**Gypsy, Travellers and Travelling Snowpersons. (GTTS)**

**REPORT for WNDP Policy OA4**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Heading** | **Page** |  |
| **Contents:** |  | **1** |  |
| **Section 1.** | **Introduction.** | **2** |  |
| **Section 2.** | **Need for the Policy.** | **3 & 4** | **Appendix**  [N](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20N%20Appeal%20re%205%20Pitch%20site%2014_01217_FUL-APPEAL_ALLOWED_12.4.16-2121069.pdf) |
| **Section 3.** | **Timeline from Westbourne Parish Council Minutes.** | **5 to 7** | **Appendix**  [N](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20N%20Appeal%20re%205%20Pitch%20site%2014_01217_FUL-APPEAL_ALLOWED_12.4.16-2121069.pdf) |
| **Section 4.** | **Recent Planning History in Westbourne for GTTS pitches/plots.** | **8 to 10** |  |
| **Section 5.** | **Planning History for additional Dwellings in same period.** | **11** |  |
| **Section 6.** | **Issues with consideration of GTTS planning applications.** | **12** | **Appendix** [N](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20N%20Appeal%20re%205%20Pitch%20site%2014_01217_FUL-APPEAL_ALLOWED_12.4.16-2121069.pdf) **&** [A](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20A%20Letter%20exchange%20WPC,%20CDC,%20WSCC.docx) **&** [B](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20B%20Statement%20re%20Gypsy%20Travellers%20Westbourne%2030.10.2016.docx) |
| **Section 7.** | **Distribution of GTTS plots/pitches across Chichester District.** | **13** | **Appendix**  [C](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20C%20Dist%20of%20Plots%20pitches.docx) |
| **Section 8.** | **Analysis of Concerns raised by local community in response to Planning Applications.** | **14** | **Appendix**  [D](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20D%20Sample%20of%20objector%20comments.docx) **&** [E](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20E%20Appeal%20decision%20Old%20Army%20Camp%202000.pdf) **& K** |
| **Section 9.** | **Summary of consultation response to Reg 14 NDP consultation in relation to GTTS.** | **15** | **Appendix**  [F](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20F%20Comments%20of%20responses%20compiled%20from%20Reg%2014%20consultation.docx) |
| **Section 10.** | **Commentary on Chichester District Enforcement.** | **16** | **Appendix**  [G](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20G%20Enforcement%20Report%20to%20WPC.docx) |
| **Section 11.** | **Meeting with GTTS policy officers at CDC 22 July 2016 discussion of draft policy.** | **17** | **Appendix**  [H](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20H%20Chichester%20Local%20Plan%20KP%2036.docx) |
| **Section 12.** | **Limitations of planning process at CDC –lack of good policy at CDC, lack of rigour of planning process. Cabinet Paper** | **18 -19** | **Appendix**  [H](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20H%20Chichester%20Local%20Plan%20KP%2036.docx) **&** [A](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20A%20Letter%20exchange%20WPC,%20CDC,%20WSCC.docx) **&** [M](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20M%20Gypsy%20Traveller%20and%20Travelling%20Showpeople%20Site%20Allocation%20Development%20Plan%20Document%20-%20Review.pdf) |
| **Section 13.** | **Section 13 Proposed Community Balance Policy -WNDP Policy OA4:** | **20** |  |
| **Section 14.** | **Need for GTTS applicants to demonstrate that they do not impact on community balance.** | **21** |  |
| **Section 15.** | **How draft policy OA4 meets the requirements of ‘Laying the Foundations: A Housing Strategy for England’** | **22-23** | **Appendix**  [I](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20I%20Laying%20the%20Foundations%20A%20Housing%20Strategy%20for%20England.pdf) |
| **Section 16.** | **How draft policy OA4 meets Human Rights Act** | **24** | **Appendix**  [J](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20J%20GTTS%20And%20ECHR.docx) |
| **Section 17.** | **How draft policy OA4 meets Equalities Act** | **25** |  |
| **Section 18.** | **Draft policy precedent –Henley NDP** | **26** |  |
| **Section 19.** | **Additional evidence copies of eMails** | **27** | **Appendix**  [L](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20L%20Exchanges%20of%20emails%20CDC,%20Parish%20Council,%20PCSO,%20Community.docx) |
| **Section 20.** | **Conclusion** | **28** |  |
| **Section 21** | **List of Appendices & their Contents** | **29** |  |

# Section 1. Introduction

This report has been prepared to bring all the evidence on the GTTS topic together in a single document to support the policy 0A4 Community Balance. The main issues are highlighted in summary form in the report with all the detailed evidence supporting the summary contained in a series of appendices grouped to reflect the evidence. The report has been written with regard to the Equalities and Human Rights Act. Any views expressed in the appendices are not the author’s but have been included for completeness

The issue of community balance was raised as a significant concern during the first Regulation 14 consultation and the Westbourne Neighbourhood Development Plan steering group felt compelled to address it with the support of the Parish Council. The issue is a result of the recent string of planning consents granted for GTTS pitches and plots against the wishes of the community and the live issues resulting that concern members of the community.

This paper has had regard to ‘Laying the Foundations: A Housing Strategy for England’

This report deals with all the issues leading up to the inclusion of the Policy, it includes amongst others :

1. The need for the Community Balance policy OA4 of WNDP Section 1
2. Time line from WPC minutes in relation to GTTS issues as shown in Section 2
3. Recent Planning History in Westbourne Parish for GTTS plots and additional Housing
4. The issues arising out of the GTTS applications.
5. Distribution of GTTS pitches/plots across the Chichester District.

These have all had a part in determining how the Parish can deal with future applications and how to achieve a continued and harmonious relationship between the Settled and GTTS Communities encouraging integration and dialogue.

# Section 2. Need for the Community Balance Policy

Chichester District has relied on its Chichester Local Plan Key Policy 36 to determine planning applications for GTTS pitches and plots. The policy proposed a specific DPD to allocate sites. This has been abandoned by Chichester District, as a result of awaiting Central Government guidance as to who is to be considered as a GTTS. Policy KP36 is therefore emasculated as it relies heavily on a development plan document that has not transpired, leaving no proper guidance for decision making in relation to planning applications on this issue. This is the main driver for Westbourne’s policy on this matter given the very high level of planning consents granted in the Parish that resulted from the policy vacuum.

