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Solihull Gypsy and Traveller site allocation DPD comments

6 May 2013-by email

As I am unable to work out how the website form is to be completed and submitted on line, I have set out my comments below following as close as possible to headings on your form.

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Q2 SUPPORT OR OBJECT

I support the fact this matter is being addressed but object to the fact this exercise is being undertaken separate to the site allocation / need assessment for mainstream housing and ignores in migration when it is accepted that for mainstream housing there is a need to accommodate those seeking to reside in this part of the West Midlands

Q3 Legally compliant

This will be a matter for the Inspector to check and be satisfied on. The public can not be expected to read all background documentation on this point. However I do not consider that the Council has paid proper and due regard to comments made as part of the public consultation process and has chosen to disregard serious concerns about the Haven site at Bickenhill. There is no point engaging with the public if you are going to ignore concerns raised without proper, objective analysis of these concerns. There is little incentive to participate in these time consuming consultation exercises if the Council is not going to treat concerns raised seriously and with the respect they deserve. No self respecting authority would expect families to live in caravans directly under the flight path to an international airport. The Council should be finding suitable alternative sites for all families at this site.

Q4A THE SITE ALLOCATION DPD IS CONSIDERED UNSOUND FOR THE FOLLOWING REASONS

1. It is not positively prepared in so far as
 - i)the need assessment for showpersons does not appear to have had regard to advice in the 2012 GTAA which called for further studies. It is unclear how the duty to cooperate has sought to address showmen accommodation in the West Midlands effectively.

ii) The assessment of need fails to properly consider over crowding on The Haven site at Bickenhill

2. It is not justified and effective in so far as

i) The Council seems to be more concerned with meeting needs targets than ensuring good quality sites are provided in accordance with GTS6.

ii) the fails to provide choice in location of sites and for small family sites

iii) The plan is not flexible and offers no fall back should one or more of the identified sites fail to deliver the number of pitches indicated to meet existing need.

iv) The plan is not flexible in so far as need from 2017 onwards is all planned to be met on a single site which is not suitable for this use ie The Haven at Bickenhall. However, confusingly GTS 5 indicates that this sites is in development phase2 up to 2017 not 2017-2027.

v) The Plan fails to identify a site to meet transit need

vi) The plan relies on a most unsuitable site at The Haven, Bickenhill to meet identified residential need

vii) There is no certainty identified sites will be deliverable given issues with possible impact on land with TPO or possible harm to protected species in Local Wildlife sites.

viii) It is unclear if Old Damson Lane (7 plot site) is to be made available as a rural exception site in accordance with Policy D PPTS

3. It is not consistent with National Policy is so far as

i) alternatives to Green Belt sites do not appear to have been considered in accordance with para 4 PPTS. It is unclear whether consideration has been given to accommodating needs as a proportion of large sites allocations.

ii) There does not appear to be any consideration of para 15 PPTS and the need to alter Green Belt boundaries to make provision

iii) There is no consideration of specific, developable sites or broad locations for growth for years 6-10 and 11-15 ie from 2017 onwards as GTS 5 states the Haven site is to meet need to 2017.

iv) The Haven site is not sustainable environmentally and contrary to guidance in para 11 (e) PPTS

v) GTS 6 Detailed planning considerations should not require private sites to have regard to guidance in the Good Practice Guide which is designed for socially provided sites.

Q4d CHANGES SUGGESTED TO MAKE PLAN SOUND

Need

The level of need should be reinstated to at least a minimum of 38 pitches until the new site at Old Damson Lane is built and made available. The Council has indicated that it is to be sold privately. It is unclear who will be able to afford to purchase and provide this

site. Until this site is developed and made available to meet the need identified, the need should remain as identified at 38 pitches.

The need assessment should have regard to the quality and not just the quantity of caravans sited on existing sites. It is unclear how existing provision at The Haven is calculated at 25 pitches and whether this site is physically capable of providing for 25 pitches. It is understood the Haven is authorised for 25 caravans. This is not the same as 25 family pitches. If there are 25 families living on this site this should be recorded as unacceptable over crowding.

The need assessment appears to make no allowance for in migration. Para 6.2.1 suggests that just because there are few unauthorised encampments, need is confined to household formation from those already resident in the borough. UEs tend to be associated with families in transit rather than those seeking to reside in an area. The assessment fails to make allowance for those prevented from living in the district due to the shortage of sites.

Site identification

The Plan should make clear what non green belt land was considered for Travellers and why land identified for housing was not considered as part of the call for sites.

The Council needs to identify specific sites or at least broad locations for sites years 6 onwards in accordance with para 9 PPTS.

Transit site

The need for a transit site is supported as it is clear from the 2012 GTAA that families seeking to resort to this borough are quickly moved on when stopped on unauthorised encampment.

Because there is no formal transit provision and because the Police will move families on who seek to stop in laybys etc, most Travellers in transit nowadays have no option but to stop

- a) On Camping and Caravan club sites-where owner accepts and permits.
- b) On other touring caravan sites-where owner accepts and permits. Many owners will ask Travellers to leave.
- c) At the homes of Travellers in housing ie stopping on driveways or in yards behind houses
- d) On farms out of view of the public
- e) With other Travellers often in breach of any conditions attached to the grant of planning permission

It is unclear why a suitable site has not been identified for transit provision as part of this site allocations DPD. It is unclear what timetable is to be followed for finding a site and when transit provision will be made.

It is suggested that the Haven site could be suitable as a transit site due to its excellent links to the main road network but it should not be retained as a residential site.

