeal for a similar sized site (Bowen Farm) had been allowed on the basis of lack of provision in the locality. The site was considered suitable and in compliance with the requirements of Policy CP5 and a temporary consent was granted for 3 pitches, pending preparation of this DPD, expiring 28 February 2019.
- 10.29 Given the identified need on the site by virtue of the temporary consent, together with the assessment process undertaken through the planning application process, it was concluded that regularisation of the site would meet some of the unmet need. It is acknowledged that this may contribute to the total provision through the DPD being slightly in excess of the requirements of Policy DM4. The figure expressed in DM4 is not a maximum and any over provision provides for elements of those travellers that fall within the 'unknown' category as discussed above. Consequently, no change is recommended in light of this objection.
- 10.30 **Policy TR3** – Carousel Park, Micheldever: the policy seeks to ensure that the site is retained for travelling showpersons use and enforcement action is being taken which seeks to achieve this as the Council considers that the site

is not currently being used for travelling showpersons purposes and its use is therefore in breach of planning control.. This is a site with a long standing planning history and there is currently an enforcement planning inquiry in progress, the results of which are unlikely be known until mid 2018. The Parish Council is keen to see the site reinstated for its original purpose to address the needs of travelling showpeople. This is what Policy TR3 seeks to achieve so the comment is essentially supporting the policy. Indeed, given the shortfall in travelling showpeople provision in the District against the unmet set out in Policy DM4, it is essential that sites permitted for showpersons' use are retained for such purposes.

- 10.31 **Policy TR4** – This policy relates to The Nurseries in Shedfield, and at present this site is a mix of authorised and unauthorised uses for travelling showpeople. The policy seeks to regularise the position for the whole site and the ORS study identified future needs on the site and therefore there is an opportunity to assess whether any of the plots are capable of sub-division. At present there is no intention to amend Policy TR4 as Policy TR6 allows for the consideration of additional provision if deemed necessary in the future.
- 10.32 **Policy TR5** – Firgrove Lane, North Boarhunt. This is a complex site in several ownerships. Policy TR5, attempted to resolve the various elements of the site in addition to providing a substantial portion of plots to meet the identified unmet needs of travelling showpersons. However, a number of detailed representations have been received, including comments stating that the policy is not deliverable and there is doubt over the capacity of the Council to deal with the various issues on the site given the scale of occupation. Part of the site is subject of a current planning application for 26 travellers pitches.
- 10.33 This has led officers to re-evaluate the policy in light of the tests of soundness and specifically the need for policies and proposals to be deliverable.
- 10.34 Part of the site has a long standing history of travelling showpersons occupation and this part is covered by Policy TR1, albeit the officers' view is that existing occupants are not travelling showpeople. Therefore, the intention is to retain this part of the site within Policy TR1 safeguarding policy. This will however, require the instigation of necessary enforcement action in relation to alleged occupation of the land by non travelling showpeople.
- 10.35 Advice has been sought from the Showmans Guild of Great Britain as to the deliverability of the draft policy, which included a masterplan to be prepared for the whole site to demonstrate the provision of both gypsy/travellers pitches together with travelling showpersons plots. The Guild's view is that *“showmen and the travelling community do not mix . There is no possibility of showmen taking up plots / positions alongside the travelling community. Our needs are different , as is our background”*. Given the strength of this advice, the essence of which is also repeated in comments from the main site owner there is no option but to delete that part of the policy, that sought to achieve provision of at least 12 additional travelling showpersons plots on the site

because this land is unlikely to be deliverable for travelling show persons accommodation.

