



Mr. Chris Banks
Programme Officer
Banks Solutions
64 Lavinia Way
East Preston
Littlehampton
BN16 1EF

14 March 2019

Dear Mr. Banks,

Examination into Lewes District Local Plan Part 2 Site Allocations and Development Management Policies – Inspector’s Matters, Issues, and Questions Discussion Note

Please find below the Plumpton Parish Council responses to the Inspector’s Matters, Issues, and Questions Discussion Note. This statement relates to Policy GT01 which makes provision for 5 net additional permanent Gypsy and Traveller pitches on land south of The Plough.

We have responded to item 3.7 of the Matters and Issues document and the four statements are our response to the four sub-points 3.7 (i) to (iv). Our responses to points (i) and (iii) are under column headings which refer to the relevant planning document, our issue with conformity to that document and the supporting evidence.

Summary on our responses

3.7 (i) We argue that the site is not suitable, available or achievable. Key concerns are unmet requirements of PPTS2 (and underlying NPPF) on suitability especially access to services, road and pedestrian access, flood risk, and economic achievability.

3.7 (iii) The policy does not respect the core spatial plan for the parish as set out in the adopted Plumpton Parish Neighbourhood Plan. The site is out of keeping with the rural nature of that area; It also fails to meet the overarching objective of the PPTS, as well as many related PPTS policy guidelines, and therefore fails to meet tests on equality, inclusion and cohesiveness.

Yours Sincerely

Nick Beaumont
Plumpton Parish Council



Statement in response to Matters and Issues document ID/2 – Gypsies and Travellers 3.7 (i)

Ref 3.7 (i)	CP3 content	Conformity	Evidence
A.1	CP3 Policy	<p>The site is not deliverable (i.e. suitable, available and achievable); it may not even be developable.</p> <p>Key concerns are:</p> <ul style="list-style-type: none"> • Unmet requirements of PPTS2 (and underlying NPPF) on suitability (especially access to services, road and pedestrian access, flooding) • economic achievability 	<p>Ref: <u>A.3</u> p3.</p> <p><u>C.5</u> – <u>C.17</u> inclusive pp7-12</p>
A.2	CP3 criteria 1:	<p>PPG flood risk and coastal change paragraph 2 states “<i>For the purposes of applying the National Planning Policy Framework, “flood risk” is a combination of the probability and the potential consequences of flooding from all sources – including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources.</i>”</p> <p>[A]</p> <p>When applying this definition, the long term flood risk assessment for locations in England classifies the site as between at 1 in 30 and 1 in 100 year risk of surface water flooding [C] – equivalent to flood zone 3A in paragraph 65 of published planning guidance for flood risk and coastal change. [A]</p> <p>Paragraph 66 of published planning guidance for flood risk and coastal change states in Table 2: Flood risk vulnerability classification that Caravans, mobile homes and park homes intended for permanent residential use are “<i>highly vulnerable</i>”. [A]</p>	<p>[A] Guidance Flood risk and coastal change https://www.gov.uk/guidance/flood-risk-and-coastal-change</p> <p>[B] Flood map for planning https://flood-map-for-planning.service.gov.uk/</p> <p>[C] Long term flood risk assessment for locations in England https://flood-warning-information.service.gov.uk/long-term-flood-risk</p>



	<p>Paragraph 67 of published planning guidance for flood risk and coastal change Planning guidance Table 3: Flood risk vulnerability and flood zone ‘compatibility’ clearly states that ‘<i>development should not be permitted</i>’ for ‘<i>highly vulnerable</i>’ classes in Zone 3a [A]. For ‘highly vulnerable’ classes in Zone2, the Exception Test is required. [A]</p> <p>Notes to table 3 state</p> <ul style="list-style-type: none"> • “This table does not show the application of the <u>Sequential Test</u> which should be applied first to guide development to Flood Zone 1, then Zone 2, and then Zone 3; nor does it reflect the need to avoid flood risk from sources other than rivers and the sea; • The <u>Sequential and Exception Tests</u> do not need to be applied to <u>minor developments</u> and changes of use, except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site; <p>Some developments may contain different elements of vulnerability and the highest vulnerability category should be used, unless the development is considered in its component parts.” [A]</p> <p>CD0048 identifies the risk of surface water flooding to the south of the site, but incorrectly states that risk is low [D]</p>	<p>[D] <u>CD0048 Gypsy and Traveller Background Paper</u></p>
<p>A.3</p> <p>CP3 criteria 2:</p>	<p>Despite the assurances in CD0048 that sufficient access exists, the site does not appear to be well related to, nor has reasonable access to settlements. This is regarded as particularly critical given the well documented disadvantages the intended users face in terms of health experiences, economic inactivity and parenting issues [A].</p> <p>GT01 is in a hamlet, approximately 650m from the planning boundary of the service village of Plumpton Green.</p> <p>Using LDC sources [B] appendix A states, the site is:</p> <ul style="list-style-type: none"> • 1.49km from the small village shop/post office, but with no footpath access for a significant element of the route (600m+), and no identification that one is required • The nearest branches of major supermarkets such as Tesco and Aldi are in Lewes, a journey of around 30 minutes using the 166 bus route with its seriously restricted timetable of 5 services per day, operating on schooldays only 	<p>[A] House of Commons Briefing Paper Number 08083 dated 8th May 2018, headed “Gypsies and Travellers”</p> <p>[B] <u>CD0048 Gypsy and Traveller Background Paper</u></p> <p>[C] Lewes District Council and the South Downs National Park Authority Gypsy and Traveller Site</p>



