

## Inspector Note

### Solihull Metropolitan Borough Council Gypsy & Traveller Site Allocation Plan – Main Modifications

Further to the Hearing held on 17 December 2013, I have considered carefully the Council's response to the Matters and Issues and the further discussions arising at the Hearing itself. I have some concerns about the soundness of the Plan which I set out in detail below.

#### Green Belt Allocations as Insets

1. All of the proposed allocated sites are within the Green Belt. No changes are proposed to the Green Belt boundary to accommodate the sites. You will recall we spent some time at the Hearing discussing whether the allocated sites should be identified as insets in the Green Belt.
2. I have carefully considered how Policy E of Planning Policy for Traveller Sites (PPTS) should be interpreted in light of the arguments advanced on behalf of the Council. Paragraph 15 must be read in conjunction with paragraph 14 that confirms that traveller sites are inappropriate development and should not be approved except in very special circumstances. There was no dispute that merely identifying a site will not remove the need to demonstrate very special circumstances.
3. Paragraph 15 starts with the premise that Green Belt boundaries should be altered only in exceptional circumstances. The subsequent sentence reads '*If a local planning authority wishes to make an exceptional limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application.*'
4. I consider that the use of the word 'If' does not offer a choice of whether or not to make an exceptional limited alteration to the defined Green Belt boundary (if identifying sites) as suggested on behalf of the Council. Instead, the choice for the local planning authority to make is whether or not it wishes to identify sites in the Green Belt at all. To do so, exceptional circumstances must exist. If exceptional circumstances exist and the Council wishes to identify sites in the Green Belt, then it is necessary to make an exceptional limited alteration to the Green Belt boundary to do so. As none of the proposed sites are adjacent to the existing Green Belt boundary, then it would be necessary to identify the sites as insets within the Green Belt in this instance.
5. This must be so. If it were not, any subsequent development of the site as a traveller site would remain inappropriate development.

There would be no certainty that the very special circumstances necessary to approve inappropriate development could be demonstrated and so the Plan would neither be positively prepared or effective in the delivery of accommodation to meet the assessed needs of the gypsy and traveller community. Taking land out of the Green Belt would be consistent with the Council's approach to sites allocated for housing in the Green Belt.

6. I am of the view that the Council's approach is not consistent with the PPTS. In order to ensure that the Plan is positively prepared, effective and consistent with national policy, it is necessary to identify the allocated sites as insets within the Green Belt. I would be grateful if you would suggest a form of wording that would be preferred by the Council to make main modifications to the Local Plan to include the allocated sites as insets in the Green Belt.

#### Site Allocations

7. The Plan seeks to meet only the exact numerical requirement for pitches through site allocations. It is therefore imperative that the sites identified can provide no less than the number of pitches anticipated on each.

#### The Haven (GTS 5)

8. As you are aware, DCLG publication 'Designing Gypsy and Traveller Sites – Good Practice Guide' ('the Good Practice Guide') offers some advice on the size and layout of sites. At paragraph 4.7 it confirms that there is no one ideal size of site or number of pitches although experience of site managers and residents alike suggest that a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage. Paragraph 4.8 suggests sites should ideally consist of up to 15 pitches in capacity unless there is clear evidence to suggest that a larger site is preferred by the local Gypsy and Traveller community. The Preferred Options Document (July 2012) (DPD009) indicates that in assessing site capacity an average pitch size of between 200m sq and 300 m sq will be used.
9. The existing site has planning permission for 25 pitches. The site allocation is for a further 12 pitches which, if achieved, would result in a large site accommodating 37 pitches. Whilst recognising there is no one ideal size of site, the existing site is already well above the 15 pitch threshold considered to provide a 'comfortable environment which is easy to manage'. The addition of a further 12 would increase the size of this already large site by almost 50%, resulting in a site of a substantial overall size.
10. The final Sustainability Appraisal Report (March 2013) (SA) recognises, in relation to SA Objective 18 'Health inequalities', that expansion and increasing capacity at existing sites can allow families to live together on existing sites which has the potential for significant positive effects. However, the SA also recognises that

where sites are expanded with a view to encouraging more families to live on the same site, there may be significant negative effects in terms of community and individual well being. The overall size of The Haven will inevitably encourage more families to live on the same site. No reference is made to this in the site appraisal in relation to SA Objective 18.