- 10.36 This action has consequences in terms of increasing the existing shortfall of travelling showpersons accommodation. Options to resolve this are expressed in paras 10.45 – 10.54 below.
- 10.37 This leaves the existing temporary consent on the site together with a mix of unauthorised pitches. It is proposed to delete Policy TR5, but to allow the existing 4 temporary pitches situated along the northern boundary of the site and occupied by the land owner and his family to become permanent – to be consistent with other temporary sites (under Policy TR2). This would then leave a number of unauthorised pitches to be resolved through enforcement processes.
- 10.38 **Policy TR6** – provides guidance on the expansion or intensification within existing sites. A number of parish councils and others have raised issue with the capacity of the Council to deal with unauthorised activity on sites. Publication of the Traveller DPD, puts the Council in a stronger position to respond to unauthorised activity however, there are resource implications for both the Enforcement and Legal teams within the Council which is considered above at 2.7.
- 10.39 This policy whilst acknowledging that additional provision will be treated on a case by case basis, does not cross refer to either Policy CP5 or TR7. To aid implementation of the policy it is recommended that these cross references are included to ensure that proposals for intensification address key planning issues in terms of infrastructure and the provision of utilities on sites.
- 10.40 The GTAA identified a future need on two of the existing travelling showpersons sites in the District (The Orchard and The Nurseries). Both have some capacity for additional plots and it is the intention to amend to the supporting text to Policy TR6, to reflect this opportunity.
- 10.41 **Policy TR7** – the purpose of this policy is to add another layer of guidance in terms of site layout and infrastructure provision. Support has been received from neighbouring local authorities and specifically from the Environment Agency in terms of the reference to the treatment of waste water. However, both Historic England and Natural England request more specific details relating to both heritage and biodiversity matters. Whilst further detail is not considered necessary because these policies should not be read in isolation from the adopted Policies in Local Plan Parts 1 and 2, which provide for the appropriate level of policy guidance, it is suggested that to ensure these matters are not overlooked an additional bullet to the policy is inserted to this effect – see Appendix A and C.

#### Promotion of alternative sites

- 10.42 A planning agent acting on behalf of traveller families has requested that two additional sites are considered and that the extant permissions on two other sites are modified to allow for expansion.



- 10.43 With regard to the two alternative sites promoted for traveller use, the requirement for 15 gypsy/traveller pitches has been met through the policies and proposals in the draft DPD, therefore there is no need to identify and allocate additional pitches at this time. These sites have however, been assessed in accordance with the requirements of CP5 and this is set out in Appendix B.
- 10.44 No alternative or additional sites have been put forward for consideration as travelling showpersons plots, for which an unmet need continues to be identified. Therefore, there remains an identified shortfall in meeting the requirements of Policy DM4; options to consider reconciling this matter are set out below.

Options to meet the recognised shortfall in Travelling Showpeople sites

- 10.45 **Duty to Co-operate** – it is necessary as part of the plan making process to determine if any identified unmet need can be delivered by neighbouring local authorities. As part of the Regulation 18 consultation the Council specifically wrote to each of its neighbouring councils and asked them to clarify whether there were any sites that could be identified to meet the need of travelling showpeople in the Winchester District, given the identified shortfall in provision of 3 plots at that time. Responses were received from East Hampshire District Council, Fareham Borough Council and South Downs National Park.
- 10.46 East Hampshire advised that they are in the process of updating their GTAA as part of their Local Plan part 3 and this will inform their potential to meet their own needs, before they can consider any additional provision. Fareham has not specifically responded to the Duty to Co-operate matter, although regular officer meetings have been held to discuss travellers and most are in a similar position in terms of developing strategies to meet their own needs.
- 10.47 South Downs National Park, has indicated that as it has been unable to identify sites to meet its full needs for the Winchester part of the Park, these should be identified through Winchester's Traveller DPD. Subsequent discussions on this matter has clarified that the need in the National Park no longer exists as those occupying the sites that contributed to the need have moved on. So whilst this exchange focussed on the needs of the National Park, it was clarified that there was no capacity within the Park to meet Winchester's need. It has therefore been agreed that a Statement of Common Ground will be prepared in due course to this effect.
- 10.48 **Acquisition of land** – Recommendation 5 of the report seeking authorisation to publish the draft Traveller DPD for consultation CAB2947(LP), referred to the Council investigating the possibility of acquiring a site to allocate for Travelling Showpersons' plots. This was undertaken by the Council's Estates team and the sites are listed in Appendix B. Some sites fall within the South Downs National Park, (see paragraph 10.47 above which clarifies the current position) and so these are considered unsuitable.

