

Solihull Local Development Framework
Gypsy and Traveller Site Allocations
Development Plan Document



**Solihull MBC Gypsy and Traveller Site
Allocations Development Plan Document
Regulation 19 Publication Stage
Response Form**

For Office Use Only:	
Date	
Ack	
Ref	

Solihull MBC is seeking your comments on the Gypsy and Traveller Site Allocations Development Plan Document (DPD) Submission Draft. At this stage of preparation of the DPD we are only able to accept representations about whether the document is a) legally compliant and b) sound. Further guidance on completing this form can be downloaded at <http://www.solihull.gov.uk/ldf/28317.htm>.

This form has two parts:

Part A - Personal Details

Part B - Your representation(s).

This form will be used as a formal representation of your support or objection to the Gypsy and Traveller Site Allocations DPD Submission Draft. Please fill in a separate Part B form for each comment you wish to make, and attach to Part A.

PART A: PERSONAL CONTACT DETAILS

1. YOUR DETAILS		2. AGENT DETAILS (*if applicable)
Title		
Forename		
Surname		
Job Title		
Organisation		TYLER - PARKES PARTNERSHIP
Address		66, STRATFORD ROAD
		SHIRLEY
		SOLIHULL
Postcode		B90 3LP
Email address		h.winkler@tyler-parkes.co.uk
Telephone No.		0121 7445511
Mobile No.		

Which is your preferred method of contact?	Email	<input checked="" type="checkbox"/>	Post	<input type="checkbox"/>
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How we will use your personal information: The information you provide will be used by the Council to help prepare the Local Development Framework (LDF) and will be shared with other employees or agencies (such as the Planning Inspectorate) who may be involved with the LDF. Additionally, your personal details may be shared with other Solihull MBC departments and partner organisations to ensure our records are kept accurate and to keep you informed of future consultation documents. Please note that the Council is obliged to make representations available for public inspection, this means that with the exception of telephone numbers, email addresses and signatures, your comments and other personal details that you provide will be publicly available for inspection at the Council's principle offices and will also be published on the internet. Should you have any further queries please contact Spatial Planning on 0121 704 6395.

PART B: YOUR REPRESENTATION

Name	ON BEHALF OF →	Organisation	POLICE & CRIME COMMISSIONER FOR WEST MIDLANDS
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Please fill in the questions below and clearly explain your comments in the relevant sections. Use one form per comment. Further sheets are available to download and you may use as many additional sheets as necessary.

Q1. Which part of the Gypsy and Traveller Site Allocations DPD does your comment relate to?

Chapter Number	6 and 8	Page Number	ALSO APPENDIX 1
Policy Number	6S1 and 6S6	Paragraph Number	

Q2. Do you wish to support or object to this part of the Gypsy and Traveller Site Allocations DPD?

Support		Object	<input checked="" type="checkbox"/>
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Q3a. Do you consider this part of the Gypsy and Traveller Site Allocations DPD is:

Legally Compliant?	Yes	<input checked="" type="checkbox"/>	No
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Q3b. Please use this space to explain your answer above. Please be as precise as possible.

PLEASE REFER TO ATTACHED LETTER


Q3c. Please set out what change(s) you consider necessary to make the DPD legally compliant and give your reasons. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

PLEASE REFER TO ATTACHED LETTER

Q4a. Do you consider this part of the Gypsy and Traveller Site Allocations DPD is:			
Sound?	Yes	No	X
Q4b. If you consider the Gypsy and Traveller Site Allocations DPD is unsound, please identify which test of soundness your representation relates to by placing a cross by the appropriate box.			
Please select	Test of Soundness		
	The plan is not positively prepared in that it is not prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.		
	The plan is not justified in that it is not the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence.		
	It is not effective in that the plan is not deliverable over its period and based on effective joint working on cross boundary strategic priorities.		
X	It is not consistent with national policy.		
Q4c. Please use this space to explain your answer to Q4a above. Please be as precise as possible.			
PLEASE REFER TO ATTACHED LETTER			
Q4d. If you consider the Gypsy and Traveller Site Allocations DPD unsound, please set out what change(s) you consider necessary to make the DPD sound and give your reasons. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.			
PLEASE REFER TO ATTACHED LETTER			

Please note your representation should cover all information succinctly and include all the information, evidence and supporting information necessary to support/justify the representation and suggested change.

After this stage, further submissions will only be at the request of the Inspector, based on the matters he/she identifies for examination.

Q5. Can your representation seeking a change be considered by written representations or do you consider it necessary to participate in person at the examination?				
Written representations		Participate at the Examination in Public		
Q5. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:				
Are you attaching any additional sheets that relate to this representation?	No	Yes <input checked="" type="checkbox"/>	No. of sheets	
Signed: 	Date:	13 / 05 / 13		

All representations must be received at the email or postal address given on this form by 5pm on Friday 17th May 2013. Late representations cannot be accepted.