11. The existing site layout is cramped, with many pitches only being sufficient in size to accommodate one touring caravan and being less than 200 m sq. Not all 25 pitches are currently marked out. Little, if any, privacy is afforded between most pitches. The sub-standard size of the existing pitches should not provide the template for any future pitches on the site. Notwithstanding the indicative layout submitted by the Council and the owner's aspirations, the provision of 12 additional pitches on the site is unlikely. The indicative layout indicates small relatively narrow pitches of less than even the lower average size of 200 m sq referred to in the Preferred Options Document. Whilst the detail of any layout would be a matter for any future planning permission, I have serious reservations that the proposed site could accommodate 12 pitches that would be of a size to provide a reasonable standard of living accommodation for future occupiers and that could accommodate two caravans, adequate turning facilities and any amenity buildings, in accordance with the Good Practice Guide and to meet the necessary fire and licensing requirements. Notwithstanding my final report, I consider the provision of 12 permanent pitches of a reasonable size on The Haven is not deliverable.
12. Furthermore, I am not satisfied that the Council has had sufficient regard to the resultant size of this site in their site selection process, particularly in respect of SA Objective 18. The layout of the existing site would require the extension to be served from the access that runs through the existing site. The current layout does not afford the same opportunity to provide individual cul-de-sacs or distinct areas in a similar manner to Old Damson Lane where 3 individual areas can be created without the need to drive through one to reach another. A comprehensive re-development of the whole site would be necessary to achieve this. Even then, for the reasons already set out, it is unlikely that 12 pitches could be accommodated; 6 seems a more reasonable number to achieve pitches of between 200 and 300 m sq.
13. I recognise that a requirement for a comprehensive re-development of the site to accommodate a total of approximately 31 (25 + 6) pitches would secure an opportunity to provide a well designed layout and improved standard of pitch on the existing site, whilst increasing the number of pitches by a modest amount. This would accord with the SA objective to reduce health inequalities and promote healthy lifestyles through good site design.
14. I consider the number of pitches to be provided should be reduced to around 6 and even then, only as part of a comprehensive scheme to provide an improved layout, conducive to community and individual

well being, through good design. This would provide some justification for an extension of a site already accommodating a large number of pitches and within an area where future occupiers will undoubtedly be affected by noise disturbance as a result of its proximity to Birmingham Airport.

15. I would welcome the Council's views on this and any suggested Main Modifications to the Plan to address my concerns.

#### The Warren (GTS 3)

16. An extension is proposed to provide 5 additional pitches. There would appear to be sufficient space to accommodate 5 pitches of the lower average area specified in the Preferred Options Document. However, there are trees that are subject to Tree Preservation Orders in and around the site and so the precise number and size of pitches that can be accommodated will be unknown until an application has been submitted and determined. However, I recognise that it is a family owned and occupied site and that it is intended that it will continue to operate as such. Accordingly, there is more scope for pitch size to be determined by specific family needs. Furthermore I understand a planning application has been submitted for five pitches.
17. Nevertheless, this serves to emphasise there is a need for some degree of flexibility in the Plan. I note that planning permission has been secured for 4 pitches rather than 3 pitches on one of the allocated sites 'The Uplands'.

#### Alternative sites

18. As 12 pitches are not deliverable on The Haven, additional site(s) will be required to accommodate a minimum of 6 pitches.
19. Of the omission sites that were considered and having regard to the site selection criteria, which site(s), would be the most favoured by the Council to accommodate a further 6 pitches?<sup>1</sup>

I would welcome a response within 21 days.

Claire Sherratt

Inspector

15 January 2014

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<sup>1</sup> For the avoidance of doubt, you will recall at the Hearing that the occupier of the omission site referred to as Canal View indicated that it was her intention to increase the number of pitches on the existing 'developed' area rather than extend into the area behind the existing mobile home. This should be considered as an option.