



**AGENDA ITEM: 6**

**SUMMARY**

<b>Report for:</b>	<b>Cabinet</b>
<b>Date of meeting:</b>	<b>31 March 2009</b>
<b>PART:</b>	<b>PART I</b>
If Part II, reason:	

<b>Title of report:</b>	<b>Local Development Framework: Gypsy and Traveller Issues</b>
Contact:	Councillor Ian Reay, Portfolio Holder for Planning and Regeneration Author: Richard Blackburn, Senior Manager for Spatial Planning Team (extension 2584)
Purpose of report:	<ol style="list-style-type: none"> <li>1. To report the results of consultation on the Supplementary Site Allocations Issues and Options Paper concerning this subject.</li> <li>2. To assess the Scott-Wilson Report on the identification of potential Gypsy and Traveller sites.</li> <li>3. To propose a set of policy principles to be included in the Emerging (Core) Strategy Paper for public consultation in Summer 2009.</li> </ol>
Recommendation	<ol style="list-style-type: none"> <li>1. To approve the policy principles at paragraph 4.15 for public consultation with the Emerging (Core) Strategy Paper in Summer 2009.</li> <li>2. To include the option of pitches for Gypsy and Travellers in the major development opportunities being considered through the preparation of the Core Strategy.</li> <li>3. To remove those options listed in para. 4.32 for Gypsy and Traveller sites from further consideration.</li> <li>4. To ask the Board of Dacorum Partnership to consider what broad-based action would be appropriate to enable satisfactory integration of new Gypsy and Traveller pitches</li> </ol>

	with existing communities.
Corporate objectives:	Provision for Gypsy and Travellers is an element of accommodation which the Local Development Framework must include. This covers, inter alia, the provision of affordable housing.
Implications:	<u>Financial/Value for Money</u> No immediate implications. However community development action, which would be expected in a growing area and/or changing environment, is recommended. What form this might take will need to be evaluated in the longer term with partners.  Community engagement will be important both in a positive sense and to avoid the risk of future management issues (as currently perceived by members of the settled community).
Risk Implications:	The intention is to promote integration and comply with the equalities implications below and the Council's planning obligations.
Equalities Implications:	Romany Gypsies and Irish Travellers are recognised ethnic groups. The Council has an obligation to promote racial equality and prevent discrimination. This applies in consideration of comments received on the Supplementary Site Allocations Issues and Options Paper and in developing planning policies – see Report.
Health and Safety Implications:	These are considered in the context of developing the planning policy principles – see report. Gypsies and Travellers are one of the most deprived groups of people with a life expectancy of some ten years less than the average. Additional residential site provision with good access to services will help them.
Monitoring Officer/S.151 Officer comments	The Deputy Monitoring Officer's comments have been incorporated in the report, which itself sets out how these issues need to be addressed in order to ensure a lawful, sound and fair process.  Section 151 Officer – There are no financial implications arising directly out of this report, but those will need to be kept under review as the policy progresses.
Consultees:	The Supplementary Site Allocations Issues and Options Paper was the subject of extensive consultation. The Scott-Wilson Report provided evidence. The results of public consultation, place workshops and Citizens' Survey and survey of the Gypsy and Traveller community are all reported.
Background papers:	<ul style="list-style-type: none"> <li>- Planning Policy Statement 3: Housing</li> <li>- ODPM Circular 01/2006: Planning for Gypsy and Traveller Caravan Sites</li> <li>- East of England Plan: May 2008</li> </ul>

	<ul style="list-style-type: none"><li>- Single Issue Review: Report of the Panel on Planning for Gypsy and Traveller Accommodation in the East of England</li><li>- Accommodation Needs of Gypsy and Travellers in South and West Hertfordshire – Stage 2: Identification of Gypsy and Traveller Sites in the Study Area: September 2006 (Scott-Wilson Report)</li><li>- Designing Gypsy and Traveller Sites – Good Practice Guide (DCLG, May 2008)</li></ul>
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## 1. BACKGROUND

### Purpose of Report

- 1.1 This report focuses on issues connected with the provision of pitches for Gypsies and Travellers in Dacorum. The provision of pitches is a similar requirement to the provision of houses and flats. All must be planned for by the Council and accommodated within the district.
- 1.2 It covers three principal matters:
- consultation on the recent Supplementary Site Allocations Issues and Options Paper (Section 2)
  - presentation of the Scott-Wilson Report on the Identification of Potential Gypsy and Traveller Sites in south-west Hertfordshire (Section 3)
  - consideration of the next steps for the Council – i.e. in terms of principles to guide future provision and the elimination of options from further consideration (Section 4).

### Government Policy Direction

- 1.3 Government advice in PPS3: Housing establishes a very clear policy aim – that of providing a decent home for everyone.
- 1.4 Local authorities are required to undertake assessments of need for the accommodation of Gypsies and Travellers and to make provision for that need. This is both the responsibility of the Council as:
- (a) local planning authority; and  
through PPS3: Housing and ODPM Circular 01/2006: Planning for Gypsy and Traveller Caravan Sites
  - (b) local housing authority  
under the Housing Act 2004.
- 1.5 Gypsy and Travellers are defined in Circular 01/2006 (para. 15): i.e.

“persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently....”

The Gypsy and Traveller community includes Romany Gypsies and Irish Travellers who are recognised ethnic groups. The Circular (para. 16) explains that traditional patterns of work are changing and that the community has become more settled.

- 1.6 Circular 01/2006 (para. 12) sets out the Government’s main intentions, which are fundamental to the consideration of issues and provision: i.e.
- (a) to create and support sustainable, respectful and inclusive communities where Gypsies and Travellers have fair access to suitable accommodation, education, health and welfare provision; where there is mutual respect and consideration between all communities for the rights and responsibilities of each community and individual; and where there is respect between individuals and communities for the environments in which they live and work;
  - (b) to reduce the number of unauthorised encampments and developments
  - (c) to significantly increase the number of Gypsy and Traveller sites in appropriate locations to address historic underprovision in the next 3-5 years, and to promote additional sites in the longer term as well
  - (d) to recognise, protect and facilitate the traditional way of life of Gypsies and Travellers, whilst respecting the interests of the settled community
  - (e) to ensure that DPDs include fair, realistic and inclusive policies and to ensure identified need is dealt with fairly and effectively
  - (f) to help to avoid Gypsies and Travellers becoming homeless through eviction from unauthorised sites without an alternative to move to.

### **Regional and Local Planning**

- 1.7 Policy H3: Provision for Gypsies and Travellers in the East of England Plan states that:

“local authorities should make provision for sites/pitches to meet the identified needs of Gypsies and Travellers living or resorting to their area.”

The Plan was essentially drafted in 2004 and eventually adopted in May 2008. The policy principle follows Government policy and underlies actions undertaken in Hertfordshire. Any decision of local authorities should be based on the latest available information of need.

- 1.8 In South and West Hertfordshire, the five local authorities, Dacorum, Hertsmeire, St. Albans, Three Rivers and Watford (together with Hertfordshire County Council) commissioned the following studies to contribute to the evidence base for respective Local Development Frameworks:

- (1) An Assessment of The Accommodation Needs of Gypsies and Travellers in South and West Hertfordshire (Centre for Urban and Regional Studies, 2005)
    - one of its recommendations was the second study.
  - (2) Accommodation Needs of Gypsies and Travellers in South and West Hertfordshire, Stage 2: Identification of Potential Gypsy and Traveller Sites in the Study Area (Scott-Wilson, completed in 2006 and published in March 2007)
    - the publication of this study was widely reported in the local press, and there was considerable public interest. In responding to press enquiries and local interest, Council officers explained that consultation on the Scott-Wilson Report options was programmed. Among letters received at that time were alternative site suggestions. Two suggestions were added to Scott-Wilson's options when the recent Supplementary Site Allocations Issues and Options Paper was published for consultation – i.e. D25 Land adjoining Longbridge Close, Tring and D26 Bourne End.
- 1.9 Policy H3 (in the East of England Plan) also signals an immediate review of the policy itself.
- 1.10 This single issue review – entitled Planning for Gypsy and Traveller Accommodation in the East of England – has progressed through:
- preparation by the East of England Regional Assembly;
  - consultation on the Deposit Draft (February – May 2008); and
  - examination by an independent Panel of Inspectors (October 2008); to
  - publication of the Panel's Report (December 2008).
- 1.11 Local Gypsy and Traveller Accommodation Needs Assessments across the region were checked and benchmarked against a methodology produced by the Department for Communities and Local Government (and others) in March 2007 for assessing the scale of distribution of pitch requirements in the region. The regional assessment has effectively overtaken the local assessment of need (Report (1) above).
- 1.12 Proposed policy in the single issue review deposit draft suggested:
- an initial provision of 15 pitches (in Dacorum by 2011); and thereafter
  - a 3% compound growth on stock (i.e. the total number of pitches existing at 2011).
- We understood the policy to imply a need for 59 pitches in the borough up until 2031. St. Albans and all other Hertfordshire districts received allocations as well.
- 1.13 The Council opposed the level of growth in pitches because of the impact on the Green Belt, while recognising that our own Gypsy and Travellers

Accommodation Needs Assessment (Report (1) above) clearly pointed to a short-term need.