Completed Forms should be sent to the Spatial Planning team at:

Email: PSP@solihull.gov.uk

Post: Spatial Planning
Solihull Council
Manor Square
Solihull
B91 3QB

Please tick this box if you DO NOT wish to be notified when the Gypsy and Traveller Site Allocations DPD is submitted, upon publication of the Inspector's Report and Adopted or be involved in the preparation of future plans and policies.	
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Additional copies of this form can be accessed from the Council's website at www.solihull.gov.uk/ldf/28317.htm. If you have any further queries, please contact the Spatial Planning team on 0121 704 6428.

Thank you for taking the time to complete this representation.



Planning and Architecture | advice | applications | drawings

Our ref. 8980 LPA01 HRW GTSA

Policy and Spatial Planning
Solihull MBC
Council House
Manor Square
Solihull
B91 9QB

Email: psp@solihull.gov.uk

13th May 2013

Dear Sirs,

Gypsy and Traveller Site Allocations Development Plan Document – Submission Draft: Formal Representations on behalf of the Police and Crime Commissioner for West Midlands

We act for the Police and Crime Commissioner for West Midlands (PCCWM), formerly known as West Midlands Police Authority. We are grateful to Solihull MBC for giving the PCCWM the opportunity to comment on the Gypsy and Traveller Site Allocations Development Plan Document (DPD) Submission Draft. We are instructed to make representations on local development documents in respect of securing policy reference in such documents to, amongst other matters:

- recognise the community need for securing safe environments with crime reduction made a priority;
- ensure the timely and effective engagement of the police and other emergency services to ensure effective delivery of infrastructure projects required as a result of development growth with the recognition that the police are a social infrastructure delivery agency; and
- in appropriate cases, seek financial contributions towards the additional expenditure burden placed on the Police Force as a consequence of development proposals and growth.

The PCCWM clearly has a statutory duty to secure the maintenance of an efficient and effective police force for its area and, of course, the Council is also statutorily required to consider crime and disorder and community safety in the exercise of its duties with the aim of achieving a reduction in crime and helping to create environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Our detailed comments are set out below:

National Planning Policy

1. The **National Planning Policy Framework (NPPF)**, March 2012, paragraph 156 sets out the strategic priorities for local planning authorities, including, *'the provision of health, security, community and cultural infrastructure...'* Security is therefore a national strategic planning objective for local authorities.
2. Chapter 7, 'Requiring Good Design' paragraph 58 requires local and neighborhood plans to have policies which should aim to ensure that developments, *'...create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion...'*
3. This message is repeated in Chapter 8 'Promoting Healthy Communities' paragraph 69 which recognises that *'The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities...Planning policies and decisions, in turn, should aim to achieve places which promote ... safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.'*
4. It is significant that within the streamlined national planning policy framework, the need to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion is repeated. This clearly demonstrates the importance and weight which the government attaches to this requirement in order to deliver sustainable development.
5. The national **'Planning Policy for Traveller Sites'**, March 2012, which should be read in conjunction with the NPPF, states that the Government's aims in respect of traveller sites include; *'to reduce tensions between settled and traveller communities in plan-making and planning decisions'* and *'for local planning authorities to have due regard to the protection of local amenity and local environment.'*
6. Paragraph 9 requires that Local planning authorities should, in producing their Local Plan, *'... e) protect local amenity and environment...'* at paragraph 11 *'...ensure that traveller sites are sustainable economically, socially and environmentally'* and *'ensure that their policies: a) promote peaceful and integrated co-existence between the site and the local community.'*
7. It is therefore necessary for traveller sites to be sustainable economically, socially and environmentally, which would include consideration of creating sites which are safe and accessible where crime and the fear of crime do not undermine the quality of life or social cohesion, both on the site itself and within the local community as a whole.

Detailed Comments on the Gypsy and Traveller Site Allocations DPD

Chapter 6 – Strategy

8. The PCCWM welcomes the change from the Preferred Options version of the DPD which removes the requirement for provision of five transit pitches at the site at Old Damson Lane. As you are aware from representations submitted on 23rd August 2012, the PCCWM raised concern over the proposed allocation of additional permanent and/or transient families onto the established Old Damson Lane site because the PCCWM has recorded recent problems at the site involving those living there, including threats to life.
9. However, the PCCWM is concerned that despite their formal representations submitted to the Preferred Options consultation highlighting their concern over the proposal to take forward additional sites at Old Damson Lane, according

to the Submitted Draft, planning permission has already been granted for 7 new private pitches. This planning permission was granted without seeking formal comments from the PCCWM. According to Solihull MBC Development Management team established custom and practice does not include formally consulting the PCCWM on Gypsy and Travellers site planning applications.

