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23 April 2009
E/V/7069/4

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Dear Ms Darke,

PLANNING CONSULTATION 09/00280/COU

I refer to your letter dated 15th April 2009 concerning the planning application for: Change of use from keeping of horses to keeping of horses and residential caravan site for ten Gypsy Families with two caravans and amenity block, including access improvement, access road and laying of hardstanding on land to the north of Bagworth Road, Nailstone, Leicestershire.

I visited the site on 16th April 2009 and spoke to several Families and today met with Mr Philip Brown, their Planning Consultant, all of whom gave me permission to provide the following information:

- The families that will live on this site fall under the definition of a Gypsy for the purposes of the planning circular 01/2006.

- The site would accommodate the applicants and their families as follows:-

    1. Margaret Connors – A 74 year old lady with mobility problems who has previously had a hip replacement operation that had not worked, she is diabetic and suffers from both high cholesterol and high blood pressure. Also resident on the plot is her 47 year old son, William, discharged from hospital on 16/04/09, who suffers from chronic liver disease, kidney disease and has heart problems. The Family were previously sited on an unauthorised encampment at Battram Turn, Ellistown and have been accepted as Homeless by NWLDC for over five years.

    2. Patrick and Mary Reilly - Both 76 years of age, the husband suffers with his nerves and the wife has a hereditary heart condition and angina. Also on the plot is Anne Marie Price, niece of Patrick and Mary, eight months pregnant and in general poor health with her15 month old son Fagin.

3. Frank and Patricia O'Connor – Have travelled throughout the County, for over ten years, returning whenever permission was granted to different plots on Costalot. They have four children, John William (10), Grace Mary (11), Renee (7) all of whom attend Nailstone Primary School and Douglas (3) who attends Noah's Ark Nursery in Coalville and has a place booked at Nailstone. This will be the first site they have ever owned.

4. Samson Lee – Together with his wife and two adult children, the family are all in general good health but Mr Lee is a diabetic. This family have previously lived on Meynells Gorse, Leicester City Councils permanent residential site but were only allowed two caravans and needed three. Mr & Mrs Lee also have three married daughters.

5. No details have been provided.

6. Margaret Connors – A 75 year old lady with kidney problems and general poor health. Margaret Connors was living in London but has family on Costalot who have purchased the plot for her to enable them to care for her; she is cared for by her son and daughter.

7. Patrick Connors – Currently living on his parents plot on Costalot but now requires a home of his own. Grandson of Margaret Connors (Plot 1) and nephew of Frank O'Connor (Plot 3).

8. Levi & Marie Sykes. Marie is pregnant but both are in general good health. Also on the plot is Matt Morrison who is getting married to Ella Marie Price. Both Levi Sykes and Matt Morison are from local families and are coming from parental plots because of their marital status.

9. No details have been provided.

10. These details were provided at the time of the visit but no Family name was obtained. Parents with two adult female children (one adopted with cerebral palsy and the other a single mother with a young male child with bad asthma) and two adult male children and two younger male children (aged 10 and 12 who attend Dove Bank Primary School).

The site would accommodate Travelling families in need of a place to live, some of them are from unauthorised roadside encampments, some are a result of overcrowding, but all are in desperate need of accommodation and if the application were not successful would have no where to legally park their caravans.

Site provision will significantly improve the access to services such as health and education for these families and will provide a more stable environment for their children's development.

I would also point out that the Aston Firs Caravan Site, which is owned and managed by the County Council and provides accommodation for Gypsies and Travellers, is currently full with an extensive waiting list, also there are a number of families living on site that have grown up children who would like to start there own families with no where to move to.

My general observations are as follows:

The Housing Act requires Local Authorities to take account of the accommodation needs of Gypsies and Travellers and to create strategies for meeting those needs in the same way as they do for the settled community. The Leicestershire, Leicester & Rutland Gypsies' and Travellers' Accommodation Needs Assessment was published in April 2007 and the recommendations for Site provision within the Hinckley and Bosworth Borough area are to provide 26 additional 'pitches' before 2011 and a further 16 before 2016 the definition of a pitch being:

- Area of land on a Gypsy and Traveller caravan site developed for a single family.

It also defines that the average number of caravans per family is 1.9 and identified that families would like to have more space if they could, large families may have 3 or 4 caravans, many are overcrowded and families have a need to separate boys & girls sleeping arrangements. This site would contribute 10 pitches towards that need.

These figures are an estimate of need where it arises and not necessarily of need where it should be met, but consideration should be given to suitability of locations and an element of choice for the families seeking accommodation.

In the Black and Minority Ethnic Communities Housing in the East Midlands: A Strategy for the Region', recommendation 8 states that "It is imperative that local authorities make immediate progress in site identification to meet the needs of Gypsies and Travellers rather than relying on the development of policies through the local development framework."

The Good Practice Guide entitled "Managing Unauthorised Camping", issued jointly by the Home Office and DETR, advised local authorities to build planning aspects into their overall Traveller strategy and avoid setting criteria that, in practice, might prove too difficult to meet. The Housing Research concluded that site provision is an essential corollary to tackling unauthorised encampments.

Guidance on homelessness from the DETR advises that homeless Travellers should be treated equally with homeless members of the settled population, without removing their freedom to live outside conventional housing if they should so wish. It reminds local authorities that they have statutory duties to travelling people under homelessness and other legislation.

As you are aware the Office of the Deputy Prime Minister launched Guidance, Circular 01/2006 - Planning for Gypsy and Traveller Sites, which replaces Circular 1/94, which did not result in the provision of adequate sites for Gypsies and Travellers.

Its main intentions are:

- To increase significantly the number of Gypsy and Traveller sites with planning permission in order to address under-provision;
- To recognise, protect and facilitate the traditional lifestyle of Gypsies and Travellers;
- To identify and make provision for the resultant land and accommodation requirements;
- To help or avoid Gypsies and Travellers becoming unintentionally homeless;
- To reflect the status of Gypsy and Traveller accommodation as a part of wider housing provision;
- To create and support sustainable, integrated communities where Gypsies and Travellers have equality of access to suitable accommodation, education, health and welfare provision, and where there is mutual respect between all communities for the rights and responsibilities of each community and individual;
- To promote more private Gypsy and Traveller site provision in appropriate locations through the planning system, while recognising that there will always be those who cannot provide their own sites;

- To underline the importance of assessing needs at regional and sub-regional level and for local authorities to develop strategies to ensure that needs are dealt with fairly and effectively;

- To ensure that DPDs include fair, realistic and inclusive policies to ensure identified need is dealt with fairly and effectively; and

- To reduce the number of un-authorised encampments and developments and the conflict and controversy they cause and to make enforcement more effective where local authorities have complied with the guidance in this circular.

The recent independent report of the Task Group on Site Provision and Enforcement for Gypsies and Travellers 'The Road Ahead' published by the Department for Communities and Local Government in December 2007 recommends

'Communities and Local Government should monitor the pace of delivery by local planning authorities. The Secretary of State should be prepared to direct local authorities which are not making adequate progress to prepare Gypsy and Traveller DPD's.

The report also recommends a mixture of private rented sites such as the one proposed alongside local authority/registered social landlord run sites and the GTAA recommends that, in Leicestershire as a whole, around 75% of the identified need should be met by Gypsies and Travellers developing there own sites.

I trust that the above will be of assistance to you in determining the application.

Yours sincerely

Jacqui Green
Assistant Travellers Sites and Liaison Officer

C.C Mr Philip Brown