

Comments for Planning Application 16/03454/COU

Application Summary

Application Number: 16/03454/COU

Address: Land Adjacent To Westbourne Gypsy Site Cemetery Lane Woodmancote Westbourne West Sussex

Proposal: Change of use of land to a private gypsy and traveller caravan site consisting of 2 no. pitches each would comprise 1 no. mobile home, 1 no. touring caravan, 1 no. utility building and associated works.

Case Officer: Caitlin Boddy

Customer Details

Name: Mrs Clare Kennett

Address: Westbourne Parish Council, 53 Skylark Avenue, Emsworth PO10 7GB

Comment Details

Commenter Type: Parish Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Westbourne Parish Council objects to the above planning application. The Council represents the views of the local community and aims to respond objectively to planning applications to ensure that development in the Parish is both appropriate and in keeping with the local area.

1.1 Application contrary to the PPTS and the CLPKP

The planning policy for traveller sites in the Chichester District Council (CDC) area is set out in the DCLG's National Planning Policy Framework (NPPF), more specifically in the DCLG's Planning Policy for Traveller Sites (PPTS) and in CDC's Chichester Local Plan Key Policies (CLPKP), Policy 36. The Parish Council believes that the above application is contrary to the aims and objectives of the PPTS in several respects.

In Paragraph 3 of the introduction, it states: '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.' The recent rapid proliferation of traveller sites in the small hamlet of Woodmancote (41 traveller sites, 100 houses) and the destruction of the rural setting does not respect the interests of the settled community; it intimidates.

In Paragraph 4 of the introduction, it states: 'To help achieve this, Government's aims in respect of traveller sites are:

- i. 'to reduce tensions between settled and traveller communities in plan-making and planning decisions.' Tensions between settled and traveller communities have increased dramatically as has anti-social behaviour.
- j. 'to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure.' The infrastructure is creaking. No primary school places are available, the school is full. The possibility of a doctor's appointment remote.
- k. 'for local planning authorities to have due regard to the protection of local amenity and local environment.' The traditional rural setting of Cemetery Lane, with its special biodiversity, ancient hedgerows and prized heritage asset, is rapidly being destroyed by the urbanisation of the ground works associated with these two sites.

In Paragraph 14 of Policy C: Sites in Rural Areas and the Countryside, it states:

'14: When assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.' The traveller community has now come to dominate the settled community.

In Paragraph 24 of Policy H: Determining Planning Applications for Traveller Sites, it states: 'Local planning authorities should consider the following amongst other relevant matters when considering planning applications for traveller sites. A) the existing level of local provision and need for sites.' As outlined below (in 1.4 of CDC's site allocation requirements) the requisite amount of required sites identified by the CLPKP has been filled, and no more sites are required before the gypsy/traveller/travelling showpersons (GTTSP) site allocation Development Plan Document (DPD) comes into force. On a need basis, these are clearly not required at this stage as there is already a permission, granted at appeal, for five gypsy and traveller pitches on a nearby site which have not even started to be developed yet. This application appears to be no more than a speculative development for gain; not for need.

In Paragraph 25 of Policy H: Determining Planning Applications for Traveller Sites, it states: '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. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.' The site is outside the area allocated in the Development Plan and the emerging Neighbourhood Plan. The sheer scale, and the constant expansion, of this site will dominate the nearest settled community, - it does already; it should never have been allowed to reach the proportions or the scale that it has today. There are no proposals in the pipeline to assist with the undue pressure Westbourne's infrastructure is now under. Primary school full, doctor's appointments simply a lottery dream, traffic ever increasing and the private Cemetery Lane disintegrating, anti-social behaviour rocketing, and policing to control it, slashed.

1.2 Increase in gypsy/traveller/travelling showpersons in Westbourne

The amount of new GTTSP plots and pitches have become a matter of great concern for parishioners; indeed it was the number one issue stated in the Parish Council's Neighbourhood Plan consultations. The Parish Council has come to believe that CDC and The Planning Inspectorate is failing to give the Parish the support it needs in maintaining an appropriate balance between the GTTSP community and the Parish's settled community.

For many years, the settled residents of Westbourne lived in harmony with the GTTSP community, centred predominantly on Cemetery Lane, who in the main assimilated well and contributed to the Parish. The site was opened by West Sussex County Council in 1979 and the numerical balance of the settled and GTTSP communities, up until 2013, worked reasonably well and there was little friction between the two.

Since 2013, the GTTSP community has more than doubled as a result of granted permissions, and/or failures to enforce, or as a result of unannounced changes to previously stated CDC policies. In 2013 there were 19 pitches and plots in the Parish; now there are in excess of 40. Westbourne now houses 25% of all the pitches and plots in the entire Chichester District Council area, and the increase in granted permissions has more than doubled in the last three years. The friction between the settled and GTTSP communities has increased, with both anecdotal and reported occurrences of trouble, intimidation, traffic and general incidents, all of which have risen alarmingly; and this is exacerbated by the recent withdrawal, as a result of financial cuts, of a dedicated PCSO service to police the escalating situation.

It is of great concern that CDC does not have a DPD in place to distribute GTTSP pitches and plots equally across the District. As a result, Westbourne has suffered disproportionately compared to other parishes. The Parish Council considers that, as a result of lax site assessment of applications and lacklustre enforcement, the GTTSP community have come to regard Westbourne as a 'soft touch' for gaining permission (much of it by stealth, and/or illegal occupation and subsequent appeal). The Parish Council has spoken to the GTTSP community about this over the last few years and they readily confirm it. It should be noted that a gypsy/traveller pitch in Westbourne now changes hands for around £100,000. With that sort of incentive, and with no chance of defending speculative applications, it is not surprising that Westbourne is becoming inundated. The vast majority of other local planning authorities and district councils continued and completed their DPDs during and after the change in definition, however Chichester abandoned theirs. Chichester's Cabinet briefing notes predicted this exact outcome and yet CDC continued without putting in place any defensive measure or mitigation for the predicted consequences for this Parish. The Parish Council is currently challenging CDC's Chief Executive, Diane Shepherd, on this matter, and her claim of an 'unfortunate consequence' and 'no specific targeting of Westbourne' rings very hollow when it was CDC that stripped the Parish Council of any ammunition to defend itself with.