**Key Policy 36**

*‘Planning for Gypsies, Travellers and Travelling Showpeople The Gypsy and Traveller and Travelling Showpeople Assessment (2013) (Phase 1) identifies the potential need for permanent pitches and plots for the period 2012 to 2027 as: 59 additional permanent residential Gypsy and Traveller pitches of which 37 pitches are required before 2017; and 18 additional plots for Travelling Showpeople, of which 11 are required before 2017.*

*Where there is a shortfall in provision, sites will be allocated within the Gypsy, Traveller and Travelling Showpeople Site Allocation DPD. The Council’s annual monitoring will ensure provision is provided at the appropriate time.*

*In assessing the suitability of sites for allocation in the Gypsy, Traveller and Travelling Showpeople Site Allocation DPD and for the purposes of determining planning applications, proposals will be supported where it can be demonstrated that all the following criteria have been met:*

*1. It is well related to existing settlements with local services and facilities. Sites should either be within or close to such settlements or with good access to major roads and/or public transport thus affording good access to local services;*

*2. Has safe and convenient vehicular access, be suitable in terms of topography and be in a location where the necessary infrastructure already exists or can reasonably be provided;*

*3. Be able to achieve a reasonable level of visual and acoustic privacy for both people living on the site and for those living nearby. The site will provide an acceptable level of amenity for the proposed residents and will not have an unacceptable level of impact on the residential amenity of the neighbouring dwellings;*

*4. Not compromise the essential features of nationally designated areas of landscape, historic environment or nature conservation protection;*

*5. Avoid locations where there is a risk of flooding, or which are adjacent to incompatible uses such as a refuse tip, sewage treatment works or significantly contaminated land; and 6. That in rural and semi-rural areas sites should not dominate the nearest settled or Gypsy, Traveller and Travelling Showpeople communities. In the case of sites for Travelling Showpeople, proposals will be assessed upon the basis of established need. Site suitability assessment will also take account of the nature and scale of the Showpeople’s business in terms of the land required for storage and/or the exercising of animals.’*

**Chichester District Council Justification for GTTS Approvals**

As a result of the Planning Inspector’s report APP/L3815/W/15/3005107 for planning application WE/14/01217/FUL Chichester District feel they were unable to resist further applications, citing one of the appeals as a reason for approving a further application in the Westbourne Parish despite considerable evidence presented by the PC why the proposal failed the policy tests.

The appeal decision APP/L3815/W/15/3005107 for planning application WE/14/01217/FUL see [Appendix N](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20N%20Appeal%20re%205%20Pitch%20site%2014_01217_FUL-APPEAL_ALLOWED_12.4.16-2121069.pdf) has left the settled community bewildered and injured, it has had a detrimental effect on the harmonious relationship between the Settled community and the GTTS community as a whole, fostering ill feelings and suspicion.

. At the time of abandoning the DPD Document Chichester recognised that they may as a result encourage hostile applications but have made no recommendation as to how these will be dealt with.

The current guidelines that arrived at the figures quoted in the KP 36 have used inflated figures to ensure Chichester were well within any required allocations. Chichester uses a multiplier of 3.5% when setting the policy however the more nationally agreed figure was 1.7% so Chichester have overestimated the number required.

This has left Parish Councils especially Westbourne vulnerable to speculative applications.

# Section 3. Westbourne Parish Council minutes

This section includes the minutes from WPC in relation to GTTS applications. It demonstrates the strength of feeling within the Parish that Westbourne were not treated fairly on this matter and legitimate policy concerns raised by the Parish were not properly addressed by Chichester District Council.

August 2016

“Cllr Dunn suggested that a senior CDC planning officer attends a future PC meeting to discuss some of the issues that have arisen recently. He also explained that in his opinion there is a tricky situation for Westbourne with regards to the number of gypsy/travellers who want to live in the area. This has happened as ownership of land has moved from agriculture to residential over time and a natural growth in the population. Cllr Dunn said he understood that the local community is disappointed with the recent approval of certain applications but it is likely to happen again. Cllr Mason explained some of the background of planning applications and appeals to Cllr Dunn, and said that the Parish had been let down by CDC on a number of occasions through the absence of policies and inconsistent support from planning officers.”

July 2016

“Cllr James said she believes more gypsy/traveller places will be located in Westbourne because of existing family connections and people wanting to stay as a group. Cllr James recommended that the PC continues to work with Cllr Dunn on this matter.”

June 2016

“WE/16/01529/FUL: Mr Lamb, The Meadow, Cemetery Lane, Woodmancote. Use of land as a single pitch private gypsy plot. Resubmission of WE/15/01114/FUL … As well as the existing pitches, another five gypsy/traveller pitches have recently been approved along Cemetery Lane with another five proposed. The cumulative effect of this will dominate the nearest settled community with the number of houses being outnumbered by gypsy/traveller pitches, and the proposed application will add to that disparity. Overall in the Parish, there are up to 36 pitches which has doubled in the last three years alone – the settled community needs some time to come to terms with this disproportionate increase in such a short period of time. The Parish Council has received several complaints that the settled community is feeling discriminated against, intimidated and threatened, which has not been helped by the Planning Inspectorate’s recent decisions at Planning Appeals. This has also been evidenced through comments received from residents during Westbourne’s Neighbourhood Plan consultation process where a large proportion of respondents voiced their concerns… In its refusal to the previous application (WE/15/01114/FUL), CDC wrote: ‘The cumulative provision of 31 no. pitches and plots (including Hopedene) on the periphery of the modest village of Westbourne is considered unacceptable … The proposed addition of further pitches in addition to the existing provision would result in the intensification of the use of Cemetery Lane and detrimental increases in the levels of activity and traffic, noise and disturbance in the immediate vicinity of the cemetery’. Cemetery Lane is an unmade road, already full of large potholes and unsuitable for additional traffic which would add further to the deterioration of the road surface and negatively impact on the existing residents.”

“Cllr Ricketts also informed the PC that he raised the issue of the high number of gypsy/travellers in Westbourne at the All Parishes meeting on 19 May. It was recommended that the PC write to Andrew Frost, Head of Planning at CDC, to explain the impacts of planning decisions and what the PC and local community thinks of it.”

May 2016

“Cllr Briscoe has received reports about contaminated waste is being disposed of at the gypsy site at the Paddocks, Hopedene. There have also been fires at the site with black acrid and choking smoke blowing onto nearby properties. This has been reported to the Environment Agency and Chichester’s Environmental Health.”

April 2016

“Westbourne Parish Council is currently consulting on its emerging Neighbourhood Plan and feedback from local residents includes concerns about the numbers of gypsy/travellers moving into the Parish.”

March 2016

“15. Open forum: A resident asked why there seems to be increased tensions with gypsy/travellers in the village. The PC thought it might be because there is an increased number living in the area.”

February 2016

“A resident commented on the number of gypsy/traveller planning applications that are being received in the Parish, and questioned why we are getting so many.”

“WE/15/04086/FUL: Mr Jimmy Sullivan, The Old Army Camp, Cemetery Lane, Woodmancote. Change of use of land to provide 4 no. gypsy/traveller pitches and ancillary works. The PC objects to the application for the following reasons: …The site is adjacent to a large established gypsy and traveller site comprising 17 pitches and an existing travelling show person’s plot, with approval granted for an additional pitch to the east. The provision of additional pitches and plots on the periphery of the modest and historic village of Westbourne is considered unacceptable. The cumulative provision would dominate the existing settled community and give rise to the increased likelihood of social tension both with the settled community and between occupiers on the application site and neighbouring sites.”

“Email from the Enforcement Team to inform the Council that an investigation is underway about developments at the Old Army Camp on Cemetery Lane.”