- 1.14 The Panel has recommended a revised policy (see Annex A). The key points are:
- the immediate provision of 20 pitches in Dacorum
  - a total long-term provision of 59 pitches up to 2031, with the implication that pitches should be provided in major new developments; and
  - a need to consider the provision of a small number of transit pitches across South and West Hertfordshire in addition.
- 1.15 The Government intends to consult on changes to the Deposit Draft and progress to adoption this Summer.

**Context for the Supplementary Site Allocations Issues and Options Paper: Gypsies and Travellers**

- 1.16 The purpose of the Site Allocations Development Plan Document is to define sites and the policy and requirements applying to them.

*First Consultation*

- 1.17 The first consultation on site options ran from November 2006 to February 2007. It did not cover specific sites or refer to the Scott-Wilson report. The Scott-Wilson report had not been published at that stage, the timing of publication being under discussion with the other commissioning authorities. The more important focus of attention at that time related to the potential implications of the major growth at Hemel Hempstead introduced by the Government in proposed changes to the draft East of England Plan. The principal results of the consultation are summarised on the Council's website. The responses to Questions 14 to 17 on Gypsies and Travellers are in Annex B.
- 1.18 The results of this consultation are helpful:
- (a) the majority said that sites should be located:
    - with good access to services and facilities;
    - so as to avoid local concentrations; and
    - on previously developed land in preference to greenfield sites.  
[There were 177 responses].
  - (b) a sizeable minority indicated that sites near the towns and large villages in Dacorum were unsuitable – the majority did not.
  - (c) the majority did not support options for Gypsy and Traveller sites within proposed growth areas at Hemel Hempstead – however given the timing of the question and the reasons provided, it is evident that responses were linked to overwhelming opposition to the expansion of Hemel Hempstead.
  - (d) the majority did not suggest any sites for consideration.

1.19 The few site possibilities mentioned by respondents were as follows:

- (i) extension of existing sites – considered again in Section 2
- (ii) new sites in industrial areas – this would be unreasonable for normal living conditions and contrary to Government Policy in Circular 01/2006
- (iii) new sites north of Tring – considered again in Section 2.
  - there are issues of proximity to services and facilities, and the possibility of proximity to the existing site at Long Marston to consider. An appeal into a site adjoining Wilstone Reservoir (at Old Tree Place) has been dismissed on safety grounds – i.e. the vulnerability of the site to the risk of flooding.

1.20 In addition to the general public consultation, NWA Social and Market Research organised and reported on:

- a Citizens' Panel survey (ref. Annex B, Appendix 2)
- the results of discussions of three focus groups (ref. Annex B, Appendix 3)

1.21 The results of the Citizens' Panel are similar to those for the full public consultation (see (a) – (d) in para 1.18 above). There were 255 questionnaires returned, a 26% response rate, although not all the respondents answered Questions 14 – 17. 41 respondents suggested possible sites:

- (i) outside the borough;
- (ii) in the Buncefield/Maylands Avenue area;
- (iii) extension of the existing site at Three Cherry Trees Lane;
- (iv) Bovingdon Airfield;
- (v) sites around Woodhall Farm;
- (vi) Cow Roast;
- (vii) Gas Works, London Road;
- (viii) West Herts General Hospital.

None of these was considered to add to the list of options in the Scott-Wilson Report:

- Bovingdon Airfield and sites around Woodhall Farm are taken to approximate to sites D18, and D15 and D19 in the Scott-Wilson Report;
- Cow Roast had an authorised development which was the subject of enforcement action by the Council. The site is the Chilterns Area of Outstanding Natural Beauty, and the Planning Inspector agreed with the Council that it was an unsuitable site;
- the Gas Works is the subject of a specific housing proposal in the Local Plan;

- the key issue at the Hospital Site is the future of medical services, this being the Council's first priority. Should the site be redeveloped, its use for a Gypsy and Traveller site would be very difficult because of site levels and road access being through the town centre.

1.22 Three focus groups were recruited for a morning's discussion on urban development issues in February 2007. The outcome in respect of Gypsy and Traveller issues was not conclusive. Some favoured small sites to limit service impacts and ease integration, while others favoured large sites where, in their view, problems could be better controlled. Locations for new sites – Bovingdon Airfield, Three Cherry Trees Lane (extension) and the Hospital were put forward and debated. Avoiding isolation and ensuring access to health and education services were important factors in the discussions.

#### *Consulting Gypsy and Traveller Organisations*

- 1.23 In May/June 2008 officers separately wrote to several organisations representative of the Gypsy and Traveller community to request:
- (a) they put forward land to be considered as potential Gypsy and Traveller sites; and
  - (b) they pass the letter on to other organisations and individuals who might wish to propose a site.

There were no replies advising of any possible sites (see Annex C).

#### *Place Workshops*

1.24 In September and December 2008 place workshops were held to ascertain the opinions of key stakeholders, including borough councillors, on a range of issues affecting each town or large village and the countryside. While these focused on the key issues for the Core Strategy, questions were asked about provision for Gypsies and Travellers. Despite reluctance, there were reasoned discussions, the key points being covered in Section 2. The full record of all workshops is available on the Council's website.

#### *Organising the Supplementary Issues and Options Consultation*

- 1.25 The second consultation on Site Allocations ran from 3<sup>d</sup> November to 19<sup>th</sup> December. It was advertised in Dacorum Digest (Autumn and Winter additions), in the local press and on the Council's website. A large number of organisations and people who had indicated interest were notified direct.
- 1.26 Clerks to Town and Parish Councils were briefed about the consultation in September 2008.
- 1.27 The consultation covered:
1. additional housing sites, partly as a result of undertaking a Strategic Housing Land Availability Assessment;
  2. potential Gypsy and Traveller sites; and
  3. changes in Open Land definitions and other issues.

All site considerations were supplementary to the first Issues and Options consultation.

1.28 Supporting information included:

1. An explanatory note for the whole consultation
2. Advice on Gypsy and Traveller issues:
  - (a) the expected level of provision that the Council would be asked to make, based on the East of England Plan Single Issue Review Deposit Draft (i.e. 59 pitches)
  - (b) the Scott-Wilson report
  - (c) photographs of an existing 15 pitch Gypsy and Traveller site (at Ver Meadow, Redbourn)
  - (d) a question and answer fact sheet on Gypsy and Traveller matters
  - (e) a note in the Issues and Options Paper requesting commenters concentrate on planning issues.

1.29 The consultation was organised in a questionnaire format. There was some criticism of the questionnaire, in particular Question 4 (a). Mostly this stemmed from a desire simply to:

- (a) object to a particular site or sites;
  - the purpose behind the consultation was to try to elicit constructive feedback on:
    - (i) how the Council should narrow down the 26 location options, the key question being: "Do you think the Council should base its decision on which locations/sites to examine more closely on the following principles?"
    - (ii) any other location options;however objections to sites could be submitted and are recorded; or
- (b) object to any provision for Gypsies and Travellers
  - again, while such comments could be submitted and are recorded, the decision that there should be additional pitches has effectively been taken (i.e. in Policy H3 of the adopted East of England Plan).

Some people did not appreciate that the options were (and are) not proposals of the Council, in most cases because people had not referred to the published material.

1.30 The Council acquired new software to manage the consultation and encourage online representations. This was the first time it has been used, and there have been some teething troubles:

- (i) the initial set up mismatched email addresses of interested parties with other contact details – this resulted in a flurry of emails pointing out the problem, which was quickly resolved. It resulted in apologies being sent by Limehouse (the software suppliers, where the fault from human error had occurred) and the Senior Manager – Spatial Planning. Although there were two formal complaints, most people who contacted us have been understanding and appreciative of the quick and efficient remedial action.
- (ii) the online questions could not be set up in an identical way to the questionnaire, which was unexpected. This partly explains why the results of the public consultation (Annex D, Appendix 2) cannot simply be presented in the form of the questionnaire. An updated version of the software should remove the problem

Although there have been some comments about user-friendliness of the system, it is a significant improvement on our previous system. It has also resulted in 21% of responses (i.e. 450) being submitted online.

#### Overall Results of the Supplementary Issues and Options Consultation

1.31 2,126 responses were received. The breakdown is as follows:

1.	Anonymous (or irrelevant)	15
2.	Directed to housing or other issues only	218
3.	Directed to Gypsy/Traveller issues	1,893
	<b>Total</b>	<b>2,126</b>

A proportion of the Gypsy/Traveller responses also refers to housing or other issues: the number had not been calculated at the time of drafting this report.

1.32 Responses referring to housing or other issues will be checked, initially to note any immediate relevance to the emerging Core Strategy. A factual report will then be prepared as a second part of the consultation on the Supplementary Issues and Options Paper. The results will be added to the results of the first consultation and made available when members next consider the Site Allocations DPD. The Council's priority for the next year is to progress the Core Strategy.