The development is adding to the urbanisation of the rural area. The pitches and ancillary works would be located in an area of countryside outside a defined settlement boundary where

development is restricted to that which requires a countryside location. This is not a development that requires a countryside location, does not meet an essential local rural need, and does not support rural diversification. The site is adjacent to a large established gypsy and traveller site comprising 19 pitches and an existing travelling show persons plot, with approval granted for an additional pitch to the east. The provision of additional pitches and plots on the periphery of the hamlet of Woodmancote and the modest and historic village of Westbourne is considered unacceptable. The cumulative provision would dominate the existing settled community and give rise to increased social tension both with the settled community and between occupiers on the application site and neighbouring sites. The site is located within the 5.6km zone of influence of the Chichester and Langstone Harbours Special Protection Area where it has been identified that the net increase in residential development results in significant harm to those areas of nature conservation due to the increased recreational disturbance. The Parish Council does not consider that the applicant has made sufficient mitigation against such an impact.

The Parish Council hopes that Chichester District Council will recognise the many mistakes that have been made in the planning process for Cemetery Lane, which are a huge concern for Westbourne, and that it will take on board these concerns, raised by the local community, when reaching its final decision. The approval of so many GTTSP pitches and plots in Westbourne is placing a burden on the local community and Parish Council, who are both powerless to prevent further development and consequent enforcement of breaches of planning permission.

1.3 GTTSP pitches and plots in Westbourne Parish

Gypsy and travellers

Application No. Site CDC Decision Pitches/Plots Comment

WE/78/00008

WE/07/02873/CPO The Old Army Camp, Cemetery Lane, Woodmancote Permit 19 HSSA site plus 2 new transit pitches

WE/13/03787/FUL Land West of Hopedene,

Common Road Permit 12

WE/14/04206/FUL Land North of recreation ground, Monk's Hill, Westbourne Refuse 1 Parish Council objection. Allowed at Appeal.

WE/14/01217/FUL Land West of Harwood, Cemetery Lane, Woodmancote Refuse 5 Parish Council objection. Allowed at Appeal.

Travelling Showpeople

WE/05/00756/FUL Ten Acres, Cemetery Lane Permit 1

WE/15/04086/FUL The Old Army Camp, Cemetery Lane Permit 4 Parish Council objection

Total: 42 pitches/plots

Applications outstanding for determination

Reference Site Pitches/plots Comment

APP/L3815/W/16/3157057 The Meadow, Cemetery Lane, Woodmancote 1 Parish Council objection

WE/15/03965/FUL The Woodlands, Marlpit Lane, Hambrook 1 (serves dual purpose of providing both a gypsy/traveller and travelling showperson's site) Parish Council objection

WE/16/03656/FUL The Old Army Camp, Cemetery Lane, Woodmancote 4 travelling showmen, (2 statics on each plot) and 2 gypsy/traveller Parish Council objection

WE/17/03454/COU

Land adjacent to Westbourne Gypsy Site, Cemetery Lane, Woodmancote 2 gypsy/traveller pitches each with 1 mobile home, 1 touring caravan and 1 utility building and associated works Parish Council objection

Total: 10 pitches/plots

If the applications outstanding for determination are approved, the total number of GTTSP pitches/plots in the Parish of Westbourne would be well in excess of 50.

1.4 CDC's site allocation requirements

CDC area Planning for Gypsies, Travellers and Travelling Showpeople is set out in Policy 36 of the CLPKP. This Policy links to the strategic objectives 3.20 - 3.23, (CLPKP pages 28-29) Objective 3.21 states: 'Support neighbourhoods to build and maintain community spirit and help shape the area in which they live. Promote the development of mixed, balanced and well-integrated communities. Maintain low levels of crime and disorder, improve community safety and work to reduce anti-social behaviour.'

The Parish of Westbourne comprises three very distinct and separate settlements, namely the village of Westbourne and the two hamlets of Woodmancote to the east and Aldsworth to the north which is situated in the South Downs National Park. All the GTTSP sites but one in the Parish are located in Woodmancote, a settlement of 100-odd houses and a hamlet which is not considered sustainable by the planning department and therefore unable to accommodate any additional residential housing. It is this small community that has borne the entire brunt of GTTSP sites to 41. In the same period, not one single residential house has been granted planning permission or built, despite several applications being made. This explosion is clearly at odds with the CDC Objective 3.21 which states: 'Promote the development of mixed, balanced and well-integrated communities. Maintain low levels of crime and disorder, improve community safety and work to reduce anti-social behaviour', and is clearly at odds with Paragraph 17.31 'Government guidance indicates that councils should assess and meet Gypsy, Traveller and Travelling Showpeople's housing needs in the same way as other housing needs.'

The CLPKP goes on to say in Paragraph 17.32: 'In partnership with the Coastal West Sussex Authorities and the South Downs National Park Authority (SDNPA), with support from West Sussex County Council, a Coastal West Sussex Authority Gypsy and Traveller and Travelling Showpeople Assessment (GTAA) (2012/13). The GTTA has identified a need for Chichester to

provide a total of 59 pitches for Gypsies and Travellers and 18 plots for Travelling Showpeople during the plan period as set out in the table below.