10. Unfortunately Solihull MBC appear not to follow Guidance set out in the Government's good practice guide on 'Designing Gypsy and Traveller Sites' published in 2008, referred to in the emerging Gypsies and Traveller DPD policies. As you will be aware, this guidance suggests that consultation should take place with the Police on site security issues and the Police Architectural Liaison Officer's advice should be sought on the design of specific schemes with the aim of 'designing out' crime and social exclusion and 'designing in' community safety and social inclusion.
11. The PCCWM therefore formally request that the policies within the Gypsy and Travellers DPD should explicitly state that there is a requirement to consult with the PCCWM and to consider issues of security and the need to promote community safety, social inclusion create environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. The PCCWM do not consider it is sufficient to rely upon applicants familiarising themselves with the 2008 guidance.

Policy GS1 Temporary Stopping Places

12. The PCCWM welcome the Council's assertion at paragraph 6.2.4 that they 'remain keen' to provide Gypsies and Travellers with an alternative to stopping illegally or on inappropriate land. The PCCWM believe it is imperative to minimise the potential for community concerns and tensions which may arise from illegal sites that could result in the PCCWM being called upon to deal with issues on an on-going basis.
13. The PCCWM therefore welcome the principle of introduction of Policy GTS 1 'Temporary Stopping Places'. However, they **OBJECT** to the omission of an explicit reference to the need to consult with the PCCWM and they **OBJECT** to the lack of reference to matters of security and safety or mitigation measures which might be required to ensure that crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. They consider the DPD to be **UN SOUND** as it does not currently meet the requirements of the NPPF and national 'Planning Policy for Traveller Sites' in this regard.
14. The PCCWM does not consider that it is sufficient to rely on making reference to the need for proposals to 'have regard' to guidance outlined in the Government's good practice guide on 'Designing Gypsy and Traveller Sites', published in 2008.
15. The PCCWM formally request that the following additions written in bold below are made to the policy to ensure that it fully complies with the requirements of national policy:

'The Development of a site to accommodate Gypsy and Travellers on a temporary basis for a period of up to 28 days will be permitted provided that:...

- ***Any unacceptable social issues arising from proximity to established Gypsy and Traveller communities or the wider community can be mitigated;***
- ***The design includes measures to promote community safety and social cohesion such as through natural surveillance; ...***

Proposals will expect to have regard to advice from the Police and Crime Commissioner for West Midlands.'

Chapter 8 – Detailed Planning Considerations and Safeguarding

Policy GTS 6 Detailed planning Considerations

16. The PCCWM **OBJECT** to Policy GTS 6 'Detailed Planning Considerations' because it does not meet the requirements of national planning policy. The policy is **UNSOUND** because it does not include specific reference to the need to design out crime. The PCCWM does not consider that it is sufficient to rely on making reference to the need for proposals to 'have regard' to guidance outlined in the Government's good practice guide on 'Designing Gypsy and Traveller Sites', published in 2008.
17. Notwithstanding this reference, the PCCWM formally request that the additional wording, highlighted in bold below, is included within a revised policy:

'Proposals for development will be expected to have regard to guidance outlined in the Government's good practice guide on 'Designing Gypsy and traveller Sites' and:...

*Be well designed and laid out **respecting secured by design, and in particular by ensuring that ...***

*It is recommended that pre-application advice is sought from **Solihull MBC and the Police and Crime Commissioner for West Midlands** on proposals for Gypsy and Traveller related development.'*

Appendix 1 – Site Assessment Criteria and Detailed Considerations

18. The PCCWM formally request that Appendix 1 is amended to include consideration of the social suitability of a potential site in terms of whether it is possible to create a safe environment where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. This should be a key consideration in site assessment and detailed consideration in order to ensure proposals are sustainable. Without this reference, the DPD does not fully comply with the requirements of national planning policy.

Summary

19. The Gypsy and Traveller Site Allocations DPD is **UNSOUND** because it does not fully accord with the requirements of national planning policy. The PCCWM formally request that the Gypsy and Traveller Site Allocations DPD include explicit reference to crime considerations to comply with national planning policies. Currently the Gypsy and Traveller Site Allocations DPD does not adequately address the need to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.
20. The PCCWM formally request that amendments are made to Policies GS1 and GS8, as set out in paragraphs 15 and 17 of this letter. They also seek reference within Appendix 1 to the need to create a safe environment where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion, as referred to in paragraph 18 above.

Our Client should be grateful if you would advise whether you intend to include these changes within a list of proposed amendments by the Council for consideration by and submission to the Inspector.

We look forward to receiving confirmation that you have registered this letter and that it will be set before the Inspector for his/her consideration.

Yours faithfully,

Helen R Winkler BSc (Hons) Dip TP MRTPI
Planning Consultant

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*C/O Maureen Reidy, PCCWM
Sharon Fountain, PCCWM*