

**MINUTES OF THE WILLAND PARISH COUNCIL  
PLANNING, LIGHTING AND TRANSPORTATION COMMITTEE  
MEETING HELD ON THURSDAY 5<sup>th</sup> MARCH 2009 AT 19.30  
AT WILLAND VILLAGE HALL.**

**Present: Cllr E Dennis, Cllr N Crick, Cllr G Davis, Cllr R Phare, Cllr T Mander, Cllr A Warne, Cllr S Eschele, Cllr R Ursell, Cllr R Perrett**

**In attendance: Mrs P Harrogate (Parish Clerk) District Cllr R Chesterton, Glenn Crocker (MDDC enforcement officer) 34 members of public**

**1. Apologies**

None

**2. Glenn Crocker – MDDC**

Cllr Dennis introduced Glenn Crocker from MDDC who is both a planning enforcement officer and the district councils gypsy and traveller liaison officer. He invited questions from the floor:

**Q) How many sites in Mid Devon and are they all full?**

A) 22 private authorised sites owned by gypsies but not governed by MDDC – Glenn is unsure whether they are full as the district council have no control over them.

**Q) Who pays for the site to be prepared initially?**

A) The applicant will pay all costs for the site, MDDC will not incur costs.

**Q) Are there Government grants available for land owners who develop these sites for gypsies and travellers?**

A) £97 million was available last year £32 million is available this year with £14 million of this allocated to the south west, however this money is to encourage local authority's to provide public sites, some local authority's have created new sites and refurbished existing public sites. Glenn's understanding is that the money is as an incentive for local authorities only not for private individuals.

**Q) Is there a need for a gypsy site here?**

A) The February 2006 circular says there is a known need, an accommodation assessment was done in 2006 by Plymouth university which covered the whole of Devon and Mid Devon were identified to need 14 permanent and 5 transient sites. The Regional Spatial Strategy – MDDC are governed by this the RSS say there is this need which takes us up to 2026 as does the current LDF

In 2008 it was thought there were sufficient until 2011 (14 pitches)

MDDC are also talking to private site owners about extending their sites.

After 2011 MDDC are talking about 1-2 pitches per year to meet criteria.

Each year there are a couple of windfall sites that come up.

**Q) Given the above is putting 15 extra pitches overkill?**

A) MDDC do not resist any other person that wishes to develop land in any way a local developer would not be asked to prove the need so why should we restrict gypsy sites?

**Q) Who will manage this site?**

This is up to the owner and will be nothing to do with MDDC this is the same as having a RSL (Registered Social Landlord) to manage social housing.

**Q) What is to stop more than 15 pitches been put there.**

A) The circular identifies that the maximum amount of pitches on a site is 15 – a pitch is 2 caravans, 1 mobile, 1 touring, an amenity building and space for 2 cars per pitch. The site is .98 hectares. If the application was granted, and more than 15 pitches were added then it would be an enforcement issue for MDDC.

**Q) What is the situation with regards to rubbish disposal etc, will they be expected to pay council tax?**

A) Each pitch would pay council tax and all necessary bills, there is a site guidance of how the site should be managed.

**Q) There are 22 acres in the LDF what is the necessity to set a precedent to set aside so much land for so little requirement?**

A) The applicant can put in an application for as much land as he wishes.

The travelling community themselves do not want to have large sites the maximum MDDC will allow is the 15 pitches – if the application was for more this would be rejected.

**Q) Most sites are well managed and in good condition gypsies had rights to develop sites where other people could not – has this now changed – what is the definition of a travellers?**

A) The planning definition = persons of a nomadic way of life of any race or nationality who has ceased to travel permanently or temporarily - not including show people.

There are 3 different types of gypsy and traveller: English Romany Gypsy families, Irish travellers, new travellers who used to be known as new age travellers.

There is an ethnic culture of a traveller – In MDDC case, they the travellers must provide at least 10 years proof of a nomadic way of life – if there is an appeal they must prove this to the inspector. This has not been tested by anyone to date.

**Q) There are 15 pitches – if someone moves how do you prove that the next resident has been nomadic for 10 years?**

A) These conditions will be attached to the application if it is approved.

**Q) Who decides who will reside on the site?**

A) The owner of the land will decide MDDC do not have any jurisdiction over the site. Under the planning circular the site has to be sustainable, have good access, be on a good travel route. If the site is in a suitable area then there is not a sound planning reason to reject it - is it inside the settlement area, No.

**Q) What is the procedure if the questions in the application are answered wrongly ?**

A) This should be reported to MDDC stating details, if it is found to be wrong then MDDC have recourse to deal with the application. It could invalidate the application.

**Q) Ivy has had a site on Uffculme straight for 20 years and wanted to get extra pitches but these were not allowed ?– No travellers that she has spoken to have asked for the new site.**

**How does Ivy get the site on the LDF?**

A) It will not be possible to be part of the LDF now, but a planning application can be submitted. at any time..

**Q) Access was mentioned earlier – is it considered as good**

A) Glenn is not responsible for this application so is unable to comment

**Cllr Dennis reported that the Highways department at DCC perceive the entrance to be reasonable**

**Q) It was mentioned that the site should be close to amenities – but there are not no adequate footpaths to either Cullompton or Willand. The turning may be an issue with larger vehicles.**

**Q) Where is the intended entrance?**

A) It is from the lane.