Table 17.1 Pitch and Plot Provision required in the Plan Area to accommodate Gypsies and Travellers

2012-2017	2018/2022	2023/2027			
Public	Private	Public	Private	Public	Private
17	20	5	6	5	6

Table 17.2 Plot Provision in the Plan Area to accommodate Travelling Showpeople

2012-2017	2018-2022	2023-2027
11	3	4

Policy 36

Planning for Gypsies, Travellers and Travelling Showpeople, (CLPKP Policy 36, pages 169-170). The Gypsy and Traveller and Travelling Showpeople Assessment (2013) (Phase 1) identifies the potential need for permanent pitches and plots for the period 2012 to 2027 as:

- 59 additional permanent residential Gypsy and Traveller pitches of which 37 pitches are required before 2017; and
- 18 additional plots for Travelling Showpeople, of which 11 are required before 2017.

Where there is a shortfall in provision, sites will be allocated within the Site Allocation DPD. The Council's annual monitoring will ensure provision is provided at the appropriate time. The requirement of Policy 36 that specifies 37 pitches and 1 plots be provided by 2017, has now been achieved.

In the Chichester Local Plan area the number of pitches for gypsies and travellers granted planning permission since September 2012, which is the base date of the GTAA, is 54 (including four personal permissions) whilst the number of plots for travelling showpeople granted planning permission is 17. There remains, therefore, a current requirement to provide a further five gypsy and traveller pitches and one travelling showperson plot for the period 2023-27.

In a recent meeting with the Head of Planning at CDC, he confirmed to those present that sufficient sites have been granted for Travelling Showpeople plots to satisfy the identified requirement and stated need until 2022 and no more are immediately required. CDC has recently confirmed that a further five Gypsy and Traveller sites are required to satisfy the identified and stated need until 2029. It was also noted that there are several GTTS site appeals currently in the pipeline, and should any of these succeed, they would fill the current shortfall of the three Gypsy and Traveller sites. He also stated that the long-awaited Gypsy and Traveller and Travelling Showpeople Site Allocation DPD is likely to be approved and in use before 2020. Given that it is acknowledged that Westbourne already houses a disproportionate number of GTTSP sites, it is unlikely that the DPD would allocate any more to the Parish.

The Westbourne Neighbourhood Plan (WNP) will be formally submitted to CDC in March 2017 and should proceed to referendum in the autumn of 2017, and become part of statutory planning law in early 2018. The WNP will introduce a community balance policy which aims to calm any further excessive proliferation of the inappropriate siting of plots and pitches.

As the requisite CLPKP plot and pitch requirement up to 2027 has been achieved, that the DPD will be in use by 2020 to determine where sites are allocated, and that the WNP will be made by 2018, it is clear that any further GTSSP approvals at this time are wholly premature and should be resisted.

Other germane points of note within Policy 36 include:

3. Be able to achieve a reasonable level of visual and acoustic privacy for both people living on the site and for those living nearby. The site will provide an acceptable level of amenity for the proposed residents and will not have an unacceptable level of impact on the residential amenity of the neighbouring dwellings.
4. Not compromise the essential features of nationally designated areas of landscape, historical or nature conservation protection;
6. That in rural and semi-rural areas sites should not dominate the nearest settled community.

1.5 Westbourne's Neighbourhood Plan

The Westbourne Neighbourhood Plan has passed through extensive consultation and reflects the wishes of the residents of the Parish. Those residents have responded that they wish to protect the Cemetery and its setting by nominating it as a Local Green Space, and that they object to the balance of the settled and travelling communities being disrupted by speculative and, in most cases, inappropriate GTTSP applications being granted. They have nominated the area around the proposal (both north and south) as a Local Gap and have nominated Cemetery Lane as Biodiversity Corridor.

The Neighbourhood Plan includes a Community Balance Policy, which aims to ensure that future development within the Parish supports new, better-paid and diverse employment opportunities, provides the homes needed for those who live and work in the Parish on low incomes, and maintains and evolves the services they rely on. As part of the Community Balance Policy, any new proposals for GTTSP pitches and plots within the Neighbourhood Plan area will be considered in accordance with Policy 36 of the Chichester Local Plan: Key Policies and any proposal must demonstrate that the current balance between the various sectors of the local community will be retained.

CDC's Environmental Department has identified Cemetery Lane as an important bat network, and has supplied the Parish Council with an ecological map showing this important bat corridor. The Environmental Officer also noted that Buffer birds are in need of protection along Cemetery Lane.

Please see further information about the Neighbourhood Plan at www.westbournepc.org

1.6 The Cemetery: A non-designated heritage asset

The area of the Cemetery and its Heritage setting is allocated and protected as a local green space. The cemetery is very important to Westbourne residents, to the families whose loved ones have been laid to rest there and to visitors to the area. It is classified in Chichester District Council's Historic Environment Register as a non-designated heritage asset.

Chichester District Council has previously assessed the site, observing: 'Heritage: There is particular concern about the effect of the increased activity, noise and disturbance on the setting of the adjacent cemetery with its chapel, considered to be a non-designated heritage asset. The significance of this asset has been considered at appeal (PINS: 13/2205297, LPA: 12/04779/FUL) in relation to an adjacent site for residential development. With reference to English Heritage guidance on setting, this envelope goes beyond physical proximity and visual interaction to encompass considerations of the surrounding landscape character, tranquillity and experience of the asset. Of particular concern is the level of activity and traffic movement. While the former use of the site for army accommodation is noted, the site has not been intensively used for many years. This proposal not only retains the existing industrial use but would provide accommodation for up to 12 families where there is currently only equestrian grazing. The intensification of the use of the site is material, as is the associated activity, including vehicle (cars, trailers, HGVs and other large commercial vehicles) movements using this relatively narrow rural lane as the primary route between the village and site and travel further afield. These effects will be in addition to the existing impacts caused by the larger WSCC run site and existing use of the lane. These changes to setting are likely to be harmful to the quality of people's experience, appreciation and interaction with the asset, which at present is one of quiet serenity befitting a place of rest, reflection and serenity in an historic rural setting. The effects of this have not been satisfactorily considered by the applicant.'

