

Independent Examination of Cranbrook Plan
Provision of Sites for Gypsy and Traveller Accommodation
Representations on behalf of POWR

1. Introduction

1.1 This paper is submitted on behalf of POWR (Protect Our Whimble & Rockbeare) in respect of the provision of a site or sites for gypsies and travellers within the town of Cranbrook. In making the submission, we have paid due attention to the “Sustainability Appraisal of the Publication Draft of the Cranbrook Plan – February 2019” (Document 1), focussing particularly on the statement – the principle of which we agree with – at para. 6.93: “... The location of the sites within Cranbrook will influence the effects on many of the SA objectives as this will determine how accessible sites are to schools, community facilities, jobs and sustainable transport links...” We have noted East Devon District Council (EDDC) document PSD 27, including the reference to site provision in para. 3.35 of the Statement of Common Ground between EDDC and East Devon New Community partnership (EDNCp). We have also been mindful of the additional questions posed by the Inspector, particularly AQs 22, 23 and 24.

1.2 We disagree with the concept outlined in para. 6.3 of the commentary and at paras. k and l of the key considerations section of the “Cranbrook Plan – evidence paper including SA update in respect of policy for gypsies and travellers – July 2020” (Document 2), and will amplify the reasons therefor later in this paper. We note at para. d of the key considerations the “appropriate minimum sizes for sites ... of 500 sq. m. per pitch; a pitch would typically accommodate a family. This size equates to:

- . 0.25 hectares for 5 pitches
- . 0.5 hectares for 10 pitches
- . 0.75 hectares for 15 pitches

The SPD suggests an upper limit of 15 pitches on a site though for the Cranbrook Plan the Council has moderated this to a suggested maximum of around 10 pitches for any site.” It is not clear to us why this moderation has been applied, nor do we agree with the approach which has been adopted.

1.3 At para. g, “The gypsy and traveller community expressed a preference ... for sites to be at the edges of Cranbrook locations and a desire not to be hemmed in or overlooked by bricks and mortar housing”. At para. h, it is noted that “Good pedestrian access to facilities is especially important for the gypsy and traveller community.”

1.4 Our submission reflects particularly on Document 2, para. 4, which states:

“4.1 There are two policies in the Cranbrook Plan that make provision for gypsies and travellers;
. CB3 Treasbeare Expansion Area – which advises that there will be “5 serviced permanent pitches for gypsies and travellers on an area of at least 0.5 hectares”

And

. CB4 Cobdens Expansion Area – which advises that there will be “ 10 serviced permanent pitches for gypsies and travellers on an area of at least 1 hectare.”

4.2 ...

4.3 This provision of 15 pitches at Cranbrook will meet just over half of the identified need of 28 pitches and fulfil almost all of the immediate need for 16 pitches in East Devon. This allocation represents half of the ‘up to 30 pitches’ maximum set out in Strategy 12 of the East Devon Local Plan 2013-2031 and is considered to represent a suitable quantum of pitches when having regard to the resultant settled community in Cranbrook in line with Planning policy for traveller sites.”

1.5 We will return to the issues raised by these (and other) statements in our submission.

2. Proposed Site at Treasbeare

2.1 This site is identified as being in the south west corner of Site T. Document 2 (at p. 60) notes that it is “in close proximity to many of the existing facilities of Cranbrook and close to the town centre ... Proximity to planned and existing facilities plays to the favour of the site and helps account for positive scores against a number of SA objectives ...”. It is also noted that “There is possible potential however for negative effects, albeit with uncertainty noted, on landscape character – SA objective 9. The site falls in a local plan Green Wedge area and taller buildings on the site may be of some visual prominence. Though caravans, being significantly less high than two or three storey houses, would be much less prominent than ‘bricks and mortar’ housing. Planting and landscaping of the site could also provide mitigation from adverse impacts.”

2.2 In the context of Document 1, para. 6.93, the site is close to the proposed primary school and to the proposed employment space/low cost studio space, and within 0.5 km of the health and other community facilities in the existing town centre, as is shown in Fig. 1.4: Masterplan. It is therefore well within walking distance of all these facilities. It is a little more than 1 km from the railway station.