January 2016

“9.3 Enforcement appeal, land south east of Hopedene, Common Road, Hambrook. Without planning permission, the excavation of top soil and the deposit of hardcore and rubble to form an access track. Written representation to be made to the Planning Inspectorate by Friday 29 January 2016. The PC agreed to write a representation outlining that it supports the enforcement action and that the enforcement action should be carried out”

September 2015

“12.3: Appeal hearing for WE/14/01217/FUL, Land west of Harwood, Cemetery Lane, on 20 August: Cllr Briscoe attended the hearing with Cllr Dunn, CDC, and a resident of Harwood. CDC made a compelling case against the appeal stating that the cumulative provision of plots on Cemetery Lane would start to dominate the existing settled community…Cllr Briscoe asked councillors if anyone knew what was happening about the entrance that has been opened up at the old army camp and the hedge that has been removed**.”**

APP/L3815/W/15/3005107 for planning application WE/14/01217/FUL see [Appendix N](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20N%20Appeal%20re%205%20Pitch%20site%2014_01217_FUL-APPEAL_ALLOWED_12.4.16-2121069.pdf)

# Section 4. GTTS Applications since 2013

**Travelling Showmen applications**

1. **Change of use of land to provide 4 no. travelling show person's plots.**

The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex

Ref. No: 15/04086/FUL | Received: Wed 09 Dec 2015 | Validated: Fri 22 Jan 2016 | Status: Application Permitted with S106(PER106)

1. **Retention of 1 no. mobile home to serve the dual purpose of providing a single travelling show persons pitch and a single Gypsy pitch.**

The Woodlands Marlpit Lane Hambrook Westbourne PO10 8EQ

Ref. No: 15/03965/FUL | Received: Tue 01 Dec 2015 | Validated: Fri 22 Jan 2016 | Status: Refuse

1. **Change of use of land to provide up to 4 no. travelling showman's yard family pitches (comprising up to 12 no. mobile homes).**

The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex

Ref. No: 15/00381/FUL | Received: Fri 06 Feb 2015 | Validated: Fri 20 Feb 2015 | Status: Refuse

**TOTAL NUMBER OF TRAVELLING SHOWMAN PLOTS APPROVED = 4**

1 Existing

**Total Nov 2016 = 5**

**Gypsy/Traveller Applications**

1. **Use of land as a single pitch private gypsy plot. Resubmission of WE/15/01114/FUL**

The Meadow Cemetery Lane Woodmancote Westbourne West Sussex

Ref. No: 16/01529/FUL | Received: Wed 27 Apr 2016 | Validated: Wed 27 Apr 2016 | Status: Refuse-------Currently subject of an appeal

1. **Change of use of land to a private gypsy and traveller caravan site consisting of 1 no. mobile home, 1 no. utility building, 1 no. touring caravan and associated works.**

Land West Of The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex

Ref. No: 16/01078/COU | Received: Wed 23 Mar 2016 | Validated: Wed 23 Mar 2016 | Status: Refuse-----Currently subject of an appeal

1. **Change of use of land to a private gypsy and traveller caravan site consisting of one no. mobile home, one no. touring caravan and one no. utility building and associated works.**

Land West Of The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex

Ref. No: 15/03979/COU | Received: Tue 01 Dec 2015 | Validated: Tue 01 Dec 2015 | Status: Refuse

1. **Retention of 1 no. mobile home to serve the dual purpose of providing a single travelling show persons pitch and a single Gypsy pitch.**

The Woodlands Marlpit Lane Hambrook Westbourne PO10 8EQ

Ref. No: 15/03965/FUL | Received: Tue 01 Dec 2015 | Validated: Fri 22 Jan 2016 | Status: Refuse------- Currently subject of an appeal

1. **Use of land as a single pitch private gypsy plot.**

Land South East of The Meadow Cemetery Lane Woodmancote Westbourne West Sussex

Ref. No: 15/01114/FUL | Received: Wed 08 Apr 2015 | Validated: Mon 13 Apr 2015 | Status: Refuse

1. **Material change of use of land for stationing of caravans for residential occupation with associated hard standing and utility block**.

Land North of Recreation Ground Monks Hill Westbourne West Sussex PO10 8SX

Ref. No: 14/04206/FUL | Received: Mon 15 Dec 2014 | Validated: Mon 22 Dec 2014 | Status: Approved on Appeal.

1. **Proposed change of use of land to twelve pitch site for settled gypsy accommodation together with additional site warden mobile home pitch; Application is a variation to the permissions granted under WE/11/05445/FUL and WE/13/03787/FUL including centralised access road and additional details in relation to the previous prior to commencement conditions.**

Land West of Hopedene Common Road Hambrook Chichester PO18 8UP

Ref. No: 14/03834/FUL | Received: Mon 10 Nov 2014 | Validated: Fri 21 Nov 2014 | Status: Application Permitted with S106(PER106)

1. **Provision of 5 Gypsy and Traveller pitches incorporating the re-design of an existing pitch (including the removal of stables granted in permission WE/13/03867/FUL) and the use of land for the stationing of caravans for residential purposes for an additional 4 no. gypsy pitches, together with the formation of additional hard standing and utility/ dayrooms ancillary to that use.**

Land West of Harwood Cemetery Lane Woodmancote Westbourne West Sussex

Ref. No: 14/01217/FUL | Received: Mon 14 Apr 2014 | Validated: Mon 14 Apr 2014 | Status: Approved on Appeal

1. **Change of use of land from former Army Camp to Gypsy and Traveller caravan site consisting of 12 pitches.**

The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex

Ref. No: 14/01132/FUL | Received: Mon 07 Apr 2014 | Validated: Tue 06 May 2014 | Status: Refuse

1. **The use of land for the stationing of caravans for residential purposes for 1 no. gypsy pitch together with the formation of additional hard standing and utility/ dayrooms ancillary to that use and stable block for the stabling of horses.**

Land West of Harwood Cemetery Lane Woodmancote Westbourne West Sussex

Ref. No: 13/03867/FUL | Received: Tue 26 Nov 2013 | Validated: Thu 28 Nov 2013 | Status: Permit This has been included in the permission to increase this site to 5 so not included in additions

1. Proposed change of use of land to form 12 no. pitch site comprising the stationing of 12 no. mobile homes for settled gypsy accommodation.

Land West of Hopedene Common Road Hambrook Westbourne Chichester West Sussex PO18 8UP

Ref. No: 13/03787/FUL | Received: Fri 15 Nov 2013 | Validated: Wed 27 Nov 2013 | Status: Application Permitted with S106(PER106)

**TOTAL NUMBER OF GYPSY/TRAVELLER PITCHES APPROVED =** 18(or **20** including the 2 extra transit sites at the existing permitted site)

**17 Existing Approved** (this is a matter of discussion as CDC believe another + 2 have also been inserted without permission on one site and were considered unauthorised.)

(This potentially increases the number on that site from 17 to 19 which has occurred in the last 3 years)

**Total** 35(or **37** if accepting the 2 transit sites)

**TOTAL NUMBER OF NEW GTTS PITCHES/PLOTS since 1st Jan 2014 to Nov 2016**

**=** 18(**or 20** including the 2 transit sites)

If you include the Travelling Showman Plots (Which can each house 2 statics plus touring caravans)

**TOTAL NUMBER OF GTTS PITCHES/PLOTS as of 1st Nov 2016**= 40 **(or 42 inc. transit pitches)**

**An increase of 24 in the period under consideration**

|  |  |  |  |
| --- | --- | --- | --- |
| **Date** | **A; Gypsy Traveller pitches in Westbourne Parish** | **B; Travelling Showmen Plots in Westbourne Parish** | **Totals A + B** |
| **1st Jan 2013** | **17** | **1** | **18** |
| **1st Nov 2016** | **37** | **5** | **42** |
| **Increase of** | **20** | **4** | **24 = 133%** |

**Summary**

The recent consents in the last 3 years set out above have more than doubled the pitches in Westbourne Parish from 18 to 42. This is compared to settled dwellings approved in the same period of 17, shown in the next section and is considered against other Parishes in Section 6 of this report.