Please also see the report from Dr Ian Wightman, written on behalf of Chichester District Council for planning appeal APP/L3815/A/13/2205297, which outlines further details about the Cemetery as a non-designated heritage asset. This is available at www.westbournepc.org.

1.7 Community Infrastructure Levy (CIL)

The Parish Council is concerned that GTTSP mobile homes are exempt from CIL payments. By continuing to grant permissions for so many GTTSP sites, a burden is being placed on the residents of Westbourne in terms of doctor's appointments, school places, or available parking in an already congested village. In addition, residents of the Parish will incur greater expense as a result of the increased maintenance of Cemetery Lane, a private and unadopted road, due to the associated increases in traffic, particularly given the size and weight of caravans and showman rigs. In addition to local residents, visitors to the cemetery use this road as well as funeral corteges

and the additional traffic and disturbance has an impact upon them.

1.8 Current enforcement issues at Cemetery Lane

Chichester District Council's Enforcement Team provides a monthly log of all outstanding enforcement issues to the Parish Council. Currently, there are six issues relating to the GTTSP community at Cemetery Lane, Westbourne.

Enforcement reference: 13/00163/CONWST. The Old Army Camp, Cemetery Lane. Use of land for the storage of waste and stationing of a caravan. Part of the site has planning permission for 4 no. travelling showpeople's pitches.

Building A (north end) - planning permission for storage of rides and equipment
WE/09/00091/FUL.

Building B (middle) - previous planning consent was for aluminium and fibre glass boat building
WE/46/87

Building C (south end) - temporary permission for parking and storage of motor vehicles and civil engineering plant WE/88/80 - this lapsed in 1986. Since then it was used for unauthorised recycling of inert waste

As of 28/10/16, a site visit showed a mixed use taking place: motor vehicle storage and repair, contractor's yard, transfer of hardcore and topsoil, storage of portable buildings and storage of building materials. The landowner was on site and claims that the uses have permission. He will consult a planning agent and meet with officers to discuss the planning history and extant permissions.

As of 31/10/16, contact with planning agent made and they say an application will be made.

17/11/16: email from agent who is reviewing the planning history for the site prior to making an application. The agent has advised that the landowner is on holiday until second week of January.

Please note, that the Parish Council referred the Enforcement Team to an appeal in 2000 Appeal A, B, C no. 99/1034553, 1032149 and 1030237 which required the use for vehicles etc. to cease operation and remove them returning it to the countryside setting. All of the above activity has happened in the last 12 months, and has involved much destruction of the local area, and removal of trees and ancient hedgerow.

Enforcement reference: 16/00022/CONENG. The Old Army Camp, Cemetery Lane. Engineering operations. As above.

Enforcement reference: 16/00070/CONTRAV. The Old Army Camp, Cemetery Lane. Stationing of caravan on the land.

The creation of a further plot is noted and is the subject of a revised application awaiting validation under 16/03454/COU.

Enforcement reference: 16/00191/CONCOU. The Old Army Camp, Cemetery Lane. Change of

use to tarmac contractor. Planning application to be submitted.

Westbourne Parish Council would like to add that this enforcement investigation relates to one of the five gypsy/traveller pitches at Land West of Harwood, Cemetery Lane (WE/14/01217/FUL) which was approved by the Planning Inspectorate at appeal, having previously been refused by CDC and objected to by the Parish Council. Instead of being used under its granted permission of a gypsy/traveller, it is being used by a tarmac contractor, Funnell and Howard, who have been operating illegally and without permission from the site for some time, and who is employed by West Sussex County Council's Highway's department through its contract with Balfour Beatty. Although CDC say that a planning application for change of use has been received, this has not yet been made available to the public or Parish Council.

Enforcement reference: 16/00242/CONBC. The Old Army Camp, Cemetery Lane. Food lights. To be included in planning application for use of land as a HGV contractor's yard.

Enforcement reference: 16/00364/CONBC. The Old Army Camp, Cemetery Lane. Stationing of 6 MHs on one pitch and occupation of the land. 22/12/16 application 16/03656/FUL received - change of use of land to 4 no. showperson's plots, 2 no. gypsy pitches inc 2 no. amenity buildings with associated access and landscaping works.

This site was granted permission for a single travelling showperson in 2016 as part of application WE/15/04086/FUL. It is now being used for six mobile homes which do not even form part of the new planning application WE/16/03656/FUL. There has been no enforcement action to remove the mobile homes and return the site for its current or proposed purpose.

In addition to the above list, the Parish Council reported the following issues to the Enforcement Team.

- There is the static caravan put there by Mr Green (WE/01078/COU), and in the paddock attached to the traveling showman plots is another static caravan with someone living in it. (Currently subject of an appeal).
- There is a further static caravan on the field at the northern part of the Old Army Camp which is occupied.
- There is often an acrid smell of burning rubber coming from The Old Army Camp, Cemetery Lane.

Chichester Local Plan Key Policies breaches in policies 1, 2, 3, 7, 9, 40, 45, 47, 48, 49, 52 and 54. See below

CLPKP Policy 1 Sustainable Development

The site is outside a settlement boundary and outside the considered area to be Sustainable see the Neighbourhood Plan Isochrones used on local facilities.

