

Heine Planning Consultancy

Alison T Heine B.Sc, M.sc, MRTPI

10 Whitehall Drive, Hartford, Northwich, Cheshire CW8 1SJ

Tel: 01606 77775 e-mail: heineplanning@btinternet.com

Carlisle District Local Plan-Examination

Matter 4 Gypsy and Traveller Site Provision

Issue1

Q1 Does the GTAA provide a realistic assessment of Need

1. Sadly there are real concerns amongst the Traveller community over the way the study was done as it is far from clear who was interviewed. This information can not be checked as it is not available. That is, in my view, highly unsatisfactory. The four families I am representing at the Scotby appeal claim they know of no one who was interviewed. As they know most of the families stopping at Hadrian's Park and Low Harker it is troubling no one recalls being interviewed. The ARC4 need assessment interviewed 118 households on private pitches in Cumbria plus some emerging households. It would appear none of the families living on the transit pitches at Hadrian's Park and Penrith were interviewed yet it is known these pitches are used by families who have no where else to live. The report notes that there are 132 pitches in the County . 89% of households on private pitches were interviewed. It does seem surprising that my four clients were all omitted. You would have thought that at least one of these four families would have been contacted given that they were stopping at Hadrian's Park at the time of the survey and still have family there.

2. Aspects of the need assessment seem some what simplistic. The fact 66.6% of households moved to their current place of residence in the 5 years to 2013 is not so much an indication of a high degree of mobility (para 5.35 GTAA) so much as the fact

- a large number of pitches have been delivered prior to the need assessment being undertaken
- much of Hadrian's Park was forceably emptied by the owner, and then filled up again with families
- much of Hadrian's Park is a transit site which is used residentially by those with no where else to live .

Inevitably this has resulted in movement of families to these pitches.

3. There is no allowance for in-migration yet the study claims two thirds of households moved to their current pitch in the previous 5 years and of those who moved almost half were from outside Cumbria (see Table 5.22).

4. There are real concerns over the use made of Hadrian's Park and whether this has ever been fully understood. As noted above it would appear families living on the transit site have not been interviewed and these pitches are not included as counting towards residential need or supply. The study could have greatly underestimated need for pitches if those occupying transit pitches on a residential basis because they have no where else live were not included.

5. In 2013 an application for 10 static pitches on Hadrian's Park site was made retrospectively. The pitches have no individual utility blocks so it is questionable if they should count as provision as many Travellers would not care to live on pitches with no utility block. The permission displaced families living in touring caravans on this part of the site. The Council claim this has added to provision yet families living in touring caravans were displaced resulting in a loss of pitch provision to make way for larger static caravans.

6. It is considered the GTAA under estimates need for reasons previously explained. I wait to see what evidence the Council rely on to justify a 10% turnover of pitches yielding 66 pitches over 5 years and where it is claimed those leaving pitches are going to. But Table 6.1 of the need assessment notes that very few households plan to move in the next 5 years ie just 2 lost to the area or to housing. This is well short of the assumed turnover of 66 pitches at line 6 of the table. I am concerned that ARC4 consider historic mobility is a better predictor of pitch availability than their own survey or household intentions. I am concerned that ARC4 fail to recognise that mobility is a factor of new pitch provision and that families may have returned to live in Carlisle once new sites were opened. It is hardly surprising that many will not have lived on their current pitches for 5 years or more as many of these pitches did not exist 5 years ago. In my experience it is unlikely families who have moved onto a new plot at Low Harker Dene would move again having been offered a modern, new pitch with all modern conveniences. It would be unwise to assume they will move again having settled. ARC4 appear to assume that each move will release a pitch for occupation by another household. That is a very simplistic assumption. You would not apply the same principal to housing. If Travellers are simply swapping from one pitch/ site to another or, are forced to leave by the site owner with no where to go, or, as in the case of the transit area at Hadrian's Park, pulling away for the summer season before returning in the winter, that would not add to supply. Private sites have a very low turnover rate and this information is not easily obtained. It may be acceptable to factor in turnover of pitches where site management information is available as per CLG guidance but ARC 4 do not appear to base this assumption

on site management information. Instead, they base this factor on answers to very different questions about in migration to Carlisle. They have failed to also consider out migration as they do not interview households who may have left the study area.