- 10.49 Officers have therefore applied the criteria of Policy CP5 to the sites identified. None of the sites assessed are deemed sufficiently suitable or are still available for the Council to consider acquiring the land. There is also the issue of whether the sites that are available would be in the right locations and of the right configuration for Travelling Showpersons. The Council is fully aware that both travellers and travelling showpeople have a preference for owning their own sites, so there is no guarantee that even if the Council was successful in acquiring a site, that there would be any interest from Travelling Showpeople in occupying it or buying it from the Council.
- 10.50 In preparing development plan documents it is necessary to be able to demonstrate that all options have been explored to meet the OAN identified for the District. Government guidance in PPTS states that *“the local plan should identify a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against locally set targets. Identify a supply of specific deliverable sites or broad locations for growth for years 6 to 10 and where possible for years 11- 15”*. There is also the requirement to ensure that the proposals are deliverable, one of the key ‘soundness’ tests.
- 10.51 With regard to the provision for Travelling Showpeople and meeting the requirement of 24 plots in the period 2016 – 2030, the Council has undertaken the following:
- Three ‘calls for sites’ during October - December 2016, March – May 2017 and July – September 2017 – no sites for travelling showpersons were received;
  - Planning permission granted for 3 plots at the Nurseries, Shedfield – September - December 2016;
  - Proposals in draft Traveller DPD, published for consultation July – September 2017:
    - (i) Gain of sites on an established site currently the subject of an Enforcement Inquiry (estimated at +3 plots) at Carousel Park, Micheldever (Policy TR3)
    - (ii) Regularisation of sites with a temporary consent +4 plots at The Nurseries, Shedfield (Policy TR4)
    - (iii) Intensification/expansion on existing sites within the parameters of Policy TR6. The GTAA identified additional future need on two travelling showpersons sites in the District. Both sites (The Orchard and The Nurseries) have potential capacity for further plots, therefore provision of about 6 additional plots has been included in the table below which summarises supply against the requirements of Policy DM4.
  - Use of its own land holdings – para 5.1 of CAB2947(LP) confirmed that the Council does not currently control any land or premises that is suitable or available for traveller sites;

- CAB2947(LP) included an additional recommendation to undertake an assessment of sites that could potentially be acquired for use by travelling showpeople (see para 10.48 above). This process has been completed and it is concluded that no suitable sites could be identified to take this option forward.
- The recent Regulation 18 consultation provided the opportunity to formally request of neighbouring planning authorities under the duty to co-operate whether they had sites that could be identified to deliver any of the unmet need in the Winchester District. Responses were received from East Hampshire District Council, Fareham Borough Council and South Downs National Park Authority, all of which indicated that they did not have sites that could be offered to meet the needs in Winchester.

10.52 Taking the above potential sources into account, there remains a significant shortfall in the provision of travelling showpersons plots compared to the identified need . This shortfall is about 8 plots, as indicated in the following table, which summarises provision through the DPD:

	G&T pitches	TSP plots
a. Requirement Policy DM4 (2016 – 2031)	15	24
b. Sites with planning permission/allowed on appeal (since 1/9/16)	8	3
c. Vacant site	1	0
d. To be delivered through this DPD	About 10	About 13
Total supply (b+c+d)	22	16
Surplus/shortfall	+7	-8

10.53 With regard to the 5 year supply position:

Calculation	GT	TSP
5-Year Requirement (incl 5% buffer)	2	16
Supply	6	2
Annual Requirement	0.4	3.2
Years Supply	15	0.6

10.54 Officers are satisfied that they have explored and exhausted all options available at this stage of the plan making process in terms of trying to identify suitable sites for travelling showpeople which are deliverable. It is therefore proposed to resolve the matter through reference in the DPD to positively

considering proposals for sites for Travelling Showpeople, in accordance with the existing policy framework, rather than allocating specific sites for this use. This approach means that when sites come forward from the travelling showpersons' community, planning permission can be granted for proposals which meet the policies out set in the DPD (as amended), and other existing Local Plan policies

#### Other matters

- 10.55 Whilst not specifically raised through the consultation, the GTAA advises (para 6.4) that the situation relating to unauthorised encampments and transit sites be monitored, with a review in August 2018 to reflect three years of monitoring of the revised traveller definition in PPTS. Currently, the Council is effective in dealing with any unauthorised sites, so it is not considered necessary to consider a more permanent solution in this DPD.
- 10.56 This matter can be reassessed if necessary through the Local Plan review that will commence in 2018. However, to ensure this issue is not overlooked it will be necessary to add reference in the DPD to this effect.
- 10.57 It is a requirement to undertake a sustainability appraisal/strategic environmental assessment and habitats regulations (SA/SEA/HRA) assessment at each key stage of plan making. This is to ensure that the DPD is meeting the aims of sustainable development. Responses to comments in relation to the SA/SEA/HRA are included in Appendix A and the updated SA/SEA/HRA is included at Appendix E (attached for Committee Members and available to view on the Council's website: <http://www.winchester.gov.uk/meetings/meeting/5001>)