	<ul style="list-style-type: none"> • 1.75km from the primary school, again with no footpath access for much of the route(600m+) • 150m to the bus stop to the north, but with the recommendation of a footpath and reduction in speed limit • 1.89km to the train station, again with no footpath access for much of the route (600m+) • 2.5km from the South Chailey secondary school and doctors surgery, with no viable pedestrian or public transport route • The nearest hospital offering antenatal care is on the outskirts of Lewes, again necessitating a 30 minute journey on the 166 bus • Welfare facilities are not available in Plumpton Green. • There are no significant, employment opportunities in Plumpton Green or Plumpton. <p>The bus service (which cannot be guaranteed under funding cuts) is regarded by ESCC as “very limited; less frequent than 1 bus per hour”. [B]. In practice, the bus service is restricted to route 166, offering just 5 services on schooldays only, from 07:58 to 17:32 northbound, and 09:06 to 18:14 southbound.</p> <p>The above is reflected in the original LDC assessment of this site, which concluded “The site is also considered isolated in terms of access to facilities.” [C]</p>	<p>Assessment Addendum December 2012</p>
<p>A.4</p>	<p>CP3 criteria 4:</p> <p>The original assessment of the site [A] concluded “<i>The main constraint to development of this site is the lack of suitable access as the required visibility splays are not considered achievable</i>”.</p> <p>CD048 appendix C appears to still contain concerns on this point, but concludes “<i>Sightlines should be achievable over land either in the applicant’s control or over land that is highway.</i>” It is noted that achievability is not confirmed.</p>	<p>[A] CD048 Gypsy and Traveller Background Paper</p>



Statement in response to Matters and Issues document ID/2 – Gypsies and Travellers 3.7 (ii)

LDC have not considered alternative sites as part of the preparation of the Plan. Apart from a call for sites, there is no evidence to suggest LDC has followed a proactive strategy recently for LPP2; the GT01 site has been included as the only available site.

Statement in response to Matters and Issues document ID/2 – Gypsies and Travellers 3.7 (iii)

Ref 3.7 (iii)	PNP / PPTS reference	Conformity	Evidence
C.1	<p>PNP Policy 1 alignment:</p>	<p>The site does not respect the spatial plan for the village as set out in paragraphs 5.8 – 5.13 inclusive (including map c), and fails to provide a cohesive or inclusive location for residents. [A]</p> <p>Key to this is the objective in the PNP paragraph 5.10 to “<i>preserve the rural character of the village by ensuring new development is contained around and within the current centre of Plumpton Green</i>”. As is clear from the LDC policy submission map, the proposed site is completely unrelated to the spatial plan. [B]</p> <p>Whilst the PNP acknowledges that the policy was subject to Local Plan Part 2, it was never discussed with LDC nor envisaged that Local Plan Part 2 would fundamentally ignore the core principle of the PNP by proposing additional development in an area (O3PL) that LDC had designated under SHELAA as ‘<i>filtered – fails proximity assessment</i>’ [C].</p> <p>Further, the site did not appear to be viable under PPTS Policy H, especially paragraph 25 which states “<i>Local planning authorities should very strictly limit</i></p>	<p>[A] CD042 Plumpton Neighbourhood Plan</p> <p>[B] CD002 Submission Policies Map 2 Inset 08 Plumpton</p> <p>[C] CD056 SHELAA 2018 Map 6 Plumpton Green and South Chailey</p> <p>[D] PPTS</p> <p>[E] NPPF 2012 archived https://webarchive.nationalarchives.gov.uk/20180608095821</p> <p>[F] NPPF 2019 https://www.gov.uk/government/publications/national-planning-policy-framework--2</p>



