

Travellers' Sites DPD Examination Hearing Statement

Our ref 04051/02/NT/HAR
Date 4 May 2018

Representor Bourne Leisure Ltd
Representor Number 1006

Subject Issue 4 question 4(i)

- 1.1 Question 4(i) asks whether Policies TS1 and TS2 are necessary given that:
- Policy H4 of the Core Strategy sets out when proposals for traveller sites will be supported; and
 - proposals for traveller sites would also be considered in terms of their accordance with other general policies in the Core Strategy.
- 1.2 Bourne Leisure considers that Policies TS1 and TS2 are both necessary and should not be removed from the emerging DPD.
- 1.3 This conclusion has been reached in part because whilst Policy H4 does provide overarching principles, the proposed policies TS1 and TS2 each set out a series of detailed criteria that will assist both applicants and the Local Planning Authority in formulation and determination of planning applications for travellers' sites. As plan-making for the Core Strategy progressed, the Local Planning Authority always intended to progress a Travellers' Sites DPD – as explicitly stated in Policy H4 and its supporting text – this recently adopted policy sets a positive framework for the evidence-based and detailed policies proposed in TS1 and TS2.
- 1.4 Bourne Leisure highlights that if policies TS1 and TS2 were to be removed, there would be no emerging criteria related to the impact of development on neighbouring amenity.
- 1.5 Policy H4 supports proposals that would promote peaceful and integrated co-existence between the site and the local community. Criterion 10 of emerging Policy TS1 has been amended through minor modification to provide further detail and to require,
- “...that any commercial activity that is proposed on the site is of a type that is appropriate to the location and does not impact on the amenity of any local residents and **other land users**” (emboldened as set out in the Minor Modifications Schedule February 2018)*
- 1.6 Criterion 5 of emerging Policy TS2 states,
- “The commercial activity of the site should not impact on the amenity of local residents and other land users...”*
- 1.7 Without these criteria in TS1 and TS2, the amenity 'test' for any planning application would be considered against Core Strategy Policy SS6 (Environmental quality and local distinctiveness) which states:

‘Development proposals should be shaped through an integrated approach to planning the following environmental components from the outset, and based upon sufficient information to determine the effect upon each where they are relevant:

[...]

· local amenity, including light pollution, air quality and tranquillity;’

- 1.8 The test in Policy SS6 is to consider the effect on local amenity. It does not set a threshold or benchmark for acceptability. In contrast, emerging policies TS1 and TS2 give clear criteria for determining an application by requiring that local amenity is not impacted. Policy B, Paragraph 10 of MHCLG’s ‘Planning Policy for Travellers’ Sites’ (August 2015) requires that in plan-making, local authorities should (see criterion e), ‘protect local amenity and environment’. As such, emerging policies TS1 and TS2 will provide clear criteria to assist applicants and for the local planning authority in its decision-making processes to ensure consistency with national policy.
- 1.9 We refer the Inspector to our response for draft Policy TS1, criterion 10 made to the Regulation 19 consultation for further information on the implications of not adequately protecting the amenity of neighbouring uses as part of any development proposal submitted.