

Proposed Modifications to the Basingstoke and Deane Local Plan

Issue 4: Policy CN5
Gypsies, Travellers, and Travelling
Showpeople

Statement by James Williams
on behalf of Wates Developments

Introduction

1. This Statement is made on behalf of Wates Developments in respect of Policy CN5 Gypsies, Travellers, and Travelling Show People. Wates Developments is pursuing a housing development scheme at Hounsome Fields Basingstoke covered by Policy SS3.12 of the Proposed Local Plan Modifications, May 2015, in connection with which a separate Statement has been made.
2. In respect of Gypsy and Traveller Accommodation the Inspector has asked to be informed:

“With reference to the Council’s Documents HO8 and HO9, is the provision for gypsy and traveller accommodation in policy CN5 appropriately justified and effective, e.g. in relation to Government policy as set out in DCLG: Planning Policy for Traveller Sites?”
3. This Statement is to be read in conjunction with the Statement of Common Ground (SoCG) agreed with Basingstoke and Deane Borough Council (the Council), August 2015 (PS/02/50). The SoCG, paragraphs 7.2-7.4, explains that the requirement for gypsy and traveller accommodation at Hounsome Fields set out in Policy SS3.12 is not common ground between the landowner and the LPA.
4. Wates Developments does not raise issues in respect of the Council’s findings on the ‘need’ for additional accommodation as set out in the Council’s most recent ‘Needs Assessment’, to which we refer below. Its concerns relate to the lack of justification for Policy CN5 requiring the provision of gypsy and traveller accommodation from Greenfield allocations only, and the unsuitability of Hounsome Fields for such accommodation.

Relevant Policy Background

5. The relevant policy background to which Wates Developments’ objection has regard is provided by:
 - i. Planning Policy for Traveller Sites, DCLG, August 2015; and
 - ii. Basingstoke & Deane Gypsy and Traveller Needs Assessment, August 2015.

Planning Policy for Traveller Sites, DCLG, August 2015

6. Planning Policy for Traveller Sites, DCLG, August 2015 is an update of the previous DLGG 2012 guidance, to which the Inspector refers (paragraph 2 above).
7. The government’s aims in respect of traveller sites are set out in paragraph 4. The last three stated aims (i-k) are:
 - i. to reduce tensions between settled and traveller communities in plan-making and planning decisions*
 - j. to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure*
 - k. for local planning authorities to have due regard to the protection of local amenity and local environment*

8. It is accepted that Hounsome Fields is a location from which travellers could access education, health, welfare and employment infrastructure (aim j). However, the location of traveller accommodation at Hounsome Fields would be likely to generate tensions between settled and traveller communities (conflicting with aim i); and would fail to have regard to the protection of local amenity and local environment (conflicting with aim k). We examine these issues below.
9. Under the heading 'Plan-making', paragraph 10 sets out criteria local planning authorities should adopt in their Local Plan, which includes "*protect local amenity and environment.*"

Basingstoke & Deane Gypsy and Traveller Needs Assessment, August 2015

10. The Basingstoke & Deane Gypsy and Traveller Needs Assessment, August 2015 (PS/02/37) describes the assessment that has been undertaken by the Council of the current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Basingstoke and Deane. Its purpose is stated as being to aid the implementation of Development Plan policies and the provision of new Gypsy and Traveller pitches and Travelling Showpeople plots for the period to 2029 (paragraph 1.1).
11. The findings of the Assessment are that an estimated 16 additional pitches will be needed for Gypsies and Travellers in Basingstoke and Deane up to 2029 (paragraph 8.1).
12. The Assessment also recommends that the Council need not provide a formal transit site, but should consider the provision of 3 emergency stopping places to meet the short-term and needs of travellers in transit (paragraph 8.4). No further provision is recommended for travelling showpeople (paragraph 8.5).
13. It was not within the scope of the Council's Assessment to make recommendations on how the identified needs should be provided for in locational terms.

Peake Copse Caravan Site

14. Peake Copse lies to the east of the dual carriageway approach road to Junction 7 of the M3 and opposite the junction with the A30. It comprises a County Council owned site set within a woodland area that is currently vacant. Planning consent was sought in May 1988 (Council Reference BDB/25032) for the use of the site for:

Caravan site for Gypsies providing twenty pitches each with an amenity block a wardens bungalow with garage and sewage treatment plant

Planning permission was subsequently granted and the use implemented.

15. Document HO08 "An Assessment of the Accommodation Needs of Gypsies, Travellers and Travelling Showpeople within the Borough of Basingstoke and Deane, July 2012, states (paragraphs 4.1 - 4.2):

"There was a site at Peak Copse to the south of Basingstoke near to the Junction 7 of the M3 motorway in 1992 which was owned and managed by Hampshire County Council.