NPPF:

In order to fulfil its purpose of helping achieve sustainable development, planning must not simply be about scrutiny. Planning must be a creative exercise in finding ways to enhance and improve

the places in which we live our lives.

This should be a collective enterprise. Yet, in recent years, planning has tended to exclude, rather than to include, people and communities. In part, this has been a result of targets being imposed, and decisions taken, by bodies remote from them

Rt Hon Greg Clark MP Minister for Planning

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.¹ It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities

The UK Sustainable Development Strategy Securing the Future set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society.

an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure

a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives

conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;

So, not a sustainable development site

CLPKP Policy 2 states; Development Strategy and Settlement Hierarchy
Settlement Boundaries;

There is a presumption in favour of sustainable development within the Settlement Boundaries which will be reviewed through the preparation of Development Plan Documents and/or Neighbourhood Plans, reflecting the following general approach:

1. Respecting the setting, form and character of the settlement;
2. Avoiding actual or perceived coalescence of settlements; and
3. Ensuring good accessibility to local services and facilities.

Rest of the Plan Area: Small villages, hamlets, scattered development and countryside

Development in the Rest of the Plan Area outside the settlements listed above is restricted to that

which requires a countryside location or meets an essential local rural need or supports rural diversification in accordance with Policies 45-46.

This does not fit that criteria

CLPKP Policy 3 The Economy and Employment Provision

Supporting and promoting a high-quality tourism economy (see Policy 30);

Who is going to want to come to Westbourne on Holiday with such a large growing encampment.

CLPKP Policy 7 Master planning Strategic Development

Incorporate high standards of urban design and architecture that respects the character of the landscape, heritage, adjacent and nearby settlements and built development, reflecting the urban to rural transition with appropriate boundary treatment;

This isn't happening

Create a strong sense of place, ensuring the proposed development makes a positive contribution to local character and distinctiveness;

No positive contribution.

Plan for integrated development, providing for a mix of housing that addresses the range of local housing needs, and encourages community cohesion;

These applications are causing Isolation not integration

Include measures to mitigate the traffic impacts of the proposed development on the strategic and local road networks.

Serious increase in levels of inappropriate traffic through the narrow country Lanes

Demonstrate a good understanding and respect for the natural environment, its heritage assets and their setting both within the site and in the wider locality, whether designated or not, and include details of how the natural environment and heritage assets will be preserved, conserved and enhanced

These are having a serious effect on natural environment and the heritage asset, 'The Cemetery'

CLPKP Policy 9 Development and Infrastructure Provision

Provide or fund new infrastructure, facilities or services required, both on and off-site, as a consequence of the proposal;

No funding been made available to improve any services as a result.

Mitigate the impact of the development on existing infrastructure, facilities or services;

Fund or contribute to improvements to increase the effectiveness and efficiency of infrastructure, facilities or services; and

Provide for the future maintenance of infrastructure, facilities or services provided as a result of the development.

Nice but not happening

CLPKP Policy 40 Sustainable Design and Construction

1. How the proposal aims to protect and enhance the environment, both built and natural. Where this is not possible, how any harm will be mitigated

2. The proposals include measures to adapt to climate change, such as the provision of green infrastructure, sustainable urban drainage systems, suitable shading of pedestrian routes and open spaces and drought resistant planting/landscaping
3. The historic and built environment, open space, and landscape character will be protected and enhanced
4. The natural environment and biodiversity will be protected and/or where appropriate provision will be made for improvements to biodiversity areas and green infrastructure;
5. The development is appropriate and sympathetic in terms of scale, height, appearance, form, siting and layout and is sensitively designed to maintain the tranquillity and local character and identity of the area;

Have any of these been taken into account or implemented? No

CLPKP Policy 45 Development in the Countryside

Planning permission will be granted for sustainable development in the countryside where it can be demonstrated that all the following criteria have been met:

1. The proposal is well related to an existing farmstead or group of buildings, or located close to an established settlement;
2. The proposal is complementary to and does not prejudice any viable agricultural operations on a farm and other existing viable uses; and
3. Proposals requiring a countryside setting, for example agricultural buildings, ensure that their scale, siting, design and materials would have minimal impact on the landscape and rural character of the area.

None of the above apply so should be refused

CLPKP Policy 47 Heritage and Design

The proposal conserves and enhances the special interest and settings of designated and non-designated heritage assets

No, it doesn't its wrecking the peace and tranquillity and beautiful setting of the Heritage asset of the Cemetery

Development respects distinctive local character and sensitively contributes to creating places of a high architectural and built quality

Again, no it doesn't

CLPKP Policy 48 Natural Environment

Has to show; There is no adverse impact on:

- The openness of the views in and around the coast, designated environmental areas and the setting of the South Downs National Park; and
- The tranquil and rural character of the area.

Yes, there is an impact so can be refused.

Development recognises distinctive local landscape character and sensitively contributes to its setting and quality

Does not contribute to the setting in fact is destroying that setting

The individual identity of settlements, actual or perceived, is maintained and the integrity of predominantly open and undeveloped land between settlements is not undermined.

The individual identity of Woodmancote is being compromised.

The Gap between Westbourne and Woodmancote is being seriously eroded.

