

Your ref:  
Our ref: RB/1072

29/07/2013

Mr D Barber  
Development Policy Manager  
Development Services  
Warwick District Council  
Riverside House  
Milverton Hill  
Leamington Spa  
CV32 5HQ

Dear Mr Barber

**SITES FOR GYPSIES AND TRAVELLERS: REPRESENTATIONS ON BEHALF OF BARWOOD STRATEGIC LAND**

HOW Planning is instructed by Barwood Strategic Land II Limited to submit representations in relation to the above document, which identifies areas potentially capable of accommodating the needs of the Gypsy and Traveller Community and Travelling Show People.

The representation is divided into two distinct elements. The first considers general principles, whilst the second makes specific comments on individual sites.

**General Principles**

In accordance with the NPPF it is acknowledged that local authorities have a duty to ensure sufficient land is identified to meet the accommodation needs of the of the population within their area.

The Council identifies historic requirements set out in the '*Gypsy and Travellers Accommodation Assessment for the South housing Market Area of the West midlands*' (2008) which identified a requirement for 11 permanent and 15 transit pitches; and the RSS which estimated a need for 23 permanent pitches in the District.

The Council commissioned a new *Gypsy and Traveller Accommodation Assessment* (GTAA) for the Council in 2012. This identifies a need for 31 permanent pitches to be provided over the life of the Local Plan (15 years), 25 within the first five years and a further 6-8 transit pitches over the Plan period. A five plot site already exists in Warwick District for Travelling Show People and no additional need is identified through the GTAA.

The Council is therefore currently endeavouring to establish potential locations capable of meeting the needs identified above. It initially investigated the potential of land within its ownership however no suitable sites were found.

There are parallels with the principles of finding sites for residential development, certainly in the context of suitability, availability, achievability and viability of the sites.

+ + + + + + + + + +

Planning and Environmental Advisers

**Partners:**  
Gary Halman BSc FRICS MRTPI  
Richard Woodford BA (Hons) BSc BTP MRICS MRTPI  
Jon Suckley MTCP (Hons) MRTPI  
Fiona Woodford  
Julie Halman

**Associates:**  
Carol Clarke BA (Hons) MTP MRTPI  
Richard Barton BSc (Hons) MA MRTPI

**HOW Planning LLP**  
Registered Office: 40 Peter Street, Manchester M2 5GP  
Registered in England and Wales Registered Number: OC318465  
HOW Planning LLP is a Limited Liability Partnership  
Any reference to Partner means a member of HOW Planning LLP

The sensitivity of this type of accommodation however is much greater and as the use does not generate any significant value, there is less scope in sensitive locations to accommodate development, where other higher value uses could be better integrated for example through landscaping and extensive open space.

It is clear that the Council has struggled to generate any significant interest from landowners to have land brought forward for this form of development; a 'call for sites' exercise in January 2013 led to only two sites being submitted for consideration. In order to try and identify further sites, the Council has approached further landowners with a view to promoting their sites; however the responses would appear to have been overwhelmingly negative.

The Council has therefore suggested that it may need to use its powers of compulsory purchase if pitch numbers cannot be met.

To justify a Compulsory Purchase Order (CPO) the Council would have to show there was an overwhelming need that could override a landowner's private law interests so firstly there must be a justified need which cannot be met elsewhere. In this instance the Council has not been successful in engaging other local authorities to produce a joint GTAA to explore the availability of wider land and therefore has had to simply try and identify land within its own boundaries to serve its own need. This failure alone would seriously undermine the prospects of successfully pursuing a CPO. Furthermore the costs associated with this approach are likely to be prohibitive and the financial risk to the Council significant.

It is considered therefore that the principle of including land in this consultation paper which belongs to landowners unwilling to engage is a flawed and ultimately fruitless task. If only two of the twenty suggested sites have actually been promoted by the owners, then this wider consultation is largely worthless.

It is recommended therefore, given the Green Belt and other historic setting and landscape restrictions in the District, that the Council would have reasonable grounds to look elsewhere for assistance to meet the need. It would be better to focus efforts on having a joint GTAA prepared, rather than persisting with this current study.

### **Site Specifics**

Should for whatever reason the Council choose to persist with the current process, then Barwood wishes to object in the strongest terms to the potential allocation of sites GT6, GT9 and GT15 on the basis that they are located in sensitive settings which are prominent locations on the approach to Warwick. Specifically, the area is highly sensitive in terms of the setting of the Grade I Listed Park and Conservation Area.

Barwood also wishes to object in the same terms to site GT05, due to its proximity to the historic town of Bishops Tachbrook and the prominence of the southern part of the site in particular when viewed from the M40.

It is envisaged the 31 pitches could be accommodated on a single site in a less sensitive location than the four identified above.

## **Summary**

It light of the failure to prepare a joint study with neighbouring authorities, and the clear shortage of land available for this use, the Council should abandon the current consultation process in favour of wider collaboration, which would follow the joint Strategic Housing Market Assessment approach. The ability of the Council to succeed using CPO powers is limited.

Should the Council proceed, then the sites in the least sensitive locations, and certainly not those which are essentially gateway sites should be considered.

Finally please confirm safe receipt of this representation.

Yours sincerely



**RICHARD BARTON**  
**ASSOCIATE**

**Direct Line: 0161 831 5876**

**Email: [richard.barton@howplanning.com](mailto:richard.barton@howplanning.com)**