2.3 In relation to Document 2, key considerations, para. b notes that the use of such a site for this purpose “will typically be easier to screen behind vegetation ... and can frequently be demonstrated to have lesser landscape impacts.” The site would also accord with the wishes (para. g) of the gypsy and traveller community in that it is separated by a green wedge from bricks and mortar housing.

2.4 It is worth emphasizing those key considerations set out in Document 2 which are relevant to the issue. The passage at para. h in respect of pedestrian access to local facilities is noted in para. 1.3 of this paper. And at para. i, “In consultation that informed the Cranbrook Plan, gypsies and travellers overwhelmingly wanted permanent pitches from which to travel and which would enable children and the elderly to receive a full education and medical care. It is essential, therefore, that new sites are provided and that they are provided in locations which are not remote from or with poor or limited access to services.”

2.5 In essence, this site accords exceptionally well with the key considerations referred to in the preceding paragraphs, with the principle set out in Document 1, para. 6.93 and in particular with the statement that “Effects on many of the SA objectives will be more positive where pitches are well-connected and levels of car use can be lower.”

2.6 We support the proposal to provide a gypsy and traveller site at Treasbeare. Its characteristics are so encouragingly positive that the provision of all the 15 pitches which have been identified as being required in Cranbrook should be provided here by extending the site boundaries. This would still fall within the upper limit set in the SPD; as noted earlier, we do not agree with the logic of any moderation which has been applied by EDDC. If it were nonetheless concluded that the site is not suitable to accommodate all 15 pitches, we would argue that it should be extended to provide as many as sit well within a revised site boundary, with the remaining number of pitches required being located on a site similarly close to the readily available services and facilities within the existing town centre.

3. Proposed site at Cobdens

3.1 The proposed gypsy and traveller site forms part of Site K. Document 2 (at p. 51) notes “that a negative landscape impact is identified in respect of this site on account if (sic) its location on the easterly edge of Cranbrook ... A further concern in respect of this site is that it is comparatively remote from areas proposed for development, for example 2,400 metres from the town centre...” In such

circumstances, the provision of a site in this location would clearly run counter to the requirements of the gypsy and traveller community, as expressed in paras. h and i of the key considerations.

3.2 In the “Commentary on suitability to accommodate gypsies and travellers”, it is noted that “The site also benefits, for gypsy and traveller accommodation, in not having any immediate neighbouring residential properties”. We question this claim, in that Fig. 1.4: Masterplan shows a proposal for bricks and mortar housing immediately to the west of the site. Strangely, there is no adverse comment regarding the noise impact arising from the site’s proximity to London Road – counter-intuitively, it has a positive score in the relevant chart - although in the case of other sites within the Cranbrook development, e.g. Sites B1, G and Q, proximity to London Road is put forward as a reason for considering such sites to be unsuitable for this use.

3.3 The provisions of para. 6.93 in Document 1 and the key considerations noted in para. 2.4 of this paper appear to have been disregarded. The site is remote from the main health and other community facilities offered by the town centre. Para. 6.93 acknowledges in principle that “Effects on many of the SA objectives will be more positive where pitches are well-connected ...”, but in respect of a site in this location, those effects would be wholly negative. There is no footpath or street lighting along London Road. It is entirely unreasonable, therefore, to expect anyone who might live on the proposed Cobdens site to visit the town centre on foot, nor would any patient walk to the GP surgery there. The prospects for jobs, those sites identified for employment use being some 1.5 km further to the west of the town centre, are as remote as the employment sites themselves; no employee would walk such a distance to work. If they were to find employment in Exeter, they would not walk to the railway station, either to the existing one – that is also some 1.5 km to the west of the town centre - or to the potential second one, if that were ever to be provided. Until the proposed new primary school is built, children living on the site would have to travel some 3 km to the existing St Martin’s School.

3.4 No useful purpose will be achieved by repeating them, but it should be noted that we endorse the objections submitted by Alder King on behalf of their client, Mr Martin Horn.

3.5 Any comparison with the proposed site at Treasbeare is stark: that site has much to offer by way of proximity to services and facilities, whereas the site at Cobdens is at the opposite end of any scale of what is locally available to the gypsy and traveller community. In any event, in addition to the site at Treasbeare, there are other site options which have not been adequately assessed.