#### Next stage : Publication under Regulation 19

- 10.58 Following consideration of the matters raised in this report, it is necessary to publish the revised DPD under Regulation 19 of the Local Plan Regulations 2012. This is a statutory stage in the plan making process and reflects the document that the Council wishes to be examined in due course.
- 10.59 Therefore appended to this report is the revised DPD to be published (Appendix D), the updated SA/SEA/HRA (Appendix E) and a schedule of changes from the Regulation 18 version to the publication version (Regulation 19) at Appendix C.
- 10.60 Regulation 19 consultation will focus on the 'tests of soundness' as set out in the NPPF, to be considered sound a DPD must be:-
- Positively prepared – based on a strategy which seeks to meet OAN
  - Justified – should be the most appropriate strategy when considered against reasonable alternatives based on proportionate evidence
  - Effective – the plan is deliverable over the plan period
  - Consistent with national policy

Before an examination can commence the appointed planning inspector will wish to be satisfied that both the legal requirements set out in the Planning and Compulsory Purchase Act 2004 and the Duty to Co-operate are also met.

- 10.61 The consultation will involve all the standard processes through consulting with both statutory and general consultees, together with those interested in the topic and who have commented in the past. The consultation will run for 6 weeks and will commence after this report and the revised DPD is ratified by Council on 10 January 2018. Appropriate media coverage will be issued to raise awareness of the publication.
- 10.62 An online form will be made available for comments to be submitted to the Council, emphasising that the focus at this stage is on the tests of soundness. Therefore in addition to the revised DPD (Appendix D) it will also be necessary to publish the updated SA/SEA/HRA (Appendix E).
- 10.63 As the DPD is the version that the Council would expect to adopt, i.e. it should be the Council's final version of the DPD, there is no requirement for the Council to comment on the representations received and further changes to the DPD should not be necessary. However the statutory provisions allow for modifications to be made under certain circumstances provided they are subject to appropriate consultation and sustainability appraisal. These may be needed before the DPD is submitted for examination but are more likely to emerge during the course of the examination through discussion and debate at the hearings. Delegated authority is sought to enable officers to respond to these matters, in consultation with the Portfolio Holder for Built Environment, as necessary. Formal approval would be sought for any significant modifications if the timescale of the examination allows for this
- 10.64 After the close of the consultation therefore, it is not necessary to respond directly to the representations received, these are summarised highlighting the key issues and forwarded to the planning Inspectorate with the Submission version of the document and other background papers. The revised LDS (CAB 2994(LP)) on this agenda, highlights that this is likely to be in May 2018. To support the examination process it will also be necessary to appoint a programme officer, who will be responsible for liaising with the Planning Inspector and organising the examination programme.
- 10.65 Submission of the DPD for examination then falls within the timescales of the planning inspectorate with hearings scheduled to consider matters, anticipated during June/July 2018.

## 11 OTHER OPTIONS CONSIDERED AND REJECTED

- 11.1 Progressing the Traveller DPD, provides greater certainty in relation to the provision for Travellers within the District. Whilst the strategy has not been able to meet the Council's full OAN in relation to travelling showpeople, this report refers to all the options explored, to demonstrate that the Council has examined all reasonable alternatives as required by the tests of soundness.

## BACKGROUND DOCUMENTS:-

### Previous Committee Reports:-

CAB2947(LP) Traveller Development Plan document – Approval of draft for Consultation – 30 June 2017

CAB2904(LP) Gypsy, Traveller and Travelling Showpeople Site Allocations Development Plan Document Update – 27 February 2017

CAB2837(LP) Gypsy and Traveller Needs/Site Allocations Development Plan Document – 5 October 2016

### Other Background Documents:-

[Gypsy and Traveller Accommodation Assessment – ORS October 2016](#)

[Town and Country Planning \(Local Planning\)\(England\) Regulations 2012](#)

## APPENDICES:

Appendix A : Schedule of responses to consultation

Appendix B : Site assessment analysis

Appendix C : Schedule of proposed changes to Traveller DPD

Appendix D : Regulation 19 version of Traveller DPD

Appendix E : SA/SEA/HRA of Traveller DPD (*attached for Committee Members only and available on the Council's website:*

<http://www.winchester.gov.uk/meetings/meeting/5001>)