However, following a number of violent disturbances the county council decided to temporarily close it in 1996. An unauthorised encampment then occupied the site in late 1996 which required Court action for repossession. Following the repossession of the site it was closed

permanently because of the absence of any conclusive demand for re-opening as a permanent gypsy site. There are currently no plans to re-open the site.“

16. In 2010 the County Council marketed the site for alternative forms of development; the marketing details attached as Appendix 1. However, no further action appears to have been taken, as a result of which the site remains unused.
17. As noted above the Council, in its latest assessment of the accommodation of gypsy and traveller needs, has estimated that an additional 16 pitches will be required in Basingstoke and Deane up to 2029. In numerical terms this need is capable of being provided at Peak Copse.

Assessment

18. Wates Developments believes that Hounsome Fields is not a suitable location for the provision of accommodation for gypsies, travellers and travelling showpeople. In a separate Statement on Policy SS3.12 Hounsome Fields, a Draft Illustrative Zoning Plan has been attached. This Plan is also attached as Appendix 2 to this Statement.
19. The Zoning Plan illustrates how a quality development can be achieved at Hounsome Fields, respecting the existence and setting of natural features such as woodland areas, as well as the Grade 2 listed Southwood farmhouse.
20. In our opinion the provision of gypsy / traveller pitches embedded within the residential zones would be inappropriate and undesirable, and highly likely to give rise to tensions between the settled and traveller community contrary to ‘aim l’ of the DLG Guidance, referred to above.
21. The Zone Plan shows large areas of green space, the purpose of which is to provide an attractive setting for development on the site. Some of the green space is in the form of buffer zones from adjacent woodland areas and the listed farmhouse building. The incursion of gypsy / traveller pitches within these green areas would seriously compromise the quality of development that is being sought; and in our opinion would conflict with ‘aim k’ of the DLG Guidance *“local planning authorities to have due regard to the protection of local amenity and local environment”*

Recommendations

22. Policy CN5 as currently drafted requires *“the identified need for gypsies, travellers and travelling showpeople to be provided through the provision of plots and/ or pitches as part of Greenfield allocations”*. Having regard to there being at least one location that should be a candidate for consideration (Peak Copse) that is not a Greenfield allocation, Wates Developments considers there is no justification for Policy CN5 requiring the provision of gypsy and traveller accommodation from Greenfield allocations only.
23. Furthermore for the reasons set out above, Wates Developments is firmly of the view that Hounsome Fields is not an appropriate location for the provision of gypsy / traveller accommodation. Its inclusion within Policy CN5 is inappropriate and risks failing to achieve a quality development on the site.
24. Having regard to the above matters, Wates Developments recommends the Inspector to delete the following wording from Policy CN5:

“the provision of plots and or pitches as part of Greenfield allocations as set out in policies SS3.9, SS3.10, SS3.11, and SS3.12;

If planning proposals for accommodation sites for Gypsies, Travellers and Travelling Showpeople are received for sites other than those set out in policies SS3.9, SS3.10, and SS3.11 and SS3.12, they will only be permitted where:

a) There is an identified need for the pitch provision;”

25. The Policy is recommended to read as set out below, with the additional wording underlined.

Policy CN5 – Gypsies, Travellers and Travelling Show People

The council will allocate permanent, temporary and transit pitch/plot provision to meet the accommodation needs of Gypsies, Travellers and Travelling Showpeople in the borough, as indicated in the most recent Gypsy and Traveller Accommodation Assessment.

The council will meet the identified need for Gypsies, Travellers and Travelling Showpeople through preparation of further planning guidance that will identify suitable sites based on the following criteria

a) There is no adverse impact upon local amenity and the natural and historic environment;

b) The site is located within a reasonable distance of local services with capacity, including education establishments, health and welfare services, shops and community facilities;

c) There is safe and reasonable access to the highway, public transport services and sustainable transport options;

d) Adequate on-site facilities are provided for parking, storage, play and residential amenity and appropriate essential services;

e) The potential for a mix of uses on the site has been demonstrated, where required; and

f) The potential for successful integration between travelling and settled communities has been demonstrated.

Planning permission will not be granted for the replacement of lawful Gypsies, Travellers and Travelling Showpeople sites by permanent dwellings or other uses unless it can be clearly demonstrated to the satisfaction of the local planning authority that there is no genuine need or likely future need for Gypsies, Travellers and Travelling Showpeople sites in the locality and other planning policy requirements are met.

**James Williams
JWPlanning
September 2015**

APPENDIX 1: HCC Peak Copse Sales Particulars

APPENDIX 2: Draft Illustrative Zoning Plan, PS14604-010, NLP, Sept 2015

Peak Copse, Dummer

Development Site in Hampshire, RG23 7GS

Hampshire County Council invites the submission of innovative proposals for the development of up to 0.4 hectares (1.0 acre) of land with potential for covered waste recycling and waste transfer-type uses (subject to planning permission and other operational licences).