4. Other Site Options

4.1 We argue, concluding at para. 2.6 of this paper, that the site at Treasbeare has the potential to provide the 15 pitches identified as being required as part of the Cranbrook development. Setting that aside, there are a number of other plots of land which are regarded as suitable for use as a gypsy and traveller site; that is acknowledged within the published documentation. In the case of the larger sites, we cannot comment in greater detail, as the location of those plots is not more closely defined.

4.2 Sites identified in Document 2 as being both suitable and offering a better score against the SA Objectives than the proposed site at Cobdens are ten in number, i.e. Sites A1, B1, B3, C, E, L1, N, O, P and W – see appendix attached, including EDDC’s description of how each of the sites measures against the relevant criteria. (Some of the scores, particularly when compared with each other, seem to us perverse.) Given the positive nature of some of those descriptions, EDDC should, if an extension of Treasbeare to accommodate the 15 pitches is not agreed, re-examine these sites with a view to submitting a revised proposal for a second gypsy and traveller site, reflecting particularly on the need to locate any second site much closer to the services and facilities which are provided, rather than selecting a site which is as remote from the town centre as it is possible to be.

4.3 We had assumed that the landowners and developers of EDNCp were party to an equalization agreement, although the EDDC comments, to which we refer in the following two paragraphs, cast doubt on that. Whatever the case may be, it should not be critical to the issue we wish to address.

4.4 It is pertinent to note that, of the ten sites which better the SA Objectives score of the Cobdens site, seven, i.e. Sites C, E, L1, N, O, P and W, have been rejected, at least in part, on the grounds of site value. In the "Key considerations" section of Document 2, it is stated (at para. k) that "Gypsy and traveller sites generally have a lower commercial value when compared against values for open market housing and this can be expected to impact on a landowner's desire to bring sites forward for gypsy and traveller use. In simple and crude financial terms (at least for anyone wanting to maximise the amount of money they can make) owners may sit on land allocated for gypsy and traveller use (declining to accept a lower financial return) and not release it for site provision in the hope that in the longer term they will secure the much higher value available from open market bricks and mortar on the site..." This assertion is based on a false premise, as we explain in para. 4.6 of this paper.

4.5 At para. l, it is stated that "In simple terms the bigger the overall land interest of a landowner, the lower the percentage of overall development land required for gypsies and travellers. The consequences of this is a lower comparative percentage financial impact on total commercial values or returns. This principle helps to guide where new sites could best be accommodated and is a valid planning consideration that those producing the Cranbrook Plan may attach weight to ..."

4.6 We disagree. Neither the cost of land acquisition nor the size of land ownership is a valid planning consideration. We understand why the partners which make up EDNCp might approve - their motivation is driven by the bottom line and a wish to reduce the cost of the public realm - but we believe that EDDC has fundamentally misdirected itself. If the owner of a parcel of land suitable for gypsy and traveller site use is so minded, he/she may apply for planning permission, (the equivalent of a Section 17 Certificate of Appropriate Alternative Development, if EDDC had been the acquiring authority), which would require the local planning authority to specify what the use of the site might otherwise be. This would determine what value should be attached to the land in question.

5. Conclusions

5.1 The provision of sites for the gypsy and traveller community should be made following a proper analysis of the relevant selection criteria, and not on the basis of the inconvenient cost of land or the vagaries of land ownership. The site at Treasbeare meets the requirements set out in the Cranbrook Plan for gypsy and traveller use particularly well, and consideration should be given to accommodate on this site the 15 pitches identified as being required. If it is concluded that this would be an over-development of the site, it should be extended to accommodate an increased number of pitches, with EDDC being charged with the task of identifying another site - not that at Cobdens, which is too remote from town centre services and facilities - to accommodate the remaining number required. We note that ten of the areas within Cranbrook have an SA Objective score which is better than the score given to Cobdens and that of that number, seven have been rejected on the grounds of land value and/or land ownership, grounds which in planning terms we consider to be invalid.