**Q) How do the council progress objections and issues raised, given there is very poor visibility at the crossing point.**

A) Planning officers will visit the site and will look at all objections if they have planning reasons attached to them and they will talk to highways, the environment agency and SWW.

**Q) As the gypsy liaison officer – have you had any feedback ?**

A) A travellers forum is held every 6 months and Glenn will take the outcome to planning officer.

**Q) If the mood of the forthcoming meeting is against the site will this be a consideration. If local community and gypsy and travellers do not want the site would this be enough for the application to be refused?**

A) Decisions will be made on sound planning reasons only.

**Cllr Ray Radford has called in the application so this application will go to planning committee. 7 elected members may seek a site visit as a working group Cllr Chesterton would ask to substitute another member in order to attend.**

**The environment agency will be consulted about the application particularly regarding the flood plain.**

**Q) This site is not in close proximity to local services**

A) Reasonable access is the term that is used – in planning terms they have to remove the car for the sustainability argument – it has a good transport link – regular buses to Cullompton and Willand.

**Q) If this application were for affordable housing on an exception site – we would get S106 money will we get this from this application**

A) Glenn will have to speak to the planning officer, Gypsy / Travellers identified as a need so this may be considered as affordable housing so there may be a possibility of claiming. However this would go to the parish which is Halberton,

**Q) Willand Primary school and pre school would have to take children but the funding will go to Halberton as it is in their parish**

A) This is a DCC issue.

**Q) Are the school being consulted?**

A) The Education Dept at DCC will be consulted, but not the schools.

**Q) is the LDF the document now used for planning guidance**

A) The planning inspector policy 88 was adopted before the circular came out therefore the circular supercedes the previous policy.

**Q) Access – if this is so poor into the site is there anything that DCC could do to ensure that the developer addresses the issues?**

A) Yes, DCC can put conditions on the site this may mean altering the entrance, widening the road etc, this would be down to the applicant.

**Q) Sewage at the site – guidance figures used are for camping as opposed to domestic premises these buildings will be erected as permanent sites – this will be a large amount of sewage.**

**There is mention of a septic tank this would not cope with the volume.**

A) This is a valid planning point and must be raised with MDDC

**Q) Could the applicant open up a touring park if the application was granted?**

A) No

**Q) Is the site for local people ?**

A) You do not have to have roots within the area to settle here but you would need to meet the Traveller criteria.

**Q) If the site goes ahead and pitches have not been allocated is there anything to stop people coming in to take over pitches.**

A) If the owner agreed that would be fine.

**Q) Could the owner discriminate between who resides on the site**

A) Yes, they can refuse people as it is privately owned.

### **3. Applications**

#### **a. 09/00043/FULL**

**Change of use from agricultural land to 15 permanent pitches for occupation by gypsies and travellers construction of 15 amenity buildings.**

**Land at Merrimead Farm, Five Bridges, Cullompton, EX15 1QP**

**Given the observations listed below, Willand Parish Council cannot support this application.**

Given the existing sites in Mid Devon is there a proven need for the site?

There has been no consultation with local schools – the estimated residents would create a need for at least half a new class, which is not available given the already bursting school population at Willand Primary School and like wise at the over subscribed Pre School at Willand.

If Section 106 monies were a condition we are concerned as to how it would be allocated. Would it go to Halberton Parish, or be allocated to the schools taking on the addition children.

The site is a prime agriculture site set on elevated open countryside it will have a harmful impact on the wider landscape. – associated street lighting and vehicle lights may disorientate drivers using the B3181 driving out of Willand toward Cullompton.

Highways issues - there have been 2 fatalities in recent years as well as numerous other accidents. This is a black spot. The existing footpath network on the B3181 is inadequate in both directions. The “C” Road entrance is not wide enough to accommodate the associated larger type vehicles as generally used by Travellers. Given the larger type vehicles and the narrow lanes, as well as the steep gradient at the site entrance we have serious misgivings about the use by the travellers and the associated vehicles along the road network to Ash Thomas on to Tiverton and beyond, is totally unsuitable.

There would be problems with additional traffic leaving the B3181 into the “C” road and visa versa so adding to congestion on this serious Black Spot location.. Major day to day general house keeping concerns exist as to how the site can be effectively managed.

Is this an exception site? They are as I see it developing land in the open countryside outside the settlement area of the three closest towns and villages.. Government Guidance suggests smaller sites of 6 pitches or less, so why are 15 being considered.

There is already a local site available that could be extended to enable targets to be met.

If this site were housing affordable homes then the Parish Council would want the road inside the site to be adopted and maintained by DCC highways department, public spaces adopted and maintained by MDDC and drainage would be looked after by SWW. With this site we do not have any of these protections. Therefore it will be like having 15 dwellings on a private site with no guaranteed management. Is there a business plan in place so as to ensure that the site will be properly managed at all times.

Sewage on the site, there is talk of a septic tank, but that is all, so how is this issue being addressed.

As a Parish we are seriously concerned that as the Local Planning Authority MDDC does not have in place the necessary Gypsy / Traveller policies to ensure that such sites are maintained in accordance with Central Government Guidance We are further aware that if the application were to end up in front of an Appeal Inspector, without the local authorities real meaningful Gypsy Policies in place, as local councils and the wider community we would we suggest be left high and dry with no real support... .

Meeting closed 21.15