Travelling showperson site

It is not considered that the needs of Travelling showpeople have been properly assessed. To suggest there is no need just because there are no Travelling Showpeople in Solihull is hardly an objective, sound planning assessment. The 2008 GTAA identified

a need to provide provision for families living on a crowded site in Birmingham in the area between Birmingham and Warwick. The 2012 GTAA noted that further work may need to be produced, across local authority boundaries, to accurately understand their accommodation needs. There is no evidence this has been done. It was noted that there may be a need for accommodation in the borough from families working in the area but who live in adjacent or other authorities. A cross-boundary assessment in partnership with the Showmen's Guild would, most effectively, identify such shortage.

Deliverability of objectives/ flexibility

There are concerns relating to the deliverability of the Plans objectives and its flexibility in terms of meeting changing circumstances. In terms of deliverability the number of pitch allocations made is the same as the number of pitches required to meet current unmet need (38 pitches).

The GTAA identifies an immediate need for 26 pitches 2012-2016. The plan seeks to address this on just four sites

Old Damson Lane- 7 and 11 pitches

The Warren – 5 pitches

The Uplands- 3 pitches (although there is a current application 13/137 January 2013 for 4 pitches to meet the needs of the Doherty family who live at this property)

If any of the allocated pitches are not delivered or identified need is exceeded (eg by in migration which is not factored into the need assessment from families prevented from living in Solihull due to lack of provision and overcrowding on existing sites) then there will remain an unmet need. There are real concerns in relation to the deliverability of some of the sites chosen in particular sites under the flight path or with limited capacity to accommodate further pitches. The plan fails to contain any flexible arrangements in the event that allocated sites do not come forward.

The proposal offers little choice to those seeking consent for small private family sites. The site at The Warren (GTS3) and Uplands (GTS4) will provide additional provision for existing privately provided family sites. They will not benefit others. The only other provision for small family run family sites to meet the needs of those on unauthorised/ temporary sites at Shadowbrook Lane/ Eaves Green Lane or in housing is the recently approved site at Damson Lane which is to be made sold by the Council. It is not clear whether this will be an affordable option to those with need for a site. As this site lies between an existing site leased to Irish Travellers and proposed site GTS2 for 11 socially provided sites it is unlikely to be attractive to families seeking a private family site. This would lead to a combined total of 25 pitches in one location. That does not accord with good practice guidance issued by CLG 2008.

Other concerns relate to the basis on which sites were allocated. Whilst the methodology appears to be reasonable the application of the methodology is not entirely clear. There is little evidence to suggest that the Council has looked at the possible harm which would be caused to specific objectives of special designations. There appears to be no consideration of other land including Council owned land in the Borough.

There appears to have been no consideration of the provisions in para 15 PPTS in terms of the appropriateness of removing land from the Green Belt to meet a specific need for sites. This may be particularly relevant for large sites or sites close to the Green Belt boundary.

Sites at Damson Lane, The Warren and The Haven should not be allocated until it can be shown that these sites have the capacity for additional pitches and are suitable for the development proposed in accordance with draft Policy GTS 6. Until and unless such studies are undertaken it can not be concluded that these sites are suitable and deliverable or capable of providing the number of pitches indicated.

Comments on individual proposed sites

Damson Lane 11 pitch

This site should not be allocated until and unless the Council is satisfied

- i) there is no potential impact on any protected species at the adjacent Local Wildlife Site
- ii) access is safe given the dangerous crossing of the nearby Damson Parkway (visibility to left on turning right out of the site is shocking and is not safe despite claims there are no significant highway issues and users of the local bus service have to cross this busy road with no assisted crossing)
- iii) noise assessment for Birmingham airport having regard to runway extensions

The Warren

It is unclear how this site is considered large enough for 5 additional pitches, especially given the constraint of trees protected by a TPO.

This site should not be allocated until and unless the Council is satisfied

- a) there will be no potential harmful impact on any protected species at the adjacent Local Wildlife Site
- b) the additional pitches can be accommodated around the TPO without placing pressure on the need to remove protected trees due to danger of branch fall on the caravans. Caravans.

The Haven

This most inappropriately named site is totally unsuitable in its present condition and on account of its location directly under the flight path for the airport. This site fails the long term vision of ensuring everyone has access to a decent and safe home because it is seriously over crowded, poorly laid out and directly under the flight path to planes landing at the airport.

This site does not meet the requirements of GTS6 in so far as it is overcrowded with conflict between residents and traffic movements. It is not well laid out.

The existing site is dangerously and unacceptable over crowded. It is unclear how the Council consider the present site is capable of providing 25 pitches to the standard set out in CLG guidance. This proposal would not accord with para 8.2 which states (quite properly) that policy should seek to ensure good quality sites are provided rather than just meet a numerical exercise. No extension should be permitted to this site until and unless living conditions for existing residents on this over crowded site are improved with proper pitches designed for static caravans/ mobile homes, decent day rooms, safe play space and safe access through the existing site to any extension.

This site should not be allocated until and unless

- a) a noise report is commissioned to show the noise from airplanes landing at Birmingham airport over the site would not result in unacceptable living conditions for site residents (would any planner want to live here?)
- b) it can be show there would be no harmful impact on any protected species at the nearby Local Wildlife Site

Other sites should be made available as part of a contingency in case sites identified are not made available.

Q5 EXAMINATION PROCESS

At this stage I would wish to participate in person at the examination as I consider there are important matters that still need to be resolved.