7. It is also far from clear how the study relies on vacant pitches to yield a supply of 8 pitches (line 7 of Table 6.1). We are told at para 6.17 that the vacant pitch provision is identified in the site surveys. Unfortunately I am struggling to find this in the GTAA and am unclear where precisely in 2013 8 vacant pitches were identified. The fact a pitch is vacant does not mean it is available. A family could be away travelling or the owner may not choose to fill it. Only if the vacant pitches are in the control of the Council and available to allocate could they be considered as part of the supply. In the absence of clear evidence to support this assumption, I consider little weight can be attached to the reliance on vacant pitches to meet immediate need.

8. The Council do not appear to accept that a large number of families are using the transit area on Hadrians Park as a residential base because there are insufficient residential pitches in Carlisle.

9. The methodology used by ARC4 is being challenged at other appeals and EIPs by myself and others. These points have been made in relation to other studies. I have asked ARC4 why they do not provide confirmation field workers have carried out the interviews as claimed. I have so far seen no response from ARC4 which leaves me convinced their methodology and assumptions are sound. I worry that their approach is simplistic.

Q2-for Ipa to clarify

Q3 Additional pitches at Low Harker

10. There is real concern policy as drafted will result in an undue and unacceptable concentration of pitches in this location. It should be noted that there are 2-3 private sites at Low Harker down the lane from the Low Harker Dene site. This option offers little/ no choice for the community in terms of site tenure, location and size. There has been general disquiet over the way in which Homespace have been given rights to allocate pitches at the Low Harker Dene site. There are families who want to self provide. They want to live on more spacious plots where they can site mobile homes (the plots at Low Harker Dene are very small for large families). Families also want security of tenure and do not want to live with the constant fear that the site owner could ask them to leave at short notice. They want to be in control of their own sites, to be able to lock the gate and feel secure, and not be left worrying whether a private owner is over charging them for their electricity consumption.

11. It is unclear why no other sites were considered given that there are private sites in other parts of the district.

12. I am told there are no Irish Travellers on residential sites in Carlisle but they pass through to/from Stranraer ferry and it is understood the socially provided site in Dumfries is used by Irish Traveller families.

Q4 –Q5 Consistency of criteria in Policy HO11 with national guidance

13. It is unclear why policy is seeking to provide temporary pitches. Surely the aim of policy is to secure lasting provision? I am unclear what case exists for temporary pitches. Is the Council of the opinion the need for sites will be disappear in say 5 years time? Temporary pitches are not the same as transit pitches. Policy needs to be clear what is sought and intended.

14. Criteria 1. It is far from clear what a physical connection is (criteria 1 Policy HO11) as a road or track would provide a physical connection. Whether a site integrates with an existing settlement is more to do with social acceptance by the local community rather than some physical connection. This point appears to be adequately covered by criteria 4. It is far from clear why a physical connection is necessary and why without any physical connection policy appears to assume any new site would lead to an unacceptable intrusion into open countryside.

15. It is not a requirement of PPTS that sites are physically connected to settlements. The requirement in para 25 PPTS that Council's very strictly limit new sites in open countryside away from existing settlements is not a prohibition on new sites in open countryside that are not physically connected to settlements and this provision does not sit comfortably with para 55 NPPF which seeks to avoid isolated new homes in the countryside which would not preclude new homes where there is sporadic development outside settlements.

16. The proposed site at Low Harker Dene is not part of any defined settlement. The site occupants rely heavily on Carlisle for most if not all their services and facilities. Harker appears to be nothing more than a loose collection of dwellings along the A7, a former RAF base with some commercial uses and a very large electricity sub station. It is far from clear what physical connection the Council rely on to support more development here, especially as they claim the proposed private site at Scotby does not have any physical connection to a very clearly defined settlement even though the plots are accessed down a bridlepath track which leads from the village itself.

17. Criteria 3. It is difficult to conceive of a site that would not provide access by public transport, walking or cycling if it also complies with criteria 2. There is no requirement in PPTS that sites are within walking/cycling distance of services and facilities. Sites should not be ruled out if they are within reasonable distance of services and only require a short drive.