## 2. CONSULTATION RESULTS

2.1. Consultation on Gypsy and Traveller issues comprised:

- (a) direct public consultation;
- (b) survey of the Citizens Panel; and
- (c) survey of the Gypsy and Traveller Community.

Relevant place workshops considered site issues, and Council Officers have met Police representatives to discuss issues around future provision.

### Public Consultation

2.2 1,844 responses and 7 petitions have been analysed. Late comments have continued to come in: they are not included in the results here.

### Appropriate and Inappropriate Comments

2.3 Some parts of 159 of these responses – ranging from a single point to a number of paragraphs – are not being reported. In addition there are 49 responses which are not being reported at all. This is because remarks made in them are considered to be offensive or discriminatory and therefore inappropriate, and should not be used or published by the Council.

2.4 The Council has a duty under the Race Relations Act 1976 (as amended by the Race Relations (Amendments) Act 2000) to actively seek to eliminate unlawful discrimination and to promote equality of opportunity and good race relations. As Circular 01/2006 states:

“...there is a requirement that local authorities seek to promote good race relations between Gypsies and Travellers and the settled community. This is important in the context of Gypsy and Traveller site planning” (para. 72).

The duty prohibits racial discrimination by local planning authorities in carrying out their planning functions. This applies to consultation, consideration of comments received on consultation and site planning itself. Comments received on the public consultation (and by ORS for the Citizens' Panel) have been assessed to ensure they are appropriate. Provided comments avoid any of the circumstances listed below, they are appropriate:

Representations should not:

- (a) be abusive, insulting, stereotyping or threatening;
- (b) apply pressure to discriminate against racial groups; or
- (c) seek to incite hatred or contempt.

2.5 While clearly the Council has responsibilities, there is also a responsibility on commenters themselves. In many cases it is the way comments have been expressed and assumptions made that is the root of the problem. Some people have also made the mistaken assumption that anything can be said or written, as long as it is honestly expressed.

2.6 While guidance was given to help people, it has become clear that further information would be beneficial. Therefore to help prepare for forthcoming consultations, an article is being published in Dacorum Digest (early Spring

edition – see Annex E): this will encourage people to focus on planning issues. Recognising what planning issues are can help steer commenters away from more sensitive matters. The following items would not be material planning considerations in the selection of a new site for Gypsies and Travellers although widely mentioned by commenters:

- reduction in surrounding property values (and house prices)
- a fear of crime
- the alleged reputation of the people who would occupy the site.

2.7 Many general points have been made by members of the settled community which are inappropriate and/or are not material planning considerations. The underlying point is that no sites should be provided for Gypsies and Travellers, or, if they are, they should be located well away from ordinary people [the settled majority]. The following list gives an overview of inappropriate reasons that have been given:

- Gypsies and Travellers will not integrate.
- They are an openly disliked group that nobody wants.
- Gypsies and Travellers will cause mess, leave litter, vandalise play areas, etc.
- Anti-social behaviour is the norm. Gypsies and Travellers think they are above the law.
- There is no reason to encourage more criminals into the area. Crime rates will increase and the Police will be over stretched.
- Gypsies and Travellers make no contribution to Council Tax (or to the borough).
- Our Council Tax will increase as a result.
- Gypsies and Travellers do not pay taxes or National Insurance, and live off benefits.
- Past experience explains why there should be no Gypsy and Traveller sites.

2.8 Reported personal experiences include allegations of unacceptable or unlawful behaviour:

- disturbance and mess from unofficial sites and unauthorised encampments;
- a high incidence of local crime, including car crime and robbery – most frequently alleged in relation to occupiers of the Three Cherry Tree Lane site;
- bullying.

It is understandable that people who have suffered bad experiences do not wish them to be repeated. What cannot be accepted is the blanket assumption that the whole of a group of people are offenders or that people occupying a new site would be offenders.

- 2.9 In any event it is clearly appropriate when planning and designing any development to incorporate safety and security measures – so this would be done for Gypsy and Traveller sites as for any other proposal.
- 2.10 Officers, bound by legislation, the Council's equal opportunities policy and professional codes of conduct, have replied to commenters where the whole of a response or a part of a response has been rejected. The reply letter includes text from Government advice in Circular 01/2006 (paras. 71 and 72). There has been some adverse reaction although the majority have accepted explanations in follow up discussions.
- 2.11 Members should be aware that officers have had to tackle a considerable amount of hostility and prejudice, and have even referred one website to the Police (following a complaint).
- 2.12 The land use issue the Council must consider is one of providing a mobile home or caravan site, i.e. a residential type of use. There would, of course, be additional considerations if a site was proposed to be used for business purposes or for transit pitches.

#### Overview of Comments

- 2.13 The analysis of comments received is detailed in Appendix 2 (Annex D). Table 1 shows the areas and response rates. Particularly high levels of response came from Bovingdon, and from Chaulden and Woodhall Farm in Hemel Hempstead. There were also petitions from Bovingdon, Chaulden, Woodhall Farm and Grovehill (Hemel Hempstead). In interpreting these results it is important to remember that there has been an element of campaigning in some places. In others the relative lack of response does not imply lack of interest or concern.

**Table 1: All Responses Assessed**

Area	Numbers		
	Residents	Organisations	Total
Berkhamsted	333	7	340
Bovingdon	303	5	308
Hemel Hempstead			
Chaulden	523	4	527
Felden	115	4	119
Grovehill	74	-	74
Woodhall Farm	292	1	293
Remainder	11	1	12
<i>Sub-Total</i>	<i>1,015</i>	<i>10</i>	<i>1,025</i>

Kings Langley	0	0	0
Markyate	5	2	7
Tring	121	8	129
Elsewhere	13	10	23
<b>Total</b>	<b>1,790</b>	<b>42</b>	<b>1,832</b>

Note: Organisations includes landowner/developer representatives, Councils and other groups (e.g. residents association, medical practice)

2.14 Appendix 2 (Annex D) is set out by sub area with:

- an overview of responses by number and by nature of comments;
- a breakdown of site-related objections by environmental, social and traffic issues;
- an analysis of responses to suggestions for narrowing site options;
- preferences on the site options given in the Supplementary Issues and Options Paper;
- other site suggestions; and
- a record of inappropriate responses.

2.15 The majority of the inappropriate responses came from the Chaulden/Fields End/Gadebridge/Potten End sub area – i.e. 54% of the total (compared to 29% of the total responses, the focus of concern in this area being related to Option D23 Long Chaulden). By contrast in Berkhamsted where the Town Council organised a public meeting to advise people how to comment, the proportion of inappropriate responses was 0.5% (compared to 18% of the total responses).

### Common Themes running through Objections

2.16 Many respondents objected to a particular site. While there are clearly differences between site options themselves, there are common themes in their objections:

- (a) loss of Green Belt land;
- (b) environmental impacts;
  - detrimental effect on the Chilterns Area of Outstanding Natural Beauty;
  - detrimental effect on the character of (and existing uses in) the countryside;

- visual impact – sites may harm views, have a poor appearance and/or be prominent;
  - negative impact on local wildlife (with an explanation of wildlife seen);
  - potential loss of hedgerows or trees;
  - drainage issues – new drainage may be required and/or there may have been incidents of local flooding;
  - potential effect on archaeological remains.
- (c) social impacts;
- local services and facilities are inadequate or over stretched – particular reference is given to (primary) schools, doctors and shops.
  - current crime is low and/or there is a strong sense of community and/or there are fears of what may happen in the future: this is linked to concerns about integration and how specific needs of Gypsies and Travellers could impact.  
(This is a point which can, and indeed has been, raised for housing proposals for the settled community).
- (d) traffic issues;
- current access is poor – access is via a single track lane or narrow road, or in other cases there is concern related to congestion and movement of large vehicles.
  - extra traffic may cause a safety issue and/or discourage walking in the vicinity of the site.

### Site Related Objections

2.17 There were significant additional comments for some places. The full list is given in Appendix 2 (Annex D), with selected points below.

#### *Berkhamsted*

- Swing Gate Lane is a single track, dead end lane (D3, D4, D5);
- Dudswell is a small community, with a conservation area, and is located in the valley bottom by the canal (D6).

#### *Bovingdon*

- There are significant infrastructure constraints and local congestion (D16, D17, D18);
- The village has a number of undesirable uses, i.e. the prison and airfield (with various activities on it) and the introduction of a new group into a stressed community would create problems (D16, D17, D18);

- There is concern for security at the prison (D18).

*Hemel Hempstead*

(1) *Chaulden, etc*

- The site is important for flood risk alleviation, there being a storage facility here (D23);
- The site is opposite an adventure playground (D23).

(2) *Felden*

- The sites are close to Phasels Wood (scout camp) (D1, D2);
- There are existing constraints, e.g. no bus route, inadequate access via Featherbed Lane, no local medical facilities (D1, D2).