5.2 We welcome the opportunity to discuss these matters at the re-convened Public Inquiry.

Aidan Doherty
Chairman, POWR

Helen Badley
Administrator, POWR

Adviser to POWR: Richard J Lander M.Phil., F.R.I.C.S. (ret'd)

Para. 4.2 Appendix

Table 10.1 – SA appraisal of alternative site development options

Categories: housing, community services, education and skills, health, crime, noise, leisure and recreation, historic environment, landscape character, amenity, biodiversity, sustainable transport, air soil and water, greenhouse gas emissions, flood risk, energy efficiency, waste, employment, town vitality and viability, inward investment

Sites whose SA Objectives score is better than Cobdens

	++	+	0	--	-- --
A1	6	4	5	4	1*
B1	6	4	5	4	1*
B3	6	4	6	4	
C	2	8	7	3	
E	2	5	10	3	
L1		8	11	1	
N		8	10	2	
O		8	11	1	
P		8	10	2	
W	2	5	10	3	
K (Cobdens)		8	9	3	
T (Treasbeare)		6	12	2	

* Note: Double minus score does not relate to gypsy and traveller site use.

Site A1: “The appraisal of Site A1 shows that it performs well in sustainability terms in respect of scope for accommodating a gypsy and traveller site. Because Site A1 is substantial in scale there are a range of plot options on which a gypsy and traveller site could be located ... Site A1 sits alongside the first phase of development at Cranbrook ensuring good access to existing services and facilities and being on the western edges of Cranbrook it is close to major employment sites ... Being a large site, proposed for comprehensive development, there should be scope to ensure good highway access to any gypsy and traveller site.”

Site B1: “... Because Site B1 is substantial in scale there are a range of plot options on which a gypsy and traveller site could sit or occupy. Site B1 is to the south of the first phase of development at Cranbrook ensuring reasonable access to existing services and facilities ... Being on the western edges of Cranbrook Site B1 is close to major employment sites ... Being a large site, proposed for

comprehensive development, there should be scope to ensure good highway access to any gypsy and traveller site, especially from a site closer to London Road.”

Site B3: “Site B3 shares many similar characteristics as the larger adjoining Site B1 when it comes to suitability for accommodating gypsies and travellers ... It should be noted ... that B3 is further away from the airport than most of B1 (and does not abut London Road) so it is less likely to be adversely affected by possible noise pollution, which is a particular benefit in respect of siting gypsy and traveller accommodation. Site B3 is also a more fringe location in respect of potential overall Cranbrook development and this could play in its favour. Direct road access to the site could be from the adjoining lane, which although it is a country lane is quite wide and as such would reasonably take larger vehicles without the need to drive through newly established residential estates.”

Site C: “Site C sits alongside Site A1 and as such would benefit from the proposed facilities that A1 would accommodate, though this is on the assumption that appropriate pedestrian links would be provided from this site to wider facilities. Site C is a small site and if developed to full capacity could potentially accommodate around 12 gypsy and traveller pitches ...”

Site E: “... The site could benefit from the proposed facilities that A1 would accommodate, though this would involve crossing Station Road. Site E benefits from being in a fringe location ...”

Site L1: “Having a boundary with London Road this site has the potential to accommodate a gypsy and traveller site with easy access to the road, which is important for gypsies and travellers. The site ... incorporates part of a neighbourhood centre which once provided would deliver good access to facilities and services ...”

Site N: “Site N has a boundary with London Road and on this account the site has the potential to accommodate good vehicle access potential which is to its advantage. The site ... is close to a neighbourhood centre which once provided would deliver good access to facilities and services. The site also has some Cranbrook fringe edges to it which is a positive in respect of potential suitability ...”

Site O: “Site O is not allocated for development in the plan ... To the site’s advantage, however, is that it does have a boundary to London Road and on this account the site has the potential to provide good vehicle access. The site also has some Cranbrook fringe edges to it which is a positive ...”

Site P: “Site P is not allocated for development in the plan ... To the site’s advantage, however, is that it does have a boundary to London Road and on this account the site has the potential to provide good vehicle access. The site also has some Cranbrook fringe edges to it which is an advantage ...”

Site W: “Site W falls on the western side of Station Road. The site could benefit from the proposed facilities that A1 would accommodate, though this would involve crossing Station Road. Site W benefits from being in a fringe location and road access potential, directly from Station Road, would appear to be good ...”