**Section 5.**

**Planning History for additional Dwellings since 2013**

If the Housing Stock had increased over the same period by this amount a further 1000 houses would have been built as opposed to the 1 built so far and a further 16 in the pipeline. Chichester District accepted in the Local Plan that Westbourne was not able to take a substantial increase in housing and consequently set the limit at 25 new houses over the Local Plan period up to 2029. Westbourne having limited facilities the Primary School is full, there is a waiting list for the Doctors surgery and limited shops The provision of GTTS Pitches Plots do not count toward the housing allocation, so have to be catered for within the current provisions of the village.

1. **14/02420/FUL | 1 no. new dwellinghouse. |**

The Barn Church Road Westbourne Emsworth West Sussex PO10 8UA

1. **Erection of 16 no. dwellings, vehicular and pedestrian access, car and cycle parking and landscaping**

Land on The North Side of Long Copse Lane Westbourne West Sussex

Ref. No: 14/00911/FUL | Received: Tue 18 Mar 2014 | Validated: Tue 18 Mar 2014 | Status: Permit on appeal

1. **Erection of 22 no. dwellings, vehicular and pedestrian access, car and cycle parking and landscaping.**

Land On The North Side Of Long Copse Lane Westbourne West Sussex

Ref. No: 13/00231/FUL | Received: Mon 28 Jan 2013 | Validated: Wed 30 Jan 2013 | Status: Refuse-Appeal lost

* **TOTAL NUMBER OF PERMANENT HOUSING APPROVED = 17**

**Compared to:**

* **TOTAL NUMBER OF GTTS PITCHES/PLOTS approved in same period = 23** (or 25)

The settled community are watching the planning process carefully and are feeling discriminated against they see members of the GTTS setting up or performing considerable preparatory work before even applying for Planning permission. The damage is done prior to the application being dealt with and consequently see the applications succeeding or going to appeal knowing full well had they as the settled community made an application in these areas they would have been refused and would fail on appeal. This is not conducive with a fair process or good community relations and has a noticeable perceived detrimental effect.

Westbourne is a rural parish; many residents live there for the pleasant Countryside environment they would dearly love to be able to build a house in these locations but can’t.

The community see the dwindling and limited resources being used up by the GTTS community and this in turn affects the ability of the settled community including the new housing planned to access those same needed resources.

# Section 6. GTTS planning applications Issues.

Chichester Local Plan Key Policy 36 not providing sufficient protection from ‘Hostile’ Applications.

A recent appeal considered at a hearing APP/L3815/W/15/3005107 for planning application WE/14/01217/FUL see [Appendix N](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20N%20Appeal%20re%205%20Pitch%20site%2014_01217_FUL-APPEAL_ALLOWED_12.4.16-2121069.pdf) for 5 Gypsy/Traveller pitches was allowed on Cemetery Lane, on a piece of land which had always been used as agricultural land. Chichester District used policy KP 36 to defend the action along with policy KP 45 Development approved within the countryside. The appeal inspector was critical of the District’s stance and use of these policies.

The GTTS figures used before the DPD was abandoned were applied and as the figures were confusing Chichester could not give exact figures for the approval of GTTS Pitches the inspector felt CDC could not demonstrate a 5-year land supply for for GTTS pitches and plots and allowed the appeal.

This has had a knock-on effect which is impacting on further applications and intensification of GTTS Plots/pitches in a relatively small area. Westbourne is a small rural parish and although there are 2 main GTTS sites the majority are becoming clustered around Cemetery Lane, close to the Cemetery, which is a Non-designated heritage asset. This clustering is could be considered a ‘ghetto area’, where the settled community don’t go anymore.

Westbourne settled community felt other important factors were ignored in the hearing such as impact on the Non-Designated Heritage asset.

CDC abandoned DPD on GTTS in Chichester Area, as a result of the change in definition of Gypsy/Traveller by central Government, but with no ability to defend against hostile applications given the lack of even basic evidence on numbers of pitches.

Westbourne has become the focus of numerous hostile applications X % have been approved.

The Westbourne Community feel their concerns are being ignored and several procedural issues have recently arisen which appear to show CDC are not scrutinizing the applications, the Parish Council are in dispute with the District Council and County Council over these issues which are set out in Appendix A:letter from Parish Council to Chichester District Council and WSCC

## Analysis of Concerns raised by local community in response to Planning Applications

Since the increase in the number of GTTS plots/pitches in the last 3 years there have been increasing reports of problems reported to the Parish Council—Cllr Briscoe appears to be the Parish Council member approached possibly as he is the Public Services Cttee Chairman.

Statement from Cllr Briscoe See [APPENDIX B](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20B%20Statement%20re%20Gypsy%20Travellers%20Westbourne%2030.10.2016.docx)

# Section 7. Distribution of GTTS Plots/Pitches across the Chichester District.

A result of Chichester District Council Planning Department’s inability to generate a GTTS DPD the District Council recognised that it could become a problem and would risk manage the potential for ‘hostile’ or speculative applications.

An exercise has been carried out by Westbourne Parish Council to identify where the applications for GTTS sites are and the distribution amongst the District. Chichester District Planning have since used this evidence base themselves to defend later appeal decisions.

Had CDC prepared a DPD on this issue as originally set out in the Local Development Scheme then a more even distribution of sites could have been arrived at across the whole District and would have avoided the clustering of plots within Westbourne and in effect creating a mini ‘ghetto’.

This would have been a better and fairer approach reflecting the balanced distribution of settled housing allocations throughout the District.

**Refer to** [APPENDIX C](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20C%20Dist%20of%20Plots%20pitches.docx) Statistics of GTTS sites across CDC District by Parish

# Section 8. Analysis of Concerns raised by the Local Community in response to Planning Applications

The following is a summary of issues raised in response to planning applications for GTTS plots and pitches. A sample of Objections raised for the 4 main sites where planning has been approved either directly through Chichester District Planning Committee or on appeal is in [APPENDIX D](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20D%20Sample%20of%20objector%20comments.docx)

Common themes are:

1. Unsustainable Location----All applications are outside the existing settlement boundary and outside the walking isochrones considered for the site selections when identifying Sustainable Locations for the Housing allocation in the WNDP
2. Countryside Location, most are in what were in a ‘Countryside’ Location, either greenfield or one site that had reverted back to a Natural State, which was covered in Road Plannings and the natural habitat destroyed before an application was even made. This site had been subject to a previous appeal determination where the activity was deemed by the Planning Inspectorate to be within the countryside and activity should cease and it be returned back to its previous countryside use.
3. **landscape impact and impact on amenity** See[APPENDIX E](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20E%20Appeal%20decision%20Old%20Army%20Camp%202000.pdf) **Appeal decision (add reference)** in 2000
4. Drainage, The Waste water system is not sufficient to accept additional waste water to the existing sewers
5. Inappropriate locations (By Playground) (Close proximity and view from SDNP) (Close proximity to Non-Designated Heritage assets.) Self explanatory
6. Additional Traffic. The Roads around Westbourne are narrow country Lanes most of the vehicles used by the GTTS community are Larger Transit or in the case of Travelling Showmen HGV’s up to 22m long and 3 m wide. The narrow Lanes are in part only 4.3m wide insufficient for vehicles to pass in each direction
7. Access problems, the applications for the main do not include the whole length of access, the CDC planning and Inspectorate have failed to take into account the Privately-owned access track to some of the sites.
8. Anti-social behaviour, the increase of GTTS sites in Westbourne have contributed to increases in complaints to the Parish Council of anti-social behaviour. One resident was threatened in order to steal a mobile phone; another was threatened for objecting to an application and there have been numerous complaints of Toxic Fires usually at weekends in the evenings and overnight from fires emanating from The GTTS Sites.
9. Unauthorised development, lack of enforcement action all having an impact on the local wildlife, one such development was carried on even though reported to Enforcement, floodlights erected in a bat corridor. Still no action by enforcement to date.
10. Increase in Noise and disturbance close to the Cemetery a Non-designated heritage asset[[1]](#footnote-1).