Offers are invited for the grant of a 30 year Building Lease in respect of the development site shown edged green on Plan 3, together with appropriate rights of access to point 'A' and rights to lay services over the land hatched brown on Plan 3. Prospective purchasers are to submit financial offers on the basis of a single premium payable on completion of the lease, thereafter to pay £1.00 per annum rent. All other terms and conditions will be negotiable between the County Council and the preferred purchasers.

Location

Peak Copse is located directly north of the A30 dual carriageway adjacent to Junction 7 of the M3 motorway to the south-west of Basingstoke.

Site Description

The County Council owns a total area of 14.68 ha. (36.3 a.) (as shown coloured pink on Plan 1) within which 2.93 ha. (7.24 a.)

is considered to be 'brownfield land', and comprises 1.08 ha. of hard standing and former buildings and a 30m. wide landscape screen around the built extent of the site. The proposed development site of 0.4 ha. being offered principally forms part of the 1.08 ha. hard standing area and is shown edged green on Plan 3.

County Council Requirements

The County Council will retain approximately 0.5 ha. (1.3 a.) of the developable area (as shown edged blue on Plan 3) for potential operational uses.

Prospective purchasers will be required to provide the necessary infrastructure to deliver the waste facility; construct shared vehicular access to Points 'A' and 'B' over the route shown hatched brown on Plan 3; and enable future services arrangements to be provided to serve the Council's retained land. As a condition of the Lease the Purchasers will also be required to make a financial contribution of £75,000 towards long term management of the surrounding woodland.

Planning and Design

Existing Use - The site benefits from planning consent for use as a gypsy and traveller residential site. Therefore planning permission will be required for a change of use and development of a waste facility. The principle of waste and resource management and recycling uses (but excluding landfill) is expected to be acceptable based on the redevelopment of the brownfield land with good access to the strategic highway network.

Planning Policy - Uses associated with waste and resource management and recycling are matters for Hampshire County Council to determine as the Waste Planning Authority. Planning enquiries should be directed to:

Planning and Development
Environment Department
Hampshire County Council
Minerals and Waste Planning
Peter Chadwick, Development Control Manager
Tel: 01962 846728
E-mail: peter.chadwick@hants.gov.uk

In considering potential waste transfer proposals for this site, prospective purchasers will have particular regard to policies contained in the Hampshire Portsmouth Southampton and New Forest National Park Minerals and Waste Core Strategy, particularly Planning Policies S1, DC1, DC3, DC6, DC7, DC8, DC10, DC13 and all associated supporting paragraphs.

The following link to the Minerals and Waste Core Strategy is provided for further information:
http://www3.hants.gov.uk/hampshire_core_strategy-3.pdf

Landscaping and Biodiversity

The site is a brownfield site, well screened within the existing setting of ancient woodland and landscape buffer zone and it is likely that development will be capable of meeting the needs of Planning Policies DC3, DC8 and DC13; and, as the area of adjoining ancient woodland is designated as a Site of Important Nature Conservation (SINC), due regard will need to be given to potential effects of the proposed development on existing biodiversity in line with Planning Policy DC7.

From a land ownership perspective and for the purposes of this submission only, prospective purchasers may assume that mitigating landscaping treatment associated with the development of the waste facility may be provided within the retained County Council landscaping screen. Submissions shall include brief details of the proposed landscape strategy that prospective purchasers consider appropriate to meet potential planning requirements.



Hampshire
County Council

Peak Copse, Dummer

Infrastructure and Services

The County Council has prepared the paper "Peak Copse Development Site – Briefing Note on Engineering Issues" which is included as part of the package of Supporting Information. This information is provided on the understanding that no reliance shall be placed on the details contained therein. Ultimately, the preferred purchasers will be expected to have conducted their own detailed investigations as to the suitability of the land to meet their scheme proposals.

Supporting Information

In addition to these Sales Particulars, details provided for the information of prospective purchasers include:

- Plan 1 - Plan No. A/1/693/B – County Council Ownership and Location Plan
- Aerial Photograph
- Plan 2 - Existing Developed Area
- Plan 3 - Redevelopment Proposal
- Peak Copse Development Site – Briefing Note on Engineering Issues
- Bid Proforma and return label
- Hampshire County Council Cabinet Report 27 July, 2009
 - <http://www.hants.gov.uk/decisions/decisions-docs/090727-cabine-R0720112156.html>

This important information must be studied prior to the submission of an offer and can be found at <http://www3.hants.gov.uk/estates-peakcopse> together with these Sales Particulars.