(3) *Grovehill*

- There are limited entry points to the Grovehill estate, and immediate access would be via the cul de sacs there (D20).

(4) *Woodhall Farm*

- There are various concerns resulting from the behaviour of some occupiers of the existing site at Three Cherry Trees Lane (D15, D19) (please see paragraph 2.8 above);
- There would be an overconcentration of sites locally, taking into account those along Redbourn Road: this would impact on local services and work against integration (D15, D19).

*Markyate*

- A small community has less ability to accommodate incomers (D13, D14);
- There may be an access issue onto the A5 (D13, D14).

*Tring*

- Concern for pedestrian safety and access by large vehicles on lanes (D8, D9, D10);
- The site is next to the cemetery (D11);
- Sites are on the gateway to the town (D11, D12).

### **Narrowing the Choice of Site Options**

2.18 The public questionnaire asked questions on how to reduce the pool of site options:

- (a) 60% of respondents agreed with the principle that Berkhamsted, Bovington, Markyate and Tring should not have more than one site [assumed to be 15 pitches]
  - the exception came from Hemel Hempstead where Bovington was identified as having greater potential;
- (b) 56% of respondents agreed that the lowest ranked sites should be removed from further consideration

- the response hides some significant variations: the majority of respondents from Berkhamsted, Bovington, Felden and Woodhall Farm felt the opposite.

2.19 Where there was disagreement, the main reasons given can be summarised as follows:

- other places can take more sites
- sites should be assessed purely for their suitability (i.e. no assumed distribution)
- the Scott-Wilson rankings are not transparent and therefore arguable.

2.20 Respondents were also asked to indicate their top five site preferences from the list given. Bovington Airfield was most frequently mentioned – see Table 2.

**Table 2: Top Ranked Site Options <sup>1</sup>**

Site Reference		No. of Responses	Scott – Wilson rank
<b>No.</b>	<b>Address</b>		
D18	Bovington Airfield	380	1
D11	Icknield Way (south side), Tring	130	1
D15	Highwood (Holtsmere End Lane), HH	127	1
D1	Featherbed Lane, HH	111	1
D19	Cupid Green Lane, HH	85	2
D3	Swing Gate Lane, Berkhamsted	75	1
D26	Bourne End	38	- <sup>2</sup>
D20	West of Grovehill	32	3
D24	Bedmond Road, HH	24	3
D12	Icknield Way (north side), Tring	23	3

Notes: <sup>1</sup> In descending order of responses: all sites are from the list in Appendix C of the Supplementary Issues and Options Paper.

<sup>2</sup> The location does not fulfil the criteria for the Scott-Wilson rank.

### Other Sites Raised

2.21 Respondents had the opportunity to suggest alternative site options (see Table 3):

- 70 suggested extensions of existing sites;
- 84 suggested sites outside the borough;
- such comment has to be ignored because the Council must identify sites within the borough. The comments are only helpful insofar as the Council will need to consider the provision of transit pitches in south and west Hertfordshire with neighbouring councils.

- 191 suggested new sites in the borough – 71% in the Maylands business area.

**Table 3: Additional Site Options Suggested**

Location	No. of Responses	Scott – Wilson Ref. <sup>1</sup>
<b>(1) Extend existing sites</b>	<b>70</b>	
Long Marston	3	
Three Cherry Trees Lane	61	
Unspecified	6	
<b>(2) New site options</b>	<b>191</b>	
<i>Berkhamsted options</i>	5	
Billet Lane employment area	1	
Bulbeggars Lane (unspecified)	1	
Woodland adjacent to cemetery, Kingshill Way	1	
New Lodge	1	
Northbridge Road employment area	1	
<i>Bourne End</i>	1	D26
<i>Bovingdon options:</i>	1	
Middle Lane (former airfield site)	1	
<i>Cow Roast</i>	2	
<i>Gaddesden</i>	1	
<i>Hemel Hempstead options:</i>	151	
A41 outside the town (unspecified)	1	
Boxmoor (unspecified)	1	
Dispersed around the town	1	
Felden	1	D1/D2
Gas Works, Two Waters	1	
Marchmont Farm/Link Road	1	Nr D20
Maylands business area <sup>2</sup>	136	
Nash Mills <sup>3</sup>	7	
Northridge Way	1	
Waterhouse Square	1	
<i>Kings Langley</i>	1	
<i>Markyate options</i>	3	
General	1	
By A5/near Junction 9 (M1)	2	

Location	No. of Responses	Scott – Wilson Ref. <sup>1</sup>
<i>Tring options</i>	26	
General	1	
Beggars Lane (unspecified)	1	
Duckmore Lane (unspecified)	1	
Icknield Way south	1	D11
London Road	1	D7
New Mill – household waste site	19	
New Mill (unspecified)	1	
Station Road (unspecified)	1	
<b>(3) Location criteria</b>	<b>11</b>	
As part of new housing development	3	
Based on advice in Circular 01/2006	1	
Close to principal roads	1	
On industrial land	4	
Settlements which have no site	2	
<b>(4) Outside the borough</b>	<b>84</b>	
East of Hemel Hempstead	34	
M1 site works compound	35	
Tullochside, Redbourn Road <sup>4</sup>	4	
Other <sup>5</sup>	11	

- Notes:
- <sup>1</sup> It is assumed the location approximates to a site in the Scott-Wilson Report.
  - <sup>2</sup> Includes Breakspear Way, Lucas Aerospace site, Buncefield and Maylands generally.
  - <sup>3</sup> Includes Westside, land adjacent Red Lion PH and former Sappi car park.
  - <sup>4</sup> Commenters either want to extend Tullochside or make it an official site [which it is].
  - <sup>5</sup> Other locations outside the Borough that were mentioned included Bedmond, Luton, elsewhere in Hertfordshire and land off Lower Road in Three Rivers (used for car boot sales).

### Views of Key Organisations

- 2.22 Formal responses include those from County Council's Gypsy Liaison Officer and Archaeological Unit, Hertfordshire Biological Records Centre, Environment Agency and the Friends, Families and Travellers group (representing Gypsies and Travellers). Discussions have been held with Police and County Council Education representatives.
- 2.23 The County Council's Gypsy Liaison Officer supported dispersal of sites away from the concentration at north east Hemel Hempstead. Site size should vary, normally between 5-10 pitches, but could be bigger. It was reasonable to allow scope for natural growth. Access to principal roads was a key locational factor. The Officer felt that locations off Icknield Way (D11, D12

Tring), off Chesham Road (D17, D18 Bovingdon) and at Bourne End were preferable. The Scott-Wilson report was reasonable and should help the Council reach its conclusions. Transit sites are costly to manage, and thus he prefers them to be privately run. He also commented it would be reasonable, although not imperative, to split Three Cherry Trees site in due course.

2.24 The Friends, Families and Travellers group commented that while around 15 pitches might be an average, site sizes could vary significantly. They recommended consultation directly with the local Gypsy and Traveller community. They also commented that limiting sites to one per place may mean rejecting otherwise well-suited locations, particularly so if sites are small. It would be prudent to keep category 3 sites in reserve.

2.25 The Police are more concerned with design than rather than size of site, though they recognise size has a bearing on integration. Their informal comments reflect advice in Circular 01/2006:

“Enclosing a site with too much hard landscaping, high walls or fencing can give the impression of deliberately isolating the site and its occupants from the rest of the community, and should be avoided.”

For similar reasoning, sites at the end of narrow lanes or without some form of open frontage should be avoided.

2.26 Discussion with HCC Education representatives suggests sensitivity is needed in integrating new pupils; this is particularly so in smaller settlements where there are school capacity constraints. Site size of 6-8 pitches are preferred. If larger sites are proposed, they would be most appropriate in areas where a number of schools are easily accessible on foot. This would allow for parental choice and spread the influx of pupils. Dispersion of Gypsy and Traveller sites is supported. At Hemel Hempstead, no site near Three Cherry Trees Lane is advised and a site to the west would be more appropriate.

2.27 Other comments relating to wildlife, archaeology and flood risk do not rule out any location. However there are normal and detailed site considerations to take into account. For two sites (D6 and D25) flood risk may result in the need for a more careful site evaluation.

### **Citizens' Panel Survey**

2.28 The Citizens' Panel Survey conducted by Opinion Research Services considered Gypsy and Traveller questions only. 402 questionnaires were completed, a response rate of 37%. This is good, considering the period of consultation ran from mid December 2008 to early January 2009.

2.29 Around two thirds of respondents concluded that the small settlements should not have more than one site (assumed to be 15 pitches) – i.e. Berkhamsted, Bovingdon, Markyate and Tring. Where people disagreed, it was because settlements could take more than one site in their opinion. Berkhamsted and Tring were particularly considered large enough to take more than one site.

2.30 71% agreed with the principle of removing the lower ranked sites for further consideration. Where people disagreed the key reasons were because:

- they felt all possible sites should be looked at; or
- they disagreed with the ranking/scoring system.