# Section 9. Summary of consultation response to Reg 14 NDP consultation in relation to GTTS.

The following is a summary of consultation responses to Reg 14 NDP consultation in relation to GTTS plots and pitches

The main concerns raised in the consultation are:

1. The increase in numbers of the GTTS.

The increase of GTTS members within the community has been noticeable, a number of activities have upset certain sections of the Settled Community. There had been an acceptance of the GTTS Community as a whole however the Reg 14 consultation has brought this issue to the fore. Numerous comments about,’ intimidatory’ ‘Threatening’, ‘Menacing’ behaviour have been made. This never was an issue until the perceived disproportionate numbers of GTTS sites being foisted upon the Parish have been approved. The most recent decision of the Planning Inspectorate appears to have had the greatest impact.

1. Negative Impact on the settled community.

The settled community appear to see the GTTS community as a negative drain on the local infrastructure to which it is believed they don’t contribute to. The School and Doctors are oversubscribed and there is little scope to redress the issue. The School is in a flood plain so cannot be extended, the Doctors surgery is a satellite of the Emsworth Practice and as the majority of residents in Westbourne are elderly the Doctors is an important asset, it has become more difficult to obtain appointments.

The road infrastructure was designed for light traffic and we are seeing more and more problems in maintaining what is currently there even though the Highways have not suffered the cuts other Public services have.

[APPENDIX F](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20F%20Comments%20of%20responses%20compiled%20from%20Reg%2014%20consultation.docx) **Detailed responses compiled from Reg 14 consultation**

# Section 10. Commentary on Enforcement by CDC

This section of the report considers the enforcement of planning control by CDC. The Enforcement team have been called on several times their response has been slow and ineffective.

For Example, The Old Army Camp at Cemetery Lane which was a green and open countryside area an email trail to Enforcement shows;

Parish Clerk and Cllr Briscoe to Enforcement and any responses

21st Sept 15------ To enforcement re removal of Hedgerow

18th Jan 16 Concern re Urbanization Old Army Camp Cemetery Lane sent Urgent

19th Jan 16 RH Reply treated as High Priority Report to head of Planning!

12th Feb 16 SA Application now received ---awaiting joint visit with EA!

19th Feb 16 Report of Funnel and Howard vehicles on site, request enforcement notice for them to stop work on site.

31st May 16 Reply from RH Old Army Camp forwarded to SA, New entrance permitted development?

3rd June16 Request update re-Funnell & Howard base, comment existing pitch now changed to single Gypsy/Traveller pitch, more hedgerow removed and more businesses are being run from the buildings. Accompanied by Photos.

Nothing was done by enforcement to redress these issues;

The removal of hedgerow to create the new opening was reported in Sept 2015 and nothing done

or no communication received until May 2016 when the PC were told it was permitted

development. The report regarding the road contractor operating from the same site was

reported in Feb 2016 and Enforcement only acknowledged this at the end of Sept 2016.

By which time the entrance had become established and the Road contractor ensconced on a

Travelling Showman’s plot operating illegally. The Parish Council have now been told that

Enforcement can’t do anything as an application is to be put in to change the use.

As a result of the Councils concerns a meeting was arranged with the head of Enforcement Shona

Archer. The Parish Council will now receive a monthly update of action within the Parish, this is

still lacking in any action though see [APPENDIX G](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20G%20Enforcement%20Report%20to%20WPC.docx)

# Section 11. Meeting with CDC policy officers

**Meeting held at CDC 22 July 2016 discussion of draft policy 0A4**

Meeting with Tracey Flitcroft and Tracey Payne from Chichester District Council.

Concerns expressed that the Policy in the Chichester Local Plan KP36 was inadequate to protect Westbourne Parish from ‘hostile’ and speculative inappropriate applications.

As a result of the Reg 14 Consultation and the feedback the WNDP steering Group and Parish Council felt additional protection and safeguards needed to be put in place. That the Steering group needed to come up with a Policy that provided the safeguards to maintain a healthy balance between the GTTS and settled communities.

It was impressed upon the group that Westbourne should not do anything to contradict the CDC KP 36 but should look to re-enforce that policy.

**Chichester Local Plan KP 36 see** [APPENDIX H](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20H%20Chichester%20Local%20Plan%20KP%2036.docx)

The Chichester District officers felt this was probably the best course of action as long as it was not in conflict with the NPPF and the Local Plan. Several suggestions were put forward which have gone to and fro from the District and we have currently ended up with the current draft.

The issues of discrimination were a significant consideration in the final draft of the Policy. As a Parish Council, we represent the whole community including the GTTS families. This Policy seeks to treat all sections of the community with the same respect and consideration.

# Section 12. Key Issues of CDC Policy position

**Limitations of planning process at CDC –lack of good policy at CDC, lack of rigour of planning process.**

Chichester Local Plan KP 36. See [Appendix H](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20H%20Chichester%20Local%20Plan%20KP%2036.docx)

Has failed to work in favour of Westbourne Parish, its limitations have been shown to be inadequate and the Planning Inspector virtually dismissed it at an appeal (Add references).

Lack of GTTS DPD and recognition by the District Cabinet that speculative, hostile applications may come forth.

[APPENDIX M](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20M%20Gypsy%20Traveller%20and%20Travelling%20Showpeople%20Site%20Allocation%20Development%20Plan%20Document%20-%20Review.pdf) **Chichester District Cabinet Paper abandoning the DPD**

Chichester District have no identified policy or methodology identified to deal with the resultant applications, there is no clear leadership guidance, a ‘risk’ management strategy that fails to protect the Community has been shown to be totally inept.

The Steering Group and Parish Council believe the WNDP is the only way the community, through the Localism act, can gain the protection it deserves against these speculative applications and will afford protection to the amenity and pleasant environment, social and economic the Community aspire to regain.

**Many of the applications approved have not been for specific families they are a speculative exercise for the applicant. No families had been identified for the pitches/plots prior to planning approval.**

As an example of how CDC Planning have abdicated their responsibilities in relation to this subject it is worth considering the application;

**15/04806/FUL Change of use of land to provide 4 no. travelling show person's plots.**

The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex

Ref. No: 15/04086/FUL | Received: Wed 09 Dec 2015 | Validated: Fri 22 Jan 2016 | Status: Application Permitted with S106(PER106)

This was a repeat of a previous application that had been turned down less than 12 months previously. On that occasion the applicant had even offered to reduce the application to 2 Plots as that is what was identified in the GTTS CDC allocations, but was refused, there were several objection letters including one from a Travelling Showman stating the total inadequacy of the site----another from a lady who supported an application in a different location which had been cut and paste as support for this, she had seen it and written to object to its use.