18. Criteria 5. Adequate utilities is vague. The Council would be advised to spell out precisely what they are seeking. What is adequate to a family living on the road side and expectations of site licencing could be very different. I challenge the Council to agree that the utilities on the transit area at Hadrian's Park are adequate to meet the needs of families living on this part of the site in terms of access to toilet and washing facilities.

Q6 Site Management (criteria 8 HO11)

19. I struggle to see what justification there is for site management measures for small private sites. They are self managed by the owner/ occupiers. It is not the role of the Council to interfere with the way in which private sites are run. As an agent who submits planning applications I have no idea what I would be expected to say on this matter and why any concerns of the Council could not be addressed by condition (eg limit on caravan numbers, requirement for bin storage area).

20. Site licence requirements should be adequate to manage larger sites-if they are implemented properly.

Q7 Distinction between different types of sites

21. The policy does not distinguish the needs of different types of sites. In my opinion it is less important that transit provision is located to access services and facilities as those in transit are less likely to have need to access doctors, schools etc. As with budget hotel accommodation such uses could be sited on the main routes outside settlements but within easy reach of settlements.

Q8 Transit provision

22. Transit provision is essential given the revised definition of Gypsy-Travellers in the updated PPTS and the emphasis on the need to travel in order to maintain their Gypsy-Traveller status. The absence of lawful stopping places is a major deterrent many who would otherwise travel. In the Cumbria area the main transit sites in Penrith and Carlisle are used by families with no where to live.

23. The May 2008 Cumbria Need Assessment recommended provision of 35 additional transit pitches in the County based on levels of unauthorised encampments

24. The M6 corridor and Carlisle in particular is on the main route between Scotland and northern England. It is also on the main route for Irish Travellers using the Stranraer ferry to Belfast. It is an obvious place for transit provision.

25. There is only one transit area in Carlisle and that is on Hadrians Park. It is far from clear how this is managed as the Council appear to lease some/ all the land to a Mr Frank Bowman and the facility is not in the control of the Council. About 7 years ago Mr Bowman cleared the entire transit area and refused access to many families who relied on this with little advance warning. Many families were displaced. Some have not returned. It is Mr Bowman who decides who can use the facility. From what I am told (and saw a few years ago) the transit area comprises a large area of hard standing adjoining the M6 with one shared toilet block used by 20-30 families. In the past families have reported how Mr Bowman has cut water supplies off to prevent use of any water and refused access to Traveller Education services to the site. Families do not complain for fear of reprisal and eviction.

26. Para 6.72 of the 2013 Need Assessment claims there is a 7 pitch transit site at Low Harker Dene. I think this is another error. In October 2012 planning permission was granted for a 7 pitch transit site at Low Harker next to the Low Harker Dene site but the conditions do not appear to have been discharged and judging from a site visit in mid-October 2015 which revealed an overgrown field where this site was approved, it would appear this permission has not been implemented and has lapsed. The application was made by Home Space Sustainable Accommodation CIC (HSSA), who claimed at the time to be registered providers of social housing with the Homes and Communities Agency, and were the lease holders and managers for the permanent site Low Harker Dene. As part of the tendering process for the adjoining site HSSA they were asked if they would provide the transit site for Carlisle City to enable the Council to manage unauthorised encampments which frequent local business parks and land in the Kingstown area of the city. HSSA were under contract with Carlisle City Council and it is understood they were required, as part of the management agreement, to apply for planning permission and develop the transit site. The idea of a socially managed transit site was to

enable enforcement officers and Cumbria Constabulary to deal with unauthorised encampments more efficiently, enabling them to either direct the Gypsies and Travellers to move to the transit site for a maximum of 28 days or if they refuse enforcement officers will have jurisdiction to them move the families out of the area. No such powers exist in relation to Hadrians Park which is privately operated.

27. It is clear such provision can not be relied on through windfall development.

28. It is far from clear why Homespace have failed to implement the permission granted 3 years ago or why the Council has failed to enforce this requirement. But as provision has not been made the assumptions in the 2013 need assessment are incorrect.

Submitted by Mrs Alison Heine

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