

# Winchester District Gypsy and Traveller and Travelling Showpersons Development Plan Document

## Matters, Issues and Questions

The starting point for the examination will be the January 2018 publication (pre-submission) version of the Development Plan Document (DPD). Nevertheless, the Inspector will also consider changes suggested by the Council, along with those changes sought by the other parties wishing to amend the DPD.

Representors may wish to refer to the Inspector's initial questions and the Council's responses. These are available on the examination website.

### Matter 1 – Legal/Procedural Requirements

#### Issue

Whether the Council has complied with the relevant procedural and legal requirements.

#### Questions

##### Plan preparation

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

##### Sustainability Appraisal

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

##### Habitat Regulations Assessment

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

Other matters

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

**Matter 2 – Duty to co-operate****Issue**

Whether the Council has complied with the duty to cooperate in the preparation of the DPD.

**Question**

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

**Matter 3 – Evidence Base****Issue**

Whether the preparation of the DPD has been informed by a robust evidence base.

**Questions**

1. The Winchester Gypsy and Traveller Accommodation Assessment (GTAA) fieldwork was carried out from late June to early October. Is this likely to have affected the number of families available to take part in the survey? Was consideration given to conducting the surveys over a longer period to try to increase response rates and if not, why not?
2. The GTAA does not identify any gypsies and travellers living in bricks and mortar accommodation. A representor has provided evidence to show that such families do exist. What lengths did the interviewers go to, to identify such families and obtain interviews with them? Was this sufficient?
3. Can the Council please provide an update on the Tynefield site and in particular whether the refurbished pitches are now available for use and if they have been re-let?
4. If these pitches are now available, should they be counted in the 'supply side' (GTAA fig 4) of future pitches given that they were available

previously and just removed temporarily to allow refurbishment? What happened to the previous occupants of these pitches?

## **Matter 4 – Supply of sites**

### **Issue**

Whether the DPD identifies a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against the target set out in Local Plan Part 2 (LPP2) policy DM4 and of specific developable sites or broad locations for growth after those 5 years.

### **Questions**

1. In light of answers to questions in relation to Matter 3, do the Council have a 5 year supply of gypsy and traveller sites? If not, what is the shortfall and how will it be remedied?
2. Are there any other potential problems with deliverability of sites being relied upon in the DPD?
3. Does the DPD identify a supply of specific, deliverable sites, or broad locations for growth for years 6-10? If not, why not and what are the implications of this for the gypsy and traveller community?
4. A need for 24 plots for showpeople has been established in LPP2 Policy DM4, but the DPD identifies a shortfall in provision for such sites. How is the DPD sound in these circumstances? What would be the impact on those in need of a plot?
5. Can the Council please provide an update on outstanding planning issues with sites such as the Piggeries and Carousel Park and how this affects the supply of pitches?
6. Do all the 'sites with planning permission' identified in row b of the table at the bottom of page 13 of the DPD have a permanent planning permission? If not, can the Council please provide details of all of these permissions. In addition, are any of the permissions personal to the occupants? If so, can the Council please provide details.

## **Matter 5 – Criteria based policies**

### **Issue**

Whether the criteria based policies TR5 and TR6 are necessary, justified and effective and fair in facilitating the traditional and nomadic life of travellers whilst respecting the interests of the settled community.

**Questions**

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

**Matter 6 – Site allocations****Issue**

Whether the proposed allocations TR1 – TR4 are justified, deliverable and the policies contain sufficient detail?

**Questions**

1. Is site W008, under policy TR1 too close to the A31? Is it close enough to facilities?
2. Is the site boundary of site W014 correctly defined?
3. Is the access to site W014 safe and suitable? Does it impact on a public footpath?
4. Do any of the proposed sites lie within the inner consultation zone set by the Health and Safety Executive? If so which ones and what are the implications of this?
5. Is Policy TR2 justified and effective?
6. Is policy TR3 justified and effective?
7. Is policy TR4 justified and effective?