Despite compelling evidence the officer recommended approval. No negotiation on the number of plots to secure only the single Plot which was outstanding in the allocations in policy KP36.

At the Planning Committee 3 members of the Parish Council attended and made a clear argument as to why the Application was not appropriate----Cllrs were stopped before presenting all their evidence. The Committee members asked about vehicular access---to which the head of planning who said ’WSCC Highways had raised no objections’ but WSCC Highways had been asked for comments in relation to Gypsy/Traveller pitches. There are obvious differences the Travelling Showmen rigs can be up to 72 feet long and 9 feet wide. There are obvious Highways issues but the Planning Dept chose to misguide the committee for whatever reason.

Please see Letter from the Parish Council to CDC Ch Exec Ms Shepherd which highlights all the issues. Please refer to [APPENDIX A](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20A%20Letter%20exchange%20WPC,%20CDC,%20WSCC.docx)

# Section 13 Proposed Community Balance Policy -WNDP Policy OA4:

Community balance Development proposals for any new dwellings must demonstrate that they provide an appropriate choice of homes to maintain community balance throughout the Parish and should be accompanied by a ‘dwelling mix statement’ submitted as part of any planning application to show how the proposal meets specific needs and maintains community balance. This statement should provide details of how it meets the needs of young people; local workers; small families and older residents (55+) and people with disabilities. Any proposals that results in any net increase in dwellings or plots must demonstrate that the mixture of tenures will be ‘pepper potted’ through the area and not give rise to any areas of isolated groups of one tenure to ensure social integration.

1. Any new proposals for the provision of housing for younger households, by way of appropriate starter homes, affordable housing development, live/work and self-build initiatives will be considered in accordance with Policy 34 of the Chichester local Plan: Key Policies and government guidelines.
2. Any new proposals for gypsies, travelers and travelling showpeople pitches/plots within the neighbourhood Plan area will be considered in accordance with Policy 36 of the Chichester local Plan: Key Policies and any proposal must demonstrate that the current balance between the various sectors of the local community will be retained.
3. Any new proposals for the provision of housing for older people that meet the wide range of their circumstances and lifestyles will be considered in accordance with government Policy and the aims stated in ‘laying the Foundations: a housing strategy for England.’

This policy is not solely directed at the GTTS community it addresses the balances across all the various housing groups including age, disability and social groups. For instance, considering social housing; rather than putting all houses/families together they should be interspersed throughout the Community, aiding integration, a sense of purpose and valuing the amenity of the area.

# Section 14.

# Need for GTTS applicants to demonstrate that they do not impact on community balance.

The whole idea of creating this policy is to ensure both the Settled Community and GTTS can live and work in a harmonious atmosphere.

A comfortable balance had been achieved until 3 years ago when the cluster of speculative applications started. The settled community are now feeling betrayed and let down which can lead to a break down in that ‘happy’ balance that had been achieved.

In order to alleviate those concerns the Parish Council speaking on behalf of **all** the community see this as an opportunity to demonstrate that any future Planning applications will not have a negative impact on the fine balance between the 2 communities.

This policy is to be applied to both the Settled Community, young, old, disabled and GTTS elements. It is not intended to single any group out but to ensure that all parts of the community can integrate and build a strong community spirit that appreciate the Parish and area that they live in.

By building a community where all sections of the community can see that they are treated with the same fair, open and transparent Policy they can feel secure that everyone’s needs and concerns are addressed in the Planning system.

At the moment, the largest proportion of the community the ‘Settled community’ are feeling discriminated against. This fosters ill will and feelings, tension indicators are rising, shown by the comments being put forward in the Reg 14 Consultation and comments being made to the Parish Council.

Through this policy any development will be able to show there is no detrimental impact factors to infrastructure, environment and amenity no-one can claim they are being disadvantaged as the ‘balance’ within the community remains fairly constant.

The community had a balance of 1.7% of GTTS dwellings 3 years ago, since the increase to just over 4% there has been a noticeable increase in complaints against the GTTS Community, far in excess of the +2% increase. The Community as a whole need time to adapt and accept the increase and hope the complaints settle down. We would like to keep the Balance to the Settled community to around or just below the 4% mark, although accept there will be exceptions where this may fluctuate slightly.

# Section 15.

# How draft policy OA4 meets the requirements of ‘Laying the Foundations: A Housing Strategy for England’

This Document shows how the principles identified in the Planning System are empowering Local Communities to develop a strategy on how they want and perceive their communities to develop and thrive. WNDP Steering Group and the Parish Council who represent all members of the community have embraced the process and in developing the Policies we aim to create an all-inclusive Community who all have a stake in ensuring the Parish builds a bright and prosperous future for our Children. This Policy will encourage any ‘smaller groups’ to integrate into the community quickly and become accepted so becoming valuable assets for the future.

Pg12 No.52

* 1. To support this new approach, we are introducing Neighbourhood Planning, giving communities a new way to work together and decide the future of the places where they live and work. Neighbourhood Planning will put power back in the hands of local residents, businesses, councils and civic leaders. Communities will be able to:

• choose where they want new homes, shops and offices to be built

• have their say on what those new buildings should look like

• influence the design and functionality of the open spaces around their homes

Westbourne has a significant list of Historic Assets and Conservation areas, the community as a whole wish to retain these areas their visual amenity is one of the main characteristics of the Village, as such protection to safeguard the assets is extremely important so new-development should avoid those areas. For Instance, a major Non-designated heritage asset is the Cemetery which is a place of quite reflection and contemplation. Siting a GTTS site next to or close to this asset would be totally improper. Westbourne is situated in an area of which most land is a flood plain again a site which is not appropriate for any GTTS sites. Most of if not all of the remainder of the Parish considered to be a sustainable location is within this Flood Zone so future development is very restricted. Unfettered access to locations outside the sustainable location where GTTS sites can be considered could have a catastrophic effect on the settled community who could not expand further out.

Pg 16 No. 78

1. The draft Framework introduces a ‘presumption in favour of sustainable development’, which will have a positive influence on housing supply both through local plan-making and the determination of applications. The presumption requires local planning authorities to plan positively for the needs of their area, while safeguarding those things that require protection, such as the natural environment or historic areas. Where plans are not in place or up-to-date, development should be allowed unless this would compromise the key sustainable development principles in the draft National Planning Policy Framework.

Westbourne is situated on valuable grade 1 Agricultural land the village being surrounded by it, we should be looking for other areas to place housing. As a country, it is important especially in light of recent events and the Exit from Europe that we retain the ability to feed ourselves therefore the Countryside/Agricultural land should be protected. We have a diverse ecological system the Parish has evolved around one of the clean and clear chalk streams emanating from the SDNP. A wide variety of Flora/fauna and wildlife live in the parish, these need protecting, for us and our future generations.

