

Parkview House
Upper Tring Park
Wigginton
Tring
Herts
HP23 6FB

To Members of Cabinet
Dacorum Borough Council
The Civic Centre
Hemel Hempstead

13 December 2015

Dear Members

**Cabinet Meeting 15 December 2015, Allocation LA5,(Proposed Travellers site)
Land at Tring**

I have been approached by local councillors, to give my view on the officer's report on this item. This I think is because those councillors know that I am a planning barrister. That said I am also a local resident and it is in that capacity primarily, that I write. I have taken the courtesy of copying my letter to the officer servicing the Cabinet. I hope that you will find my views of assistance.

Planning policy for traveller site August 2015

This policy advises that local authorities should set pitch targets.

It advises amongst other things that authorities should consider the production of joint development plans and that this provides a more flexible approach, "particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries)" - paragraph 10 c. *I can see nothing in the officer's report that informs me whether in attempting to meet any "need", any approach has been made to neighbouring local planning authorities.*

At paragraph 13 it is advised that "Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally" Various criteria are recited amongst which is the promotion of "peaceful and integrated co-existence between the site and the local community". *It should be noted that this does not necessitate the placing of pitches within housing locations. There is nothing in the advice which so suggests.*

Policy E gives advice on Traveller sites in Green Belt. It advises that inappropriate development is harmful to the Green Belt and should not be approved "except in very special circumstances" It also advises that Green Belt boundaries should be altered only in exceptional circumstances. It does not advise as to what constitutes very special or exceptional circumstances.

In general terms the advice looks for sustainable locations. There is nothing which precludes a search for instance on the edge of an employment area. Employment areas can commonly be found within and very often on the edges of settlements.

There is no doubt that any development in this location is inappropriate and that very special circumstances are necessary, As mentioned *whether a trawl of other non Green Belt sites, which reveals no sites, amounts to very special circumstances is not defined.* As mentioned, It should of course be borne in mind that the government advises local planning authorities to cooperate in jointly finding sites. Of relevance also is the fact that the Tring Cemetery site is near to the boundaries of the Chilterns Area of Outstanding Natural Beauty.

The Housing and Planning Bill

The officers correctly refer to this bill. This does indeed advise that regarding need, the overall assessment should be made objectively . The officers are correct in advising “ *This change in approach has yet to come into effect and its implications will need to be considered once the details are known*” (see page 130 of the report, paragraph 21). This matter has attracted much national planning commentary. It may be that there will be Central Government Advice forthcoming, It does however look as if the Housing and Planning Bill is likely to become law in the very near future.

The Way Forward

Given the understandable objections which have been made to a traveller's site in this location and the effect that it may have upon the implementation of the wider housing need case for the location, *it would seem wise to at least defer a decision on the designation of LA5 until The Housing and Planning Bill have become law.* I suggest to you that were you to seek the view of Planning Counsel, asking whether it was reasonable in all the circumstances to defer a decision until the new legislation has been enacted, you would be advised that this would be an eminently reasonable thing to do.

If I may say so, it would seem premature under these circumstances to designate this site as a Traveller's site.

May I thank you for your kind attention in this matter.

Yours sincerely



Trevor R. Standen