CLPKP Policy 49 Biodiversity

1. The biodiversity value of the site is safeguarded;
2. Demonstrable harm to habitats or species which are protected or which are of importance to biodiversity is avoided or mitigated;
3. The proposal has incorporated features that enhance biodiversity as part of good design and sustainable development;
4. The proposal protects, manages and enhances the District's network of ecology, biodiversity and geological sites, including the international, national and local designated sites (statutory and non-statutory), priority habitats, wildlife corridors and stepping stones that connect them;
5. Any individual or cumulative adverse impacts on sites are avoided;

ALL Above is being compromised

CLPKP Policy 52 Green Infrastructure

1. The proposals maintain and where appropriate contribute to the network of green infrastructure i.e. public and private playing fields, recreational open spaces, parklands, allotments and water environments;
2. The proposals contribute to improving the health and well-being of the local and wider community;
3. Where appropriate, the proposals incorporate either improvements to existing green infrastructure or the restoration, enhancement or creation of additional provision/areas;
4. Where appropriate, the proposals incorporate either improvements to existing ecology and biodiversity or the restoration, enhancement or creation of additional habitat and habitat networks;
5. Where appropriate, the proposals incorporate either improvements to existing trees, woodland, landscape features and hedges or the restoration, enhancement or creation of additional provision/areas;
6. Where appropriate, the proposals create new green infrastructure either through on site provision or financial contributions. Where on-site provision is not possible financial contributions will be required and be negotiated on a site by site basis; and
7. The proposals do not lead to the dissection of the linear network of cycleways, public rights of way, bridleways and ecological corridors such as ancient woodlands, hedgerows, ditches and water environments.

Such provision will be required in accordance with adopted policies and strategies relating to green infrastructure and biodiversity network provision. Development that will harm the green infrastructure network will only be granted if it can incorporate measures that avoid the harm arising or sufficiently mitigate its effects.

None of the above have been met, the green infrastructure is being destroyed

CLPKP Policy 54 Open Space, Sport and Recreation

New residential development (excluding replacement dwellings) will be required to contribute towards:

1. The creation of new open space, sports and recreation facilities; and/or
2. Improving the quality and/or accessibility of existing open space or indoor facilities

None forthcoming -destruction of local amenity of quiet walks in the countryside.

Sure there are more breaches but Planning must know them

17/03454/COU: Change of use of land to a private gypsy and traveller caravan site consisting of 2 no. pitches, each would comprise 1 no. mobile home, 1 no. touring caravan, 1 no. utility building and associated works. Mr Green, land adjacent to Westbourne Gypsy Site, Cemetery Lane, Woodmancote.

Westbourne Parish Council objects to the above planning application. The Council represents the views of the local community and aims to respond objectively to planning applications to ensure that development in the Parish is both appropriate and in keeping with the local area.

1.1 Application contrary to the PPTS and the CLPKP

The planning policy for traveller sites in the Chichester District Council (CDC) area is set out in the DCLG's National Planning Policy Framework (NPPF), more specifically in the DCLG's Planning Policy for Traveller Sites (PPTS) and in CDC's Chichester Local Plan Key Policies (CLPKP), Policy 36. The Parish Council believes that the above application is contrary to the aims and objectives of the PPTS in several respects.

In Paragraph 3 of the introduction, it states: *'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.'* The recent rapid proliferation of traveller sites in the small hamlet of Woodmancote (41 traveller sites, 100 houses) and the destruction of the rural setting does not respect the interests of the settled community; it intimidates.

In Paragraph 4 of the introduction, it states: *'To help achieve this, Government's aims in respect of traveller sites are:*

- i. 'to reduce tensions between settled and traveller communities in plan-making and planning decisions.'* Tensions between settled and traveller communities have increased dramatically as has anti-social behaviour.
- j. 'to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure.'* The infrastructure is creaking. No primary school places are available, the school is full. The possibility of a doctor's appointment remote.
- k. 'for local planning authorities to have due regard to the protection of local amenity and local environment.'* The traditional rural setting of Cemetery Lane, with its special biodiversity, ancient hedgerows and prized heritage asset, is rapidly being destroyed by the urbanisation of the ground works associated with these two sites.

In Paragraph 14 of Policy C: Sites in Rural Areas and the Countryside, it states: *'14: When assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.'* The traveller community has now come to dominate the settled community.

In Paragraph 24 of Policy H: Determining Planning Applications for Traveller Sites, it states: *'Local planning authorities should consider the following amongst other relevant matters when considering planning applications for traveller sites. A) the*

1. Westbourne Parish Council's objection to WE/16/03656/FUL

existing level of local provision and need for sites.' As outlined below (in 1.4 of CDC's site allocation requirements) the requisite amount of required sites identified by the CLPKP has been filled, and no more sites are required before the gypsy/traveller/travelling showpersons (GTTSP) site allocation Development Plan Document (DPD) comes into force. On a need basis, these are clearly not required at this stage as there is already a permission, granted at appeal, for five gypsy and traveller pitches on a nearby site which have not even started to be developed yet. This application appears to be no more than a speculative development for gain; not for need.

In Paragraph 25 of Policy H: Determining Planning Applications for Traveller Sites, it states: *'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. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.'* The site is outside the area allocated in the Development Plan and the emerging Neighbourhood Plan. The sheer scale, and the constant expansion, of this site will dominate the nearest settled community, - it does already; it should never have been allowed to reach the proportions or the scale that it has today. There are no proposals in the pipeline to assist with the undue pressure Westbourne's infrastructure is now under. Primary school full, doctor's appointments simply a lottery dream, traffic ever increasing and the private Cemetery Lane disintegrating, anti-social behaviour rocketing, and policing to control it, slashed.

1.2 Increase in gypsy/traveller/travelling showpersons in Westbourne

The amount of new GTTSP plots and pitches have become a matter of great concern for parishioners; indeed it was the number one issue stated in the Parish Council's Neighbourhood Plan consultations. The Parish Council has come to believe that CDC and The Planning Inspectorate is failing to give the Parish the support it needs in maintaining an appropriate balance between the GTTSP community and the Parish's settled community.