2.31 The preferred sites from the list given were as follows:

D18	Bovingdon Airfield	71%
D11	Icknield Way (south side)	54%
D1	Featherbed Lane	52%
D15	Highwood (Holtsmere End Lane)	51%
D3	Swing Gate Lane	42%

[The next highest score was D5 Sandpit Green 22%]

2.32 Some also suggested a new location – i.e. Buncefield.

### Place Workshops

2.33 Participant groups at workshops in Bovingdon, Berkhamsted, Markyate and Tring (all in September 2008) and in Hemel Hempstead (December 2008) were asked:

“We are required by Government to provide sites for Gypsies and Travellers within the area. Some possible locations for sites have been put forward by consultants [i.e. Scott-Wilson]. These were all considered to meet a set of key criteria:

- (a) which of these options do you prefer?
- (b) are there other sites either within or on the edge of the town/village that we should consider instead?

[Key criteria were explained as factors such as safe access to the main road network, being within a reasonable distance of schools and health facilities, avoiding harm to important wildlife designations, avoiding areas liable to flood and giving preference to previously developed land].

#### *Bovingdon*

Infrastructure is particularly important, and new sites would stretch existing facilities such as the primary school and shops. The prison already gives a negative image. While no site was wanted, D16 (Longcroft Lane) was preferred among the options in the Scott-Wilson report. Overall a site on the former airfield further away from the village would be better.

#### *Berkhamsted*

All of the site options had flaws. D3, D4 and D5 (Swing Gate Lane) suffered from poor access. D6 might be difficult to deliver because of privately owned access: it would also affect the adjoining AONB. All are in the Green Belt. Other, smaller sites in varied [unspecified] locations would be better.

#### *Hemel Hempstead*

The following sites were rejected – D1 and D2 (Felden) and in St. Albans district, SA21 (Westwick Row) adjoining Leverstock Green and SA22 (Little Revel End Farm adjoining Woodhall Farm). Otherwise, sites should not be located at the entrances to the town. Two participants gave dispersion of new sites (away from Woodhall Farm) as the top planning priority.

### *Markyate*

Access to both option sites (D13 and D14) is poor. D13 backs on to a gun club and D14 would be prominently sited overlooking the village. The village has poor public transport and no [secondary] school.

### *Tring*

Preference may depend on new housing sites selected. While local people do not want a site, D11 (south of Icknield Way) being near the industrial estate and slightly removed from residential, was considered the most practical option. Other key points raised were:

- there is little scope for any site within the town;
- if sites are out in the Green Belt people will not have access to facilities;
- if in the middle of nowhere, there is no way of monitoring size [of site] or behaviour
- there is a fear of crime (based on experience), and site management would need by-laws so that troublesome families could be evicted (please see paragraph 2.8 above)
- no other potential site options (in addition to the Councils list] were identified.

[There was no site option in the Scott-Wilson Report at Kings Langley].

## **Gypsy and Traveller Consultation**

2.34 Vision Twentyone, consultants, were commissioned to consult members of the Gypsy and Traveller community for opinions on site locations and other issues. 22 interviews were held, invariably with a small informal group rather than one individual:

- 17 from the existing sites in Dacorum
- with people living outside the area (who want to move back); and
- with people currently living in houses.

2.35 The main conclusions were as follows:

- (a) Proximity to local services and facilities
  - should be one of the key considerations of the Council, particularly important for young or old depending on mobility or if there are children.
- (b) Proximity to existing sites
  - should be taken into account. Sites should be spread to reduce impact on the settled community. There could also be localised pressures on services, such as schools. Long Marston site has a good relationship with the village and this should not be undermined.

- (c) The impact on existing settlements
  - might be more limited and hostility reduced if there was a degree of separation (rather than being introduced *into* a settlement). Both communities need to mix to enable a better understanding to develop.
- (d) The size of site
  - is important for management, relationships within the Gypsy and Traveller community and for relationships with the settled community. The preferred size of site partly relates to previous experience, with an even split between those agreeing with 15 pitches as being appropriate and those suggesting half that size. We should take into account the size of the adjoining settlement. Smaller sites are more suitable for extended families. Mixed sites (normally larger) can be harder to manage. Pros and cons of private and County Council site management were discussed, the key to success often being the mix of people residing on the site. With private sites, the owner can choose who becomes a tenant (so there may be less trouble). On County Council sites it is easy to report any issues and what is needed gets done.
- (e) Site design
  - should allow for future growth. The Council should consult on the design of new sites. Good design will help integration with the settled community. Sites should be similar in design to housing areas: the need for bunds around the site was questioned. Play space was considered important.

2.36 The discussion on location of sites did relate to groups' knowledge of the borough (which is mixed). However there was a clear, consistent opinion from everyone that:

- sites should be spread across the borough, with no more than one in each settlement (apart from Hemel Hempstead).

Favoured areas were Bovingdon Airfield (D18) and Swing Gate Lane (D3) near the A41 at Berkhamsted, the latter because of accessibility to schools. There were mixed views on Tring: Ickniel Way south (D11) is next to a general employment area, so Dunsley Farm (D7) might be better. At Hemel Hempstead, D15 (Holtsmere End Lane) was considered too close to the existing site at Three Cherry Trees Lane. The south side of the town or Bourne End would be better. It was noted there no option at Kings Langley.

2.37 Two other site suggestions were made:

- Fox Lane, Tring
- Old Tree Place, Lower Ickniel Way, Wilstone

- this was the subject of a (now dismissed) planning appeal. If the applicant were able to pay for flood risk mitigation measures at the adjoining British Waterways reservoir, the Inspector concluded there would be no planning objection to the accommodation of 6 pitches on site. Notwithstanding the appeal considerations, it might appear that promoting a site here would contradict comments about proximity to the Long Marston site.

2.38 The majority felt there was no need for transit pitches in the borough, although they recognised their general benefit to those on the road. If any pitches were provided, they should be County Council managed.

### **3. CONSIDERATION OF SCOTT – WILSON REPORT**

3.1 Scott – Wilson has provided independent advice based on guidance from Circular 01/2006. The advice is consistent across five districts. Their study is recent and has been an excellent starting point for both:

- consultation and
- Council deliberation.

It has provided the front loading – i.e. early involvement in the preparation of the Site Allocations DPD – recommended in the Circular.

3.2 The Scott–Wilson Report gives recommendations for the Council to consider: i.e.

- (a) a list of potential sites – with preferences - and
- (b) a set of policy criteria.

3.3 Respondents to the recent consultation have challenged the study because an outcome is not liked or because they believe a point of detail has changed or is wrong. There is also criticism of the ranking system.

#### **Consideration of Site Options**

3.4 A sequential approach was followed, with land in urban areas, previously developed land and non-Green Belt land considered ahead of Green Belt and the Chilterns Area of Outstanding Natural Beauty. The consultants effectively undertook two site selection reports:

- (1) with Green Belt acting as a constraint
  - the problem was that there were virtually no site options and none in Dacorum (and this is not further written up in the report).
- (2) with Green Belt removed as a constraint
  - the consultants concluded that existing residential areas, town centres and the majority of employment sites could not practically be considered. The reasons are relatively straightforward: land is already in use or allocated for specific purposes. Land values are relatively high and provision of Gypsy and Traveller sites would not be achieved. The use of open space, which is regarded as a precious asset within most settlements, was also rejected;

- as it happens the planning context has changed and the East of England Plan requires a major Green Belt review at Hemel Hempstead. Circular 01/2006 already allows for minor Green Belt changes and exceptions sites to be identified, if need is demonstrated (which is the case).

3.5 The Scott-Wilson Report is presented on the second basis using

- (a) broad criteria;
  - (i) use potentially developable land within a settlement;
  - (ii) use previously developed or vacant land;
  - (iii) do not use protected areas – conservation areas, Sites of Special Scientific Interest, Scheduled Ancient Monuments, Regionally Important Geological or Geomorphological Sites, flood plains, Registered Parks and Gardens and the Chilterns Area of Outstanding Natural Beauty (AONB); and
- (b) specific criteria;
  - (i) locate near existing services and community facilities; but
  - (ii) avoid an undue burden on local infrastructure;
  - (iii) provide safe access to the main road network; and
  - (iv) ensure there is reasonable safe access to public transport;
  - (v) provide attractive landscaping and appropriate buffers with existing residential areas or with intrusive uses; and
  - (vi) ensure the site is of adequate size to accommodate all its needs.

3.6 The sieving approach was further refined into a mapping of:

- (a) opportunities
  - i.e. a site is best located within 1km of primary schools and doctors; and
- (b) constraints
  - a site should not be located on land with identified environmental constraints, including those listed at paragraph 3.5 (a) (iii).

3.7 Then followed a more detailed site appraisal describing:

- existing use;
- surrounding uses;

- topography – a reasonably level site being needed;
- distance from settlement;
- existing buffers and vegetation;
- character of access; and
- an opportunities rank – the highest rank had more than one primary school and at least one doctors nearby.