		<p><i>new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan.” [D].</i></p> <p>LDC suggests in its Gypsy and Traveller Background Paper paragraph 5.3 that the site <i>“had not been considered as a potential development site for allocation in the PNP, nor has it been designated as a Local Green Space by it.”</i> This statement is incorrect on both points, as the site was considered but not included in the PNP both on SHELAA classification and failure to meet the objectives of PNP Policy 1 [A].</p> <p>The site did not qualify for LGS classification under prevailing NPPF guidelines, as set out in paragraph 77 of the 2012 NPPF [E], and retained as paragraph 100 on the current version [F]:</p> <p><i>“The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:</i></p> <ul style="list-style-type: none"> <i>a) in reasonably close proximity to the community it serves;</i> <i>b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</i> <i>c) local in character and is not an extensive tract of land.</i> 	
C.2	PNP Policy 2 New-build environment and design	<p>PNP policy 2 states:</p> <p><i>“New development should reflect the scale, density, massing, landscape design and material of surrounding buildings, having regard to the Plumpton Design Statement.” [A]</i></p> <p>Five permanent dwellings in the form of static caravans [B], together with five mobile caravans (as stated at the meeting with LDC of 09/10/18), are entirely out of keeping with the rural hamlet nature of the site.</p>	<p>[A] CD042 Plumpton Neighbourhood Plan</p> <p>[B] CD048 Gypsy and Traveller Background Paper</p>
C.3	PNP Policy 3 Landscape	<p>PNP policy 3 states:</p> <p><i>“Layout and landscape schemes of new development should be informed by the landscape character of the area.”</i> Principle 3 supports the retention and, where</p>	[A] CD042 Plumpton Neighbourhood Plan



	and biodiversity	possible, enhancement of existing green corridors, ponds and other wildlife features. GT01 impinges on a prominent green corridor used by wildlife, including deer.	
C.4	PNP Policy 5 New housing	PNP Policy 5 states: <i>“Residential development will be supported on the sites allocated in Neighbourhood Plan Policies 5.1 to 5.4 inclusive, and on suitable windfall sites within Plumpton Green.”</i>	[A] CD042 Plumpton Neighbourhood Plan
C.5	PPTS overarching objective	GT01 is not supported as it is not regarded as a suitable windfall site, especially due to lack of conformance to the PNP Policy 1 Spatial plan. Policy GT01 does not meet the PPTS overarching objective as stated in PPTS Introduction paragraph 3: <i>“The Government’s overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community”.</i> [A] The policy fails to consider adequately or at all the inequalities experienced by gypsies and travellers and/or the higher than usual prevalence of larger families and/or single parents, factors which render the site unsuitable due to its isolated nature and lack of access to facilities. [B] The intended site represents the only available option, but does not adequately meet the planning policy sustainability criteria for such a site. Policy GT01 either does not satisfy, or aligns poorly with: <ul style="list-style-type: none"> • a number of the aims set out in the Introduction • Policy A Using evidence to plan positively and manage development objectives • Policy B: Planning for traveller sites 	[A] PPTS [B] House of Commons Briefing Paper Number 08083 dated 8 th May 2018, headed “Gypsies and Travellers”



		<ul style="list-style-type: none"> • Policy H Determining planning applications for traveller sites • The site is in open countryside that is outside the existing Plumpton Green settlement • It is not a brownfield or derelict site • It gives the impression that the site and its occupants are deliberately isolated from the rest of the community • It is not in the Neighbourhood Plan. 	
C.6	PPTS 4 g)	<p>PPTS 4 g) states the aim: <i>“for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive”</i>. [A]</p> <p>GT01 is not regarded as aligned to this as the choice of a site that failed proximity assessment for development [B] and is outside the Neighbourhood Plan planning boundary [C] is not fair or inclusive.</p>	<p>[A] PPTS</p> <p>[B] CD056 SHELAA 2018 Map 6 Plumpton Green and South Chailey</p> <p>[C] CD042 Plumpton Neighbourhood Plan</p>
C.7	PPTS 4 j)	<p>PPTS 4 j) states the aim: <i>“to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure”</i>. [A]</p> <p>GT01 is not regarded as conforming to this by virtue of difficulty of effective access to services as set out in A.3.</p>	[A] PPTS
C.8	PPTS 7 a)	<p>PPTS 7 a) states: <i>“In assembling the evidence base necessary to support their planning approach, local planning authorities should:</i></p> <p>a) <i>pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers’ accommodation needs with travellers themselves, their representative bodies and local support groups)”</i>. [A]</p>	<p>[A] PPTS</p> <p>[B] CD048 Gypsy and Traveller Background Paper</p>