For many years, the settled residents of Westbourne lived in harmony with the GTTSP community, centred predominantly on Cemetery Lane, who in the main assimilated well and contributed to the Parish. The site was opened by West Sussex County Council in 1979 and the numerical balance of the settled and GTTSP communities, up until 2013, worked reasonably well and there was little friction between the two.

Since 2013, the GTTSP community has more than doubled as a result of granted permissions, and/or failures to enforce, or as a result of unannounced changes to previously stated CDC policies. In 2013 there were 19 pitches and plots in the Parish; now there are in excess of 40. Westbourne now houses 25% of all the pitches and plots in the entire Chichester District Council area, and the increase in granted permissions has more than doubled in the last three years. The friction between the settled and GTTSP communities has increased, with both anecdotal and reported occurrences of trouble, intimidation, traffic and general incidents, all of which have risen alarmingly; and this is exacerbated by the recent withdrawal, as a

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result of financial cuts, of a dedicated PCSO service to police the escalating situation.

It is of great concern that CDC does not have a DPD in place to distribute GTTSP pitches and plots equally across the District. As a result, Westbourne has suffered disproportionately compared to other parishes. The Parish Council considers that, as a result of lax site assessment of applications and lacklustre enforcement, the GTTSP community have come to regard Westbourne as a 'soft touch' for gaining permission (much of it by stealth, and/or illegal occupation and subsequent appeal). The Parish Council has spoken to the GTTSP community about this over the last few years and they readily confirm it. It should be noted that a gypsy/traveller pitch in Westbourne now changes hands for around £100,000. With that sort of incentive, and with no chance of defending speculative applications, it is not surprising that Westbourne is becoming inundated. The vast majority of other local planning authorities and district councils continued and completed their DPDs during and after the change in definition, however Chichester abandoned theirs. Chichester's Cabinet briefing notes predicted this exact outcome and yet CDC continued without putting in place any defensive measure or mitigation for the predicted consequences for this Parish. The Parish Council is currently challenging CDC's Chief Executive, Diane Shepherd, on this matter, and her claim of an 'unfortunate consequence' and 'no specific targeting of Westbourne' rings very hollow when it was CDC that stripped the Parish Council of any ammunition to defend itself with.

The development is adding to the urbanisation of the rural area. The pitches and ancillary works would be located in an area of countryside outside a defined settlement boundary where development is restricted to that which requires a countryside location. This is not a development that requires a countryside location, does not meet an essential local rural need, and does not support rural diversification. The site is adjacent to a large established gypsy and traveller site comprising 19 pitches and an existing travelling show persons plot, with approval granted for an additional pitch to the east. The provision of additional pitches and plots on the periphery of the hamlet of Woodmancote and the modest and historic village of Westbourne is considered unacceptable. The cumulative provision would dominate the existing settled community and give rise to increased social tension both with the settled community and between occupiers on the application site and neighbouring sites. The site is located within the 5.6km zone of influence of the Chichester and Langstone Harbours Special Protection Area where it has been identified that the net increase in residential development results in significant harm to those areas of nature conservation due to the increased recreational disturbance. The Parish Council does not consider that the applicant has made sufficient mitigation against such an impact.

The Parish Council hopes that Chichester District Council will recognise the many mistakes that have been made in the planning process for Cemetery Lane, which are a huge concern for Westbourne, and that it will take on board these concerns, raised by the local community, when reaching its final decision. The approval of so many GTTSP pitches and plots in Westbourne is placing a burden on the local community and Parish Council, who are both powerless to prevent further development and consequent enforcement of breaches of planning permission.

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1.3 GTTSP pitches and plots in Westbourne Parish

Gypsy and travellers				
Application No.	Site	CDC Decision	Pitches/ Plots	Comment
WE/78/00008 WE/07/02873/CPO	The Old Army Camp, Cemetery Lane, Woodmancote	Permit	19	HSSA site plus 2 new transit pitches
WE/13/03787/FUL	Land West of Hopedene, Common Road	Permit	12	
WE/14/04206/FUL	Land North of recreation ground, Monk's Hill, Westbourne	Refuse	1	Parish Council objection. Allowed at Appeal.
WE/14/01217/FUL	Land West of Harwood, Cemetery Lane, Woodmancote	Refuse	5	Parish Council objection. Allowed at Appeal.
Travelling Showpeople				
WE/05/00756/FUL	Ten Acres, Cemetery Lane	Permit	1	
WE/15/04086/FUL	The Old Army Camp, Cemetery Lane	Permit	4	Parish Council objection
Total: 42 pitches/plots				

Applications outstanding for determination

Reference	Site	Pitches/plots	Comment
APP/L3815/W/16/3157057	The Meadow, Cemetery Lane, Woodmancote	1	Parish Council objection
WE/15/03965/FUL	The Woodlands, Marlpit Lane, Hambrook	1 (serves dual purpose of providing both a gypsy/traveller and travelling showperson's site)	Parish Council objection
WE/16/03656/FUL	The Old Army Camp, Cemetery Lane, Woodmancote	4 travelling showmen, (2 statics on each plot) and 2 gypsy/traveller	Parish Council objection
WE/17/03454/COU	Land adjacent to Westbourne	2 gypsy/traveller pitches each	Parish Council objection

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	Gypsy Site, Cemetery Lane, Woodmancote	with 1 mobile home, 1 touring caravan and 1 utility building and associated works	
Total: 10 pitches/plots			

If the applications outstanding for determination are approved, the total number of GTTSP pitches/plots in the Parish of Westbourne would be well in excess of 50.