3.8 As a result a rank from 1 to 3 was given. Scott-Wilson say this is based on a “technical judgement, 1 being the most preferable.” It takes into account the amount of works needed to create a fairly level site and satisfactory access. While the process is open, the difference between ranks is not always as clear as it could be.

3.9 Scott-Wilson’s site analysis is in Annex F, and sites located on Maps 1-5 (ref. Annex G). Five sites are ranked 1;

- D1 Featherbed Lane, Hemel Hempstead;
- D3 Swing Gate Lane, Berkhamsted;
- D11 Icknield Way, (south side), Tring;
- D15 Holtsmere End Lane, Hemel Hempstead;
- D18 Bovington Airfield.

3.10 An indication of potential site sizes is given, M equating to 15 pitches and S smaller and L larger.

3.11 All site information has been verified by officers (see Table 4).

**Table 4: Verifications of Scott-Wilson Site Options**

Site Ref.	Verification <sup>1</sup>	Comments <sup>2</sup>
D1 Featherbed Lane (HH)	✓	Access is by a two lane road (except near the railway bridge).
D2 Featherbed Lane (HH)	✓	Access is by a two lane road (except near the railway bridge). Trees on northern boundary
D3 Swing Gate Lane (Be)	✓	
D4 Swing Gate Lane (Be)	✓	South-eastern hedge trimmed. Field in cultivation
D5 Sandpit Green (Be)	✓	
D6 Dudswell Lane (Be)	?	Public access allowed to field on a permissive basis. Location of pitches need not be at eastern end of site. Flood risk affects part of site. Backdrop of AONB.
D7 Dunsley Farm (T)	✓	
D8 Marshcroft Lane (SE) (T)	✓	Random on-street parking restricts free movement in Marshcroft Lane

D9 Marshcroft (NW) (T)	✓	Random on-street parking restricts free movement in Marshcroft Lane. Some hedgerow removal, hence more visible than D8
D10 Little Tring Road (T)	✓	Adjoined by Icknield Way to the south east. Dundale (park) on far side of Icknield Way
D11 Icknield Way (S) (T)	✓	Hedge is gappy. Adjoins Icknield Way. Open views to scarp slope, including Tring Woods.
D12 Icknield Way (N) (T)	✓	Low hedge. Extensive open views to the north.
D13 Windmill Road (M)	?	Accessed via Windmill Road. Site contains a compound, with a sizeable prefabricated building and palisade fence around it. Bund visible on western field boundary. Current use is unclear – appears underused
D14 The Ridings (M)	✓	
D15 Holtsmere End Lane (HH)	✓	Pitches should avoid higher valley slopes
D16 Longcroft Lane (Bov)	x	Site off Longcroft Lane. A few isolated residential properties opposite. Site adjoins footpath. Cultivated field. Field gate much further along lane – would suggest new access to any pitches.
D17 Green Lane (Bov)	✓	
D18 Bovingdon Airfield	✓	
D19 Cupid Green Lane (HH)	✓	Pitches should avoid higher valley slopes
D20 West of Grovehill (HH)	✓	On-street parking will probably restrict easy access in places
D21 Polehanger Lane (HH)	✓	Most residential on the opposite side of the road. Extensive open views to the north
D22 Fields End Lane (HH)	✓	Isolated residential uses to north and west (i.e. not the town)
D23 Long Chaulden (HH)	x	Field next to road is a ponding area controlling run off, and reducing flood risk. If pitches located here, the second field separated by a fence from the ponding area would need to be used. This field slopes gently south-westwards. S/M site potential.
D24 Bedmond Road (HH)	✓	

**Notes** <sup>1</sup>      ✓      Agreed  
                          ?      Slight discrepancy  
                          x      Significant discrepancy

<sup>2</sup>                      Comments include points of clarification and updating. In a few cases points are corrected.

3.12      Although some discrepancies are identified as slight or as significant, none is collectively so significant as to undermine the analysis or any individual site option. Table 4 offers no comment on the Scott-Wilson rankings per se,

because the actual selection of sites will involve other factors. These would include:

- the number of primary school places;
- avoiding a concentration of pitches;
- the character of the road access, in particularly avoidance of narrow cul de sacs;
- the ability to ensure good road access from the edge of the settlement without the need to go through it;
- the vulnerability of the Green Belt and permanence of new boundaries in the long term; and
- the opportunities which may be presented by housing growth proposals.

It is noted that the public and Citizens' Panel broadly support Scott-Wilson's conclusions on the top ranked sites.

### **Consideration of Other Site Suggestions**

3.13 The new site options listed in Table 3, plus all other emerging sites from the Supplementary Issues and Options consultations and the two sites previously suggested by the public (D25 and D26), have been analysed. The analysis has been approached in two stages:

- (1) an initial sieving (see para 3.14 below); and
- (2) a more detailed assessment of the remainder to enable comparison with the Scott-Wilson Report (see Table 5).

3.14 Sites which fall into one of the following categories have been removed at stage (1):

- sites where the location information is vague;
  - the Scott-Wilson approach has been systematic and would have at least identified an opportunity in the vicinity if there were one;
- sites with existing buildings;
  - the prospect of clearance for a low economic value use would be remote.
- sites which are the subject of a specific development proposal already;
- sites in industrial areas, including Maylands Business Park;
  - the environment for residential use would be poor. Furthermore residential use would not be permitted near Buncefield because of hazardous substances stored (or permitted to be stored) there. The

Maylands Masterplan promotes economic regeneration and development, with no land allocated for Gypsy and Traveller use.

- sites designated as County Wildlife Sites.

**Table 5: Other Site Options**

<i>(1) Sites suggested by the public (pre-consultation)</i>	
D25	Land adjoining Longbridge Close, Tring
<i>Uses:</i>	Grassy field. Hedge, track, trees and stream separate residential to the north/north east. Adjoins Wendover Arm of the canal to rear and Icknield Way.
<i>Access:</i>	Field gate in eastern corner of field. Improved access to Icknield Way required.
<i>Levels:</i>	Slopes gently up from Icknield Way and track.
<i>Landscape:</i>	Open. Hedges to field margins.
<i>Services:</i>	Well-served. Streamside walk links site to town centre
<i>Other:</i>	Subject of housing proposal by landowner.
<b>D26</b>	<b>Bourne End</b>
<p>No specific site was identified, though it was assumed to be either part of, or immediately adjoining, the service area or industrial estate. Both the service area and industrial estate are subject to proposals in the Local Plan. Good road access via A41. Although there is a bus service on the A4251, within walking distance, there are no schools or doctors nearby. The location is less suitable for a residential site: a very small number of transit pitches may fit better. Siting options considered:</p> <ul style="list-style-type: none"> <li>• <i>in the industrial area:</i> <ul style="list-style-type: none"> <li>- currently subject to employment redevelopment proposals and unlikely to be delivered.</li> </ul> </li> <li>• <i>in the service area:</i> <ul style="list-style-type: none"> <li>- grassy area could be used: difficult to develop, because of adverse slopes. The slopes are part of the landscape setting. Access may be difficult to secure. Site unlikely to be delivered.</li> </ul> </li> <li>• <i>field north of service area:</i> <ul style="list-style-type: none"> <li>- cultivated land. Fairly level. Hedgerow to road. Highly visible, especially from A41. Also a noisy environment. Access via field gate off mini-roundabout.</li> </ul> </li> <li>• <i>paddock south east of housing in Bourne End Lane</i> <ul style="list-style-type: none"> <li>- level. Fenced. Access from Bourne End Lane. Potential for landscape screening.</li> </ul> </li> </ul>	
<i>(2) Sites arising from the public consultation</i>	

### **Household Waste Site, Tring**

- Uses:* Current use is for the receipt and transfer of household waste. Expected to close in October 2009. Grassland and plantation opposite, across Tringford Road. Wendover Arm of canal to south east. Sewage works to north and west.
- Access:* Via single track part of Tringford Road across a blind humpback bridge.
- Levels:* Fairly level, most hard surfaced.
- Landscape:* Trees/hedging to canal and north east boundary. Fenced site. In AONB.
- Services:* Reasonably close to services, but dangerous access on foot around canal bridge.
- Other:* Previously developed land. May be more suitable as a small car park to serve canal or reservoir visitors. Small site.

### **Middle Lane, Bovington**

- Uses:* Former site used in connection with airfield. Buildings cleared. Current use is indeterminate. Part appears to have reverted to nature, and the larger area to the south appears to be used for the storage of spoil. Residential to north east. Grassy fields on other sides: paddock to west contains a number of prefabricated buildings.
- Access:* Via single track lane, awkward access from Bovington Green; reasonable links from lane to Chesham Road (B4505). Two metal gates.
- Levels:* Level
- Landscape:* Hedges around site: rough bunding visible to lane.
- Services:* Over a kilometre to the primary school and doctors, but distances are manageable.
- Other:* Has previously been considered for residential use together with its near neighbour in Long Lane (also a former site connected to the airfield). Middle Lane has the worse vehicular access. Both have been rejected at previous local plan enquiries for housing.