		<p>The process whereby policy GT01 has been developed does not meet LDC obligations to consult with the settled community, in either letter or spirit; despite a protracted but collaborative Neighbourhood Plan process spanning several years. LDC did not once raise a requirement for Plumpton to provide a site, and only informed PPC of policy GT01 on 5th September 2018, less than 3 weeks ahead of the consultation period for LPP2 that ran from 24th September 2018 to 4th November 2018, especially as LDC made it clear that no revisions to the policy would be considered.</p> <p>LDC subsequently produced CD048 Gypsy and Traveller Background Paper after the consultation but ahead of the LDC council vote on LPP2 and refused to entertain discussions on a number of inaccuracies and other issues that Plumpton Parish Council raised on that document, instead deferring to the examination process.</p> <p>This is regarded as inappropriate for such a sensitive proposal and when the village community is already having to come to terms with (relatively) large-scale development within the settlement.</p>	<p>[C] Email from chair of PPC to LDC – Attachment 1</p>
C9	PPTS 7 b)	<p>PPTS 7 b) states: <i>“In assembling the evidence base necessary to support their planning approach, local planning authorities should: cooperate with travellers, their representative bodies and local support groups; other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of</i></p>	<p>[A] PPTS</p> <p>[B] CD049 Gypsy and Traveller accommodation assessment 2015</p>



		<p><i>their development plan, working collaboratively with neighbouring local planning authorities</i>". [A]</p> <p>GT01 is not based on an up to date understanding – the data underpinning the needs assessment dates from a 2013 study and is benchmarked as February 2014 and carries the health warning <i>"It is recommended that this assessment of accommodation need is repeated in due course (circa 5 years) to ensure it remains as accurate as possible"</i>. [B]</p>	
C10	PPTS 7 c)	<p>PPTS 7 c) states: <i>"In assembling the evidence base necessary to support their planning approach, local planning authorities should: c) use a robust evidence base to establish accommodation needs to inform the preparation of local plans and make planning decisions"</i>. [A]</p> <p>The evidence base cannot be considered robust as the 2013 study underpinning the LDC quantitative evidence has multiple references to the lack of certainty in the data, and the 2015 needs assessment carries the health warning <i>"It is recommended that this assessment of accommodation need is repeated in due course (circa 5 years) to ensure it remains as accurate as possible"</i>. [B]</p>	<p>[A] PPTS</p> <p>[B] CD049 Gypsy and Traveller accommodation assessment 2015</p>
C11	PPTS 8	<p>PPTS 8 states: Policy B: Planning for traveller sites <i>"Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. To this end, they should be consistent with the policies in the National Planning Policy Framework, including the presumption in favour of sustainable development and the application of specific policies in the Framework, and this planning policy for traveller sites"</i>. [A]</p>	[A] PPTS



		GT01 does not appear to be in line with NPPF flood prevention, nor various PPTS requirements.	
C12	PPTS 10 a)	<p>PPTS 10 a) states:</p> <p><i>“Local planning authorities should, in producing their Local Plan: a) identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against their locally set targets”</i>. [A]</p> <p>GT01 is not regarded as deliverable for the reasons outlined in A.1. and beyond.</p> <p>Of the 5 pitches in GT01, the needs assessment states 4 should already have been delivered, with only 1 required over the next 5 years. [B]</p>	<p>[A] PPTS</p> <p>[B] CD049 Gypsy and Traveller accommodation assessment 2015</p>
C13	PPTS 13 b)	<p>PPTS 13 b) states:</p> <p><i>“Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies: b) promote, in collaboration with commissioners of health services, access to appropriate health services”</i>. [A]</p> <p>GT01 does not adequately address this requirement for the reasons set out in A.3</p>	[A] PPTS
C14	PPTS 13 c)	<p>PPTS 13 c) states:</p> <p><i>“Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies: c) ensure that children can attend school on a regular basis”</i>. [A]</p> <p>GT01 does not adequately address this requirement for the reasons set out in A.3</p>	[A] PPTS



C15	PPTS 13 g)	PPTS 13 g) states: <i>“Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies: g) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans”</i> . [A]	[A] PPTS
		GT01 does not adequately address this requirement for the reasons set out in A.2	
C16	PPTS 25	PPTS 25 states: <i>“Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan”</i> . [A]	[A] PPTS
		GT01 violates all three criteria.	
C17	PPTS 26	PPTS 26 states: <i>“When considering applications, local planning authorities should attach weight to the following matters: a) effective use of previously developed (brownfield), untidy or derelict land”</i> . [A]	[A] PPTS
		The site is open countryside.	

Statement in response to Matters and Issues document ID/2 – Gypsies and Travellers 3.7 (iv).

Plumpton Parish Council agree both these proposed modifications – LDC should commit to a review of the plan from first principles and initiate a robust quantitative exercise to assess GTAA needs, whilst in parallel, developing a set of consistent parameters to ensure that obligations are met under both planning policy and related equality legislation.