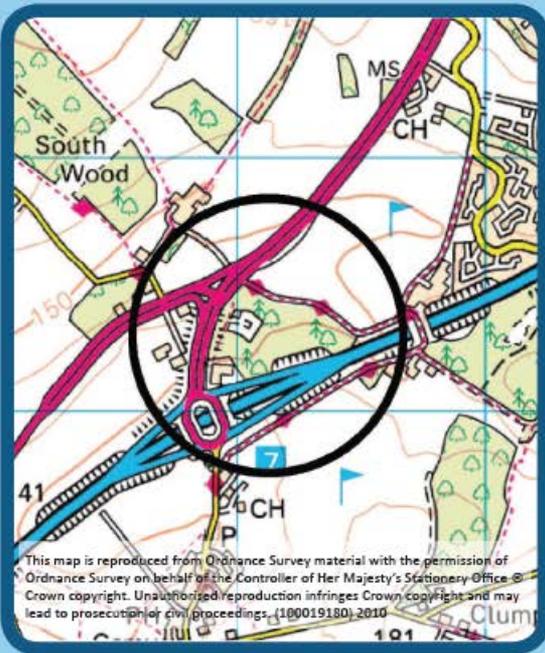
Please note:

Under the Property Misdescriptions Act 1967, these particulars (such to include all supporting information) do not form part of a contract. PBRS' Assets and Development for themselves and for the freeholder of this property give notice that (1) the particulars are set out as a general outline for guidance for intending purchasers and do not constitute, nor constitute part of, an offer or contract; (2) all descriptions, dimensions, references to condition and necessary permission for use and occupation and other details are given in good faith and are believed to be correct, but intending purchasers should not rely on them as statements or representations of fact, but must satisfy themselves by inspection or otherwise as to the correctness of each of them; and (3) no person in the employ of Hampshire County Council has any authority to make or give any representation or warranty whatever in relation to this property.

Submission of Offers

Conditional Offers shall be submitted no later than 12 noon, on Thursday 18 February 2010 by completing the Bid Proforma Supplied as part of the Supporting Information and submitting the Bid Proforma in a sealed, plain envelope, using only the label supplied.

Offers submitted will be conditional upon securing planning consent for the form of development proposed and a range of other issues associated with the proposed change of use and development. Prospective purchasers shall specify all conditionality affecting their offer.



Set out below are indicative allowances against some of the potential costs of development. Prospective purchasers shall confirm in the Bid Proforma that they have either accommodated these allowances or identified and recorded such alternative amounts as they consider appropriate in preparing their offer.

- The provision of offsite highway works (£30,000)
- The construction of the on-site access road (£75,000)
- The provision of services to the site (excluding gas supply) (£50,000)
- Provision for the disposal of foul sewerage (£30,000)
- Woodland management financial contribution (£75,000)

It is also possible that the Waste Planning Authority will require developers to make additional financial contributions under S.106 Planning and/or S.278 Highways Agreements. Prospective purchasers should indicate in the Bid Proforma any allowances made in respect of these or any other potential financial obligations relating to the proposed development.

In submitting an offer, prospective purchasers should also supply the following information in order to assist the County Council as landowner in making its decision:

- Business Plan and rationale for the development and proposed use.
- Site layout plan at a scale of 1:500 showing the outline layout of the buildings, the location of servicing areas and car parking spaces and indicating hard and soft landscaping treatments.
- Brief design statement confirming appropriate elements of the proposed development and proposed landscape strategy.
- Supporting statements identifying how the development will be in conformity with the County Council's aspirations for innovative waste and resource management and recycling solutions.

All offers must be for specific amounts and no offer will be considered in which the amount of the offer is an indefinite sum of money or calculable only by reference to any other tenders or

offers. No escalating offer will be accepted.

The County Council reserves the right not to accept the highest offer nor to accept any offer. It also reserves the right to withdraw the site from the market at any time.

Prior to provisional selection, the County Council may require that further information is provided.

Viewing Arrangements

Viewings of the site will be on an accompanied basis only and by prior confirmed appointment to be held between 10.00 and 15.30 on Wednesday 27 January, 2010 and Monday 8 February, 2010.

Costs and VAT

Each party will bear its own costs associated with the transaction. Unless otherwise stated, for the purposes of submitting offers, it should be assumed that VAT will not be payable on the transaction. Purchasers must satisfy themselves as to the ultimate inclusion of VAT in respect of any transaction.

Contacts - General Information and Appointment to View

For further general information and/or appointments to view, please make initial contact by way of e-mail to:

ian.gregory@hants.gov.uk

or

estadmin@hants.gov.uk

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KEY

- Site boundary 
- Residential 
- Local centre 
- Primary school 
- Public open space to include buffer zones, new tree planting, SUDs, footpaths, cycleways and children's play. 
- Spine Road 
- Existing trees/hedgerow/woodland to retain 



Project	Housome Fields, SW Basingstoke
Title	Illustrative Zoning Plan DRAFT
Client	Wates Development
Date	September 2015
Scale	1:5000 @ A3
Drawn by	JC
Dwg No	PS14604-010



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