### **Field adjoining the Red Lion PH Car Park, Nash Mills**

- Uses:* Grassy field. Some dumping. Adjoins Westside (a vacant office block) to the north, the Grand Union Canal (to the east) and the Red Lion PH grounds and car park.
- Access:* Good road access along A4251, although point of access close to a traffic lighted junction. Approached via field gate in the PH car park.
- Levels:* Small level site with part affected by flood zones 2 and 3.
- Landscape:* Bus routes nearby. Primary school within 1 km. Doctors available within reasonable distance (i.e. in Kings Langley and planned in Apsley).
- Other:* Landowner is proposing release from the Green Belt for housing.

**Former Sappi Car Park, Lower Road, Nash Mills**

*Uses:* Small, hardsurfaced, car park – currently disused. Adjoins Nash Mills Village Hall to south. Roads on two sides. Grassy field to west. Former Sappi Mills to north of Red Lion Lane – currently being demolished.

*Access:* Gate from Lower Road. Adjoining junction will become much busier following the redevelopment of the Sappi site. Junction also provides access to Abbots Hill (private) school. Otherwise good access via A4251.

*Levels:*Level

*Landscape:* Chain link fence and small trees. Relatively open in sensitive position in valley bottom.

*Services:* As for Red Lion PH site above – good.

*Other:* Site is linked with redevelopment proposal at Sappi (mixed use but predominantly residential). Sensitive Green Belt location.

(3) Sites suggested by Gypsy/Traveller community

**Old Tree Place, Lower Icknield Way. Wilstone**

This site has been the subject of a dismissed planning appeal. The Inspector concluded that a 6 pitch site was feasible and acceptable but for the site's vulnerability to possible flooding from the adjoining Wilstone Reservoir. If the applicant was able to pay to upgrade the reservoir to the appropriate safety standard (at an estimated cost of £250,000), the site must be considered acceptable.

**Fox Lane, Tring**

Because no precise site location was given, a complete assessment was not possible. Fox Lane is a public byway with mature hedges. It can be approached via Duckmore Lane and possibly via the private right of way to Drayton Manor. Each route comes out onto Akeman Street (A4251). Agricultural fields generally adjoin, and at one point the A41 (from which there is no direct access). This is open countryside in the AONB. The western side of Fox Lane is in Aylesbury Vale (Buckinghamshire). Any site would be relatively isolated, though within reasonable distance of Tring. Primary schools would be more than a kilometre away.

3.15 None of the sites in Table 5 is considered to be better than the Scott-Wilson options. Of the two offered by the Gypsy and Traveller community, Wilstone has been tested through inquiry and may be deliverable: Fox Lane is relatively isolated and located in the AONB. Of the two at Nash Mills, the site by Red Lion PH would have less impact on the Green Belt, but is small and not directly accessed. It would require a flood risk assessment. At Tring the household waste site is not considered suitable for residential use and the field at Longbridge Close would only become more highly ranked if a wider development proposal was to be accepted there. Bovingdon also has better options than to reuse former airfield land at Middle Lane, although the fact of previous development is a point in its favour. Bourne End is well accessed by road but lacks appropriate services: the location may be a possible option when considering transit provision across a wider area.

## Policy Criteria

- 3.16 Section 5 of the Scott-Wilson Report (repeated in Annex F) suggests policy criteria for each of the commissioning district authorities to consider. The criteria are very detailed when compared to policies in other authorities' Core Strategies, but they present a useful checklist and have assisted the site search. When policies are drafted for Dacorum's Core Strategy, it is important to note that many policy threads will be common to other uses, and so do not need to be repeated. A simplified version which includes site prioritisation, accessibility of services, access, site considerations and future use may be sufficient. However, as is further discussed in Section 4 of this report, it will be important to set out the Council's overall approach for the emerging strategy. This is more than a simple identification of sites.
- 3.17 The location criteria raised in the consultation (ref. Table 3 Section (3)) are also useful, and likewise contribute to the development of future policy – i.e. link to other housing development, locate in settlements which have no site and close to main roads, and follow advice in Circular 01/2006.

## 4. MOVING FORWARD

- 4.1 Circular 01/2006 guides the preparation of local development documents (paras. 30-34 et seq):
- the number of pitches set out in the East of England Plan must be translated into specific site allocations;
  - the Core Strategy should set out criteria for the location of Gypsy and Traveller sites: these will be used to
    - identify specific sites in the relevant Development Plan Document (DPD); and
    - respond to unexpected demand;
  - site allocations must be in the relevant DPD.
- 4.2 We therefore need a criteria-based policy and to allocate specific sites. Sites for Gypsies and Travellers may be identified in:
- the Core Strategy with strategic sites;
  - the Site Allocations DPD; and/or
  - the East Hemel Hempstead Area Action Plan.

## Guiding Principles

- 4.3 The immediate issue is to prepare the Core Strategy and in particular the paper for the emerging strategy consultation this Summer. The Core Strategy itself is critical for setting the lead for the whole Local Development Framework. It will include policies on:
- sustainable development;

- a borough-wide development strategy (similar to that in the current Local Plan);
- settlement issues;
- living accommodation (i.e. a decent home for all, including Gypsies and Travellers).

4.4 In deciding where to provide for Gypsy and Traveller sites, the Council must **first** consider locations in or near existing settlements with access to local services, e.g. shops, doctors, schools. This is not simply a transport issue. It includes:

- “(a) the promotion of peaceful and integrated co-existence between the site and the local community
- (b) the wider benefits of access to GP and other health services
- (c) children attending school on a regular basis
- (d) the provision of a settled base...”

[paras. 64 & 65 of Circular 01/2006]

4.5 Highway considerations are the same for any use. It is therefore normal to consider the potential for noise and other disturbance from the movement of vehicles to and from the site and the turning of the vehicles on the site. Proposals should not be rejected if there would be modest addition to daily vehicle movements and/or the impact on minor roads would not be significant.

4.6 Sites should not be located in areas of flood risk because of the particular vulnerability of caravans.

4.7 The main opportunities for new sites lie outside existing settlements. Most of Dacorum’s countryside is designated as Green Belt or AONB.

4.8 The Green Belt is a policy instrument to control the spread of development. However, where need is demonstrated, as now, the Council can consider changing the Green Belt boundary:

- by extending a settlement boundary outwards
  - this is particular appropriate where boundaries are under consideration for other reasons as well, e.g. to accommodate housing growth;
- by identifying a rural exceptions site
  - in a similar way to affordable housing at small villages;
- by identifying an inset to the Green Belt
  - this is similar to a policy on small villages or major developed areas in the Green Belt. Effectively, a Gypsy and Traveller ‘hamlet’ would be

identified. It is not particularly recommended in Dacorum because the approach fails to meet the main principles of provision (para. 4.4 above) and may be regarded as unfair.

When considering a change to the Green Belt, we need to remember the broad purposes of the Green Belt and long term permanence of a new boundary. Purposes, such as avoiding the coalescence of settlements, should not be undermined.

- 4.9 AONB is a special, national landscape designation. Location in AONB can only be accepted where the objectives of designation (i.e. protection of the natural beauty) would not be compromised. It is therefore quite reasonable to apply this designation as a planning constraint when searching for site options. Scott-Wilson recognise that an AONB site could be permitted provided it used previously developed land and was unobtrusive (subject to other criteria).
- 4.10 A small area north of Tring lies beyond the Green Belt and AONB. Because this area lacks many services and it would be difficult to integrate a large number of Gypsy and Traveller pitches, this is not recommended.
- 4.11 Planning for the accommodation of new Gypsy and Traveller pitches, tackling the concerns of the settled community and assisting new people to acclimatise will require a strong lead from the Council. The advice of key organisations, the County Council and Police and the expressed wish of the Gypsy and Traveller community points to integration as the aim, the same message as from Government. Factors which can help toward integration are:
- to avoid concentrating Gypsy and Traveller pitches in one place – in other words to seek dispersion;
  - to relate the size of a site (or the number of pitches) to the size of a settlement and its infrastructure potential;
  - to avoid isolated locations;
  - to encourage inclusive and more open design of site; and
  - to promote good site management.
- 4.12 In order to treat people equitably, it is essential to remember that everyone has the right to a decent home with access to services, and that different people have different needs which should be addressed.
- 4.13 The integration of Gypsy and Traveller families may require community development action. Where new housing growth occurs, there is a natural development of community (normally with the support of the local authority). Site location in areas of change and opportunity may therefore be the easier route forward. This may imply location of pitches on the outside of neighbourhoods or settlements to allow time for integration to occur.
- 4.14 In land use planning terms, there is not a major issue in locating a residential caravan site (whether for Gypsies or Travellers or not) by other residential

uses. This applies whether the site location is in a growth area or a proposed mixed use development, or not. However given the nature of the reaction from some parts of the borough, the Council must be prepared to work with other agencies to foster good community relations. That principle applies irrespective of site location and is good practice in any growth area. The Council can help by being decisive about Gypsy and Traveller site locations and then to engage with members of the settled and Gypsy and Traveller communities in site design.