Pg 16 No 80

1. We are removing arbitrary targets that got in the way of delivering the right homes in the right places. Through the draft Framework we propose to move away from an imposed national target for development on previously developed (brownfield) land, which helped to drive up land prices leading to a focus on high density, unpopular development. Instead the draft Framework encouraged the use of land with the least environmental or amenity value, which includes brownfield sites, while also allowing restored green space that was once in industrial use – such as urban nature reserves – to be protected. Where significant development of agricultural land is necessary, the draft Framework asks local councils to use areas of poorer quality in preference to higher quality land. (Refer to the Application Land west of Harwood, Agricultural land use)

Westbourne has many distinct West Sussex style buildings and walls, many brick and Flint some with small clay tile others thatched or slated---there is a good mix. The area is an attractive place to live so any new buildings are to follow the Village Design Statement, this is difficult for the GTTS to follow therefore to allow the GTTS community to integrate they should be interspersed throughout the village so as not to create a ghetto style area, in time the pitches should become

accepted. They will not become a gathering point or the potential of focus for antisocial behaviour as they will be part of the community.

New good quality style Static Caravans would be encouraged which often have good design and can blend with the surroundings better some having the appearance of log cabins or weather boarding a West Sussex trait that will blend in. The newer designs also offer better insulation and security.

Pg 56 What is good design?

1. Well-designed homes and neighbourhoods are those that are attractive – reflecting local character and identity while featuring good architecture and landscaping – and also functional and durable. 4. New homes and neighbourhoods that function well will balance people’s needs for privacy, community and economic activity in a way that promotes wellbeing. Light, spacious, quiet homes, with adaptable and flexible indoor and outdoor spaces that connect well to local community amenities – including parks and squares – as well as wider economic opportunities, can help to achieve this. Well thought-through design can also improve the safety and security of homes and neighbourhoods as well as creating accessible and inclusive environments. 5. Successful new homes and neighbourhoods also offer durability – being long-lasting, yet economical to manage and maintain – ensuring good returns on investment. Tools such as Building for Life1 set out some of the features that are useful to consider when designing new homes and neighbourhoods. 6. The perception of new-build housing among communities and consumers is mixed. Although customer surveys report high levels of satisfaction with newly built homes,2 communities have expressed concerns about the impact of new-build housing on the character of their neighbourhoods. Public attitude surveys have reported that 73 per cent of people said that they would be more supportive of new housing in their area if it was well designed and in keeping with the local area.3

**‘Laying the Foundations: A Housing Strategy for England’** see: [APPENDIX I](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20I%20Laying%20the%20Foundations%20A%20Housing%20Strategy%20for%20England.pdf)

# Section 16. How draft policy OA4 meets Human Rights Act

The most relevant Articles of the European Convention on Human Rights for the purposes of the GTTS Communities are 1, 6, 8, 14 and Article 1 of the First Protocol.

However, Article 5 liberty and security should also be read in conjunction.

It should be noted that Article 14 is not a ‘substantive’ right. In other words, it cannot be raised on its own, but must be in conjunction with another breach. So, whenever you see Article 14 raised, you will always find it partnered with another right such as Article 6 or 8, for example. **The UK has not signed up to Article 14.**

**Those Key Articles are considered in the following way in relation to the WNDP Policy OA 4 which seeks to:**

**Article 1 - respecting rights**

Respect the rights of all members of the Community in an open and fair and transparent manner, it does not affect any individuals’ rights. The Parish is relatively small and by dispersing the groups throughout the area will not affect anyone in a negative manner, groups can still associate etc.

**Article 6 - fair trial**

Does not seek to interfere with any due process in the courts but seeks to clarify what is acceptable within the whole community for the clarity of the Courts.

**Article 8 – privacy**

It does not seek to affect any individual, or family’s right to a private life, in fact by interspersing within the community the pitches are likely to be of a larger size and help with Privacy issues. As a consequence of the size of the Parish nothing is far from anywhere therefore this would not affect the rights of individuals to associate with each other.

**Article 14 – discrimination**------the UK have not signed up to this Article but it is still considered.

This is considered too wide a subject and the UK government did not ratify it, however in the context of the GTTS Community, this Policy seeks to be inclusive and covers all minority and majority sections of the Community in the same transparent manner.

All sections of the community have equal rights of access to schools and Health care, by maintaining the current Balance this retains this access, increases, changing the balance has an effect on those resources and as the GTTS Community are not considered toward infrastructure increases could have a negative effect on all sections of the community including the GTTS.

**Nothing in the WNDP Policy OA 4 Community Balance can be considered to affect any of the Articles of the ECHR.**

**Article 5 - liberty and security**

This article is often overlooked; it provides the courts or other due process agency such as the LPA or Planning Inspectorate with the ability to reduce the weight of argument if the applicant has done anything which breaks a law or policy.

For instance, if a Traveller makes themselves homeless and sets up on an illegal camp then claims protection under ECHR for protection of Family rights; to say Education, they have by virtue of their own actions broken the Planning Law (Illegal Encampment) and so negates the argument.

**See** [Appendix J](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20J%20GTTS%20And%20ECHR.docx) ECHR Articles and GTTS use of the legislation.

# Section 17. How draft policy OA4 meets Equalities Act

**Discrimination Act 2010**

A full copy of the discrimination Act 2010 can be found at the below internet site:

<https://www.gov.uk/guidance/equality-act-2010-guidance>

Discrimination can come in one of the following forms:

**DIRECT DISCRIMINATION** - treating someone with a protected characteristic less favourably than others

**INDIRECT DISCRIMINATION** - putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair disadvantage

**HARASSMENT** - unwanted behaviour linked to a protected characteristic that violates someone’s dignity or creates an offensive environment for them

**VICTIMISATION** - treating someone unfairly because they’ve complained about discrimination or harassment

**It can be lawful to have specific rules or arrangements in place, as long as they can be justified.**

The WNDP Policy OA 4 seeks to protect all members of the community by treating everyone in the same fair and transparent manner:

There is **no** **Direct Discrimination**;

It does not treat the members of the GTTS community in any less favourable manner than anyone else, it specifically encompasses all sections of the community.

There is **no Indirect Discrimination**;

Although the Policy is directed at all the community it does not put the GTTS community at an unfair disadvantage, it seeks to retain a balance between the settled and GTTS communities.

There is clear justification in evidence for which this report has been created to justify the need for the Policy, although we believe it still does not create an unfair disadvantage to the GTTS or any other minority group. It simply seeks to set boundaries for the Community development as a whole.

There is no **Harassment**;

The policy does not generate any unwanted behaviour but seeks to integrate the whole community in a fair and balanced manner to the benefit of the Community as a whole. In fact, it should prevent any unwarranted behaviours as the community will be aware and alive to such issues and stop them at an early stage as the groups will be integrated and embedded in the community.

There is no **Victimisation**;

The policy does not treat anyone in an unfair way, it should, as identified above create a more harmonious environment of inclusion by integrating any minority group within the majority, it is found that the majority often become protective of a minority through integration.

# Section 18. Draft policy precedent –Henley and Harspden NDP

The only reference we have identified that may relate to our policy is on Page 32.

Westbourne Parish looked to other adopted NDPs to see if there was a precedent for the draft policy OA4. It was felt that the adopted policy H3 in Henley and Harpsden had similarities. The problem in Henley is slightly different in that the problem was a concentration of elderly persons in the community, and an in-balanced age profile.

This is the policy in Henley that formed a model for 0A4.