- 4.15 The following set of principles is recommended for inclusion in the emerging strategy consultation paper (see box below). It sets out a positive, inclusive approach for consideration. Members will be able to determine the Core Strategy policy that they wish to publish in the light of further consultation responses. The reasons, in italics, are given for the guidance of members.

**POLICY: ACCOMMODATION FOR GYPSIES AND TRAVELLERS**

**Overall Approach**

The Council intends to:

- (a) Deliver the number of pitches needed in the borough in a co-ordinated way, which allows for natural growth in accordance with the Regional Spatial Strategy.

*Reason: to comply with regional planning requirements.*

- (b) Locate, design and secure the management of all Gypsy and Traveller sites in accordance with the following key principles:

- (i) equity – i.e. fairness to both the Gypsy and Traveller community and the settled community;
- (ii) integration of the two communities – i.e. acceptance, social cohesion and a wider, shared sense of place and community;
- (iii) sustainability – i.e. proximity to services, social inclusion, protection of heritage and important environmental features and conservation of natural resources.

- (c) Collaborate with other agencies, such as the County Council, Police and community support groups, and site owners/managers to assist the assimilation of residents on new sites with the settled community nearby.

*Reasons for (b) and (c): to achieve provision effectively and in the longer term promote community harmony and cohesion. A key challenge is to combat the reaction of the settled community, as evidenced in both Site Allocations Issues and Options Papers' consultations, and provide reassurance. The principles apply no matter which particular sites are identified.*

- (d) Seek Government funding to support the provision of new sites.

*Reason: to optimise the use of resources and assist acquisition of land and construction of sites.*

- (e) Give priority to the provision of pitches on sites which are defined as strategic housing sites or are defined in the Site Allocations DPD
- while it is possible for other proposals to come forward, they will be judged on the basis of the need for that additional provision and the other principles in this policy.

*Reason: to provide guidance on location using Circular 01/2006 and relating it to circumstances in the borough.*

### **The Planning of New Pitches**

New sites will be:

- (a) distributed in a dispersed pattern around settlements in the borough

*Reason: to assist integration*

- (b) located close to facilities and with landscaping or physical features incorporated to provide an appropriate setting and relationship to existing residential areas [as defined in the Dacorum Borough Local Plan 1991-2011]

*Reason: to promote sustainability and assist integration – often new sites will be part of a wider mix of development and therefore easier to accommodate with less impact on existing residential areas*

- (c) of varying sizes, not normally exceeding a site capacity of around 15 pitches

*Reason: to respect site conditions and surroundings and local infrastructure, and to offer variety to the Gypsy and Traveller community*

- (d) planned to allow for part occupation initially, allowing subsequent growth to full site capacity

*Reason: to assist integration and accommodate growth*

- (e) designed with an open frontage similar to other forms of housing and to high standards using Government advice in “Designing Gypsy and Traveller Sites – Good Practice Guide (May 2008)”

*Reason: to provide good quality provision for the occupiers, help promote community safety and integration, and promote a good quality appearance for surrounding occupiers.*

For any new transit pitches, the key considerations will, in addition, be

- achieving good access to the M1 or A41 main roads: and
- minimising potential disturbance to adjoining occupiers.

*Reason: Transit sites are likely to have more movement and disturbance associated with them and for convenience are better located by the main road network. The only two suitable high quality roads with potential site options close by are the M1 and A41.*

## Site Options

4.16 The emerging strategy paper will consider development issues at all main settlements. Until that debate is completed members are advised to:

(a) keep an open mind about the actual selection of sites to propose, while embracing the principle that new Gypsy and Travellers pitches may be incorporated in larger developments on the edge of settlements

(b) remove some options from further consideration

- this would give certainty to some owners and local communities: the options that can be removed are those at settlements:
  - (i) where there are better choices; or
  - (ii) where there are development options under consideration.

In doing this, some guidance can be given on the scale and distribution of pitches. This guidance stems from the results of the consultation:

- at least one site option should be retained at most settlements (the majority agreeing that there should not be more than one 15 pitch site at Berkhamsted, Bovingdon, Markyate and Tring);
- more options would be available at Hemel Hempstead;
- the higher ranked sites should be retained as options unless there are specific reasons for their exclusion, in particular the avoidance of a concentration of pitches (the majority agreed that sites ranked 3 should be eliminated);
- the site options themselves demonstrate there are feasible sites in that particular *location*, hence the retention of more than one option is recommended for the time being in some places;
- at the large villages some 6-8 pitches is the recommended maximum to assist with integration into local primary schools (where places are restricted).

### *Extension of Existing Sites*

4.17 Problems are reported to be linked to the Three Cherry Trees Lane site, and adding more pitches would increase the concentration of pitches in this area. Evidence also points towards smaller sites being better for integration. The site falls within the East Hemel Hempstead Action Plan. It would be a future option to consider whether the site should be split and redesigned as two. The extent of the Action Area is not yet decided. If it was extended to M1 in line with an eastern growth scenario, extra pitches are possible: they could be

- residential pitches, in which case they would count towards St. Albans's allocation in the Regional Spatial Strategy; and/or
- transit pitches, in which case they would contribute towards the needs of south and west Hertfordshire (ref. Annex A).

4.18 The Long Marston site is settled and unless more land is acquired could not be extended. A simple addition of one or two pitches through natural growth

would not be a problem, but it would make little difference to the overall target (of 59 pitches in the borough).

*Berkhamsted*

- 4.19 D3 – D5 in Swing Gate Lane remain as options while further assessment of borough options and opportunities between the town and the bypass is undertaken. If any one site is used, the remainder would not be. Site size would be small, if the current access by Swing Gate Lane was used.
- 4.20 The attractiveness of D6 (Dudswell) in its setting suggests no change to the Green Belt should be considered for any form of residential use.

*Bourne End*

- 4.21 This location (D26) is remote from schools and doctors and therefore less suitable as a residential site location. It may be necessary to consider this location with others in the context of transit site provision. Land does not appear to be deliverable in either Bourne End Mills or the service area, and an alternative would be necessary.

*Bovingdon*

- 4.22 Despite the public reaction, there is no good reason to say there should be no pitches at Bovingdon. The availability of primary school places and integration of new children there suggest the maximum number of pitches for the settlement should be 6-8. D16 (Longcroft Lane) is a large agricultural field and somewhat isolated. D17 (Green Lane) and D18 (the Airfield) are better located and therefore retained as options for the time being.

*Hemel Hempstead*

- 4.23 Most of the greenfield housing needed in the borough until 2031 will be at Hemel Hempstead. This means the options at Grovehill (D20) and Chaulden/Gadebridge (D21, D22 and D23) merit further thought with the urban extension options under considerations. In both locations, up to 15 pitches may be considered, though the sites can be located further away from existing housing. The concern about over-concentration of pitches is fair and suggests D15 and D19 at Woodhall Farm should be rejected.
- 4.24 While it is understandable why Scott-Wilson preferred D1 over D2 (Featherbed Lane, Felden) both can remain as options until further assessment has been completed – this would be in the context of the housing growth options.
- 4.25 D24 (Leverstock Green) is part of a leisure space proposal and project in Hemel 2020, i.e. the extension of Bunkers Park.

*Kings Langley*

- 4.26 No sites are under consideration. However should any housing extension into the Green Belt be mooted, a small site (6-8 pitches) could be a possibility.

*Markyate*

- 4.27 Neither option is good. D13 (Windmill Road) is isolated with very poor access. D14 (The Ridings) should remain as an option for the time being, although it is somewhat separated from Markyate by the A5. If this or any other option is pursued at Markyate, it would be as a small site. Markyate is smaller than Bovingdon, and more remote from secondary schooling.

*Tring*

- 4.28 The character of the site options around the town is relatively good. Icknield Way presents a very strong Green Belt boundary and suggests the elimination of sites north of it, D10, D12 and D25. D8 and D9 (Marshcroft Lane) have less good road access and unless the Council were to support residential development here the options are not needed.
- 4.29 Dunsley Farm (D7) and land adjoining Icknield Way general employment area (D11) offer opportunities for change for sport and employment respectively and other development. They should be retained as options.

**Conclusions**

- 4.30 No site possibilities from Table 5 are recommended as better options. Therefore, unless Members wish to add options, the approach recommended in para. 4.16 should be followed.
- 4.31 Resolution of the Core Strategy which is due to be published in March 2010, will help refine choices. It will then become necessary to define sites in the Site Allocations DPD, but that will be a much narrower and clearer choice,
- 4.32 Options which Officers recommend should be removed from further consideration as residential Gypsy and Travellers sites are:  
  
D6, D8, D9, D10, D12, D13, D15, D16, D19, D24, D25 and D26.
- 4.33 Members should note that retaining other site options does not mean that an individual option will ultimately be selected and taken forward. However it is very important to retain sufficient choice to enable the requisite provision to be made. It is also important to avoid a situation in which an option is removed now, only for a similar one to be reinstated in the not-too-distant future. That would be difficult for many residents to understand.