*‘POLICY H3: TYPE AND SIZE OF NEW HOUSING Development proposals providing 10 or more net additional dwellings will set out within a ‘Dwelling Statement’ submitted as part of any planning application how the proposal provides an appropriate choice of homes that contributes towards meeting the specific housing needs of Henley and Harpsden. The Dwelling Statement should provide details on how the proposed development: a) Meets the needs of different groups in the community, such as but not limited to, young people; local workers; small families; older residents (55+); and people with disabilities; and b) Provides a high standard of internal and external living space. Development proposals providing 10 or more net additional dwellings should ensure that housing types, sizes and tenures are appropriately ‘pepper-potted’ across the site to avoid large areas of uniform type, size and tenure. 6.9 It is important to ensure that new housing meets the housing needs of Henley and Harpsden now, over the lifetime of the plan and into the future. As housing needs in terms of size, type, tenure will vary over the lifetime of the Neighbourhood Plan a flexible policy approach is required to ensure that future development proposals, particularly allocated sites phased to the latter part of the Neighbourhood Plan period, are able to respond to the housing needs at that point in time. 6.10 To achieve this flexibility, where appropriate, development proposals are required to prepare a Dwelling Statement to show how the proposal meets the specific housing needs and demand of Henley and Harpsden*.

For the WNDP Policy OA 4 Community Balance we are asking for a Statement to show that a development does not impact on the Community Balance, this should contain all the relevant up to date information and on why the development will not have an impact on the current balance.

The Henley Policy has the following supporting statement.

Plan Policies 6.11 Dwellings Statements should be proportionate and principally look to rely predominantly on secondary data (possible source include: Ward level Census, South Oxfordshire District Council Housing Market Area Assessments, Housing Need Assessment and Housing Strategy, published sale type and speed local market intelligence; the 2014 Housing Standards Review and subsequent National Space Standards).

# Section 19. - Selection of Exchanges of emails.

Evidence of issues resulting from the increased number of GTTS pitches and plots in Westbourne parish. Exchanges of emails: CDC, Parish Council, PCSO, Community.

**All in** [Appendix L](file:///C:\Users\Patricia\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\DR3J2CGE\Appendix%20L%20Exchanges%20of%20emails%20CDC,%20Parish%20Council,%20PCSO,%20Community.docx)

# SECTION 20. CONCLUSION

The Westbourne Neighbourhood Development Plan was considered at a first stage Regulation 14 Consultation. As a result of the considerable number of concerns raised by the community in relation to significant issues in relation to the coexistence between the settled and GTTS communities it was considered necessary to devise a Policy that addressed those concerns.

This has resulted in a delay to develop a Policy that is all-inclusive. The changes to this policy and other policies to the Reg 14 plan were so significant that Chichester District felt it needed to go back for SEA determination and start of Regulation 14 process again. The final draft has been completed and SEA has not been required. The NDP is now about to start its second round of Reg14 Consultation. Every Household in Westbourne Parish, including the GTTS pitches/plots have been informed of the consultation period and how to provide feedback.

Through the process of creating this Policy we have looked at all the evidence, initially being informed by the Feedback in the initial Reg 14 Consultation, but other areas of concern have arisen in compiling the significant evidence base.

Namely:

1. the Lack of protection afforded by the Chichester Local Plan
2. The Lack of CDC to complete a DPD in relation to the GTTS community.
3. The inability of Chichester LPD to deal with applications in a fair and transparent manner.
4. Lack of ability of CDC LPD to properly address legitimate objections at Planning meetings and at the appeal process-----failure to provide proper evidence to the Planning Inspectorate.
5. The inaction/inability of the Chichester LPD Enforcement team.
6. The significant increase in GTTS Plots/Pitches over the last 3 years and its negative and detrimental effect on the settled community as a whole.
7. The disproportionate spread of the GTTS plots and pitches across the Chichester District, with a significant concentration in Westbourne Parish.

As a result of these issues it has become clear that the CLP KP 36 is not effective in providing the protection it’s envisaged and that the policy needed re-enforcing at a local level by way of the Westbourne Neighbourhood Development Plan.

The proposed Policy 0A4 on Community Balance will address the shortcomings of the CLP KP36 and re-enforce its intention.

It will provide the Westbourne Community with the safeguards it feels is lacking at the moment and create a healthy happy and inclusive community.

**SECTION 21**.

**Appendices**

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| **APPENDICES CONTENT LIST** | | **TITLE** |
| **APPENDIX** | [A](file:///C:\Users\Roy\Downloads\Appendix%20A%20Letter%20exchange%20WPC,%20CDC,%20WSCC.docx) | **Letter of Complaint to Chichester District & WSCC from Westbourne Parish Council** |
|  | [B](file:///C:\Users\Roy\Downloads\Appendix%20B%20Statement%20re%20Gypsy%20Travellers%20Westbourne%2030.10.2016.docx) | **Statement of Cllr Briscoe** |
|  | [C](file:///C:\Users\Roy\Downloads\Appendix%20C%20Dist%20of%20Plots%20pitches.docx) | **Distribution of GTTS Plots/pitches across the CDC area by Parish.** |
|  | [D](file:///C:\Users\Roy\Downloads\Appendix%20D%20Sample%20of%20objector%20comments.docx) | **Sample of Objector comments to GTTS applications** |
|  | [E](file:///C:\Users\Roy\Downloads\Appendix%20D%20Sample%20of%20objector%20comments.docx) | **Appeal decision in 2000** |
|  | [F](file:///C:\Users\Roy\Downloads\Appendix%20F%20Comments%20of%20responses%20compiled%20from%20Reg%2014%20consultation.docx) | **Comments of responses compiled from Initial Reg 14 consultation** |
|  | [G](file:///C:\Users\Roy\Downloads\Appendix%20G%20Enforcement%20Report%20to%20WPC.docx) | **Enforcement report** |
|  | [H](file:///C:\Users\Roy\Downloads\Appendix%20H%20Chichester%20Local%20Plan%20KP%2036.docx) | **Chichester Local Plan KP 36** |
|  | [I](file:///C:\Users\Roy\Downloads\Appendix%20I%20Laying%20the%20Foundations%20A%20Housing%20Strategy%20for%20England.pdf) | **Laying the Foundations: A Housing Strategy for England’** |
|  | [J](file:///C:\Users\Roy\Downloads\Appendix%20J%20GTTS%20And%20ECHR.docx) | **ECHR Articles and GTTS use of the legislation.** |
| **Needs attaching** | **K** | **Non-Designated Heritage Asset report (Cemetery)** |
|  | [L](file:///C:\Users\Roy\Downloads\Appendix%20L%20Exchanges%20of%20emails%20CDC,%20Parish%20Council,%20PCSO,%20Community.docx) | **Exchanges of emails: CDC, Parish Council, PCSO, Community** |
|  | [M](file:///C:\Users\Roy\Downloads\Appendix%20M%20Gypsy%20Traveller%20and%20Travelling%20Showpeople%20Site%20Allocation%20Development%20Plan%20Document%20-%20Review.pdf) | **Chichester District Cabinet Paper abandoning the DPD** |
|  | [N](file:///C:\Users\Roy\Documents\Parish%20Council\GTTS%20Report%20and%20appendices\Appendix%20N%20Appeal%20re%205%20Pitch%20site%2014_01217_FUL-APPEAL_ALLOWED_12.4.16-2121069.pdf) | **Appeal decision relied on by CDC to approve further development Application** WE/14/01217/FUL  Appeal ref; APP/L3815/W/15/3005107 |

1. **APPENDIX K Report on Non-Designated Heritage asset** [↑](#footnote-ref-1)