1.4 CDC's site allocation requirements

CDC area Planning for Gypsies, Travellers and Travelling Showpeople is set out in Policy 36 of the CLPKP. This Policy links to the strategic objectives 3.20 - 3.23, (CLPKP pages 28-29) Objective 3.21 states: *'Support neighbourhoods to build and maintain community spirit and help shape the area in which they live. Promote the development of mixed, balanced and well-integrated communities. Maintain low levels of crime and disorder, improve community safety and work to reduce anti-social behaviour.'*

The Parish of Westbourne comprises three very distinct and separate settlements, namely the village of Westbourne and the two hamlets of Wodmancote to the east and Aldsworth to the north which is situated in the South Downs National Park. All the GTTSP sites but one in the Parish are located in Woodmancote, a settlement of 100-odd houses and a hamlet which is not considered sustainable by the planning department and therefore unable to accommodate any additional residential housing. It is this small community that has borne the entire brunt of GTTSP sites to 41. In the same period, not one single residential house has been granted planning permission or built, despite several applications being made. This explosion is clearly at odds with the CDC Objective 3.21 which states: *'Promote the development of mixed, balanced and well-integrated communities. Maintain low levels of crime and disorder, improve community safety and work to reduce anti-social behaviour'*, and is clearly at odds with Paragraph 17.31 *'Government guidance indicates that councils should assess and meet Gypsy, Traveller and Travelling Showpeople's housing needs in the same way as other housing needs.'*

The CLPKP goes on to say in Paragraph 17.32: *'In partnership with the Coastal West Sussex Authorities and the South Downs National Park Authority (SDNPA), with support from West Sussex County Council, a Coastal West Sussex Authority Gypsy and Traveller and Travelling Showpeople Assessment (GTAA) (2012/13). The GTTA has identified a need for Chichester to provide a total of 59 pitches for Gypsies and Travellers and 18 plots for Travelling Showpeople during the plan period as set out in the table below.'*

Table 17.1 Pitch and Plot Provision required in the Plan Area to accommodate Gypsies and Travellers

2012-2017		2018/2022		2023/2027	
Public	Private	Public	Private	Public	Private
17	20	5	6	5	6

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<i>Table 17.2 Plot Provision in the Plan Area to accommodate Travelling Showpeople</i>	<i>2012-2017</i>	<i>2018-2022</i>	<i>2023-2027</i>
	11	3	4

Policy 36

Planning for Gypsies, Travellers and Travelling Showpeople, (CLPKP Policy 36, pages 169-170).

The Gypsy and Traveller and Travelling Showpeople Assessment (2013) (Phase 1) identifies the potential need for permanent pitches and plots for the period 2012 to 2027 as:

- 59 additional permanent residential Gypsy and Traveller pitches of which 37 pitches are required before 2017; and
- 18 additional plots for Travelling Showpeople, of which 11 are required before 2017.

Where there is a shortfall in provision, sites will be allocated within the Site Allocation DPD. The Council's annual monitoring will ensure provision is provided at the appropriate time. The requirement of Policy 36 that specifies 37 pitches and 1 plots be provided by 2017, has now been achieved.

In the Chichester Local Plan area the number of pitches for gypsies and travellers granted planning permission since September 2012, which is the base date of the GTAA, is 54 (including four personal permissions) whilst the number of plots for travelling showpeople granted planning permission is 17. There remains, therefore, a current requirement to provide a further five gypsy and traveller pitches and one travelling showperson plot for the period 2023-27.

In a recent meeting with the Head of Planning at CDC, he confirmed to those present that sufficient sites have been granted for Travelling Showpeople plots to satisfy the identified requirement and stated need until 2022 and no more are immediately required. CDC has recently confirmed that a further five Gypsy and Traveller sites are required to satisfy the identified and stated need until 2029. It was also noted that there are several GTTS site appeals currently in the pipeline, and should any of these succeed, they would fill the current shortfall of the three Gypsy and Traveller sites. He also stated that the long-awaited Gypsy and Traveller and Travelling Showpeople Site Allocation DPD is likely to be approved and in use before 2020. Given that it is acknowledged that Westbourne already houses a disproportionate number of GTTSP sites, it is unlikely that the DPD would allocate any more to the Parish.

The Westbourne Neighbourhood Plan (WNP) will be formally submitted to CDC in March 2017 and should proceed to referendum in the autumn of 2017, and become part of statutory planning law in early 2018. The WNP will introduce a community balance policy which aims to calm any further excessive proliferation of the inappropriate siting of plots and pitches.

As the requisite CLPKP plot and pitch requirement up to 2027 has been achieved, that the DPD will be in use by 2020 to determine where sites are allocated, and that the WNP will be made by 2018, it is clear that any further GTSSP approvals at this time are wholly premature and should be resisted.

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Other germane points of note within Policy 36 include:

3. Be able to achieve a reasonable level of visual and acoustic privacy for both people living on the site and for those living nearby. The site will provide an acceptable level of amenity for the proposed residents and will not have an unacceptable level of impact on the residential amenity of the neighbouring dwellings.

4. Not compromise the essential features of nationally designated areas of landscape, historical or nature conservation protection;

6. That in rural and semi-rural areas sites should not dominate the nearest settled community.

1.5 Westbourne's Neighbourhood Plan

The Westbourne Neighbourhood Plan has passed through extensive consultation and reflects the wishes of the residents of the Parish. Those residents have responded that they wish to protect the Cemetery and its setting by nominating it as a Local Green Space, and that they object to the balance of the settled and travelling communities being disrupted by speculative and, in most cases, inappropriate GTTSP applications being granted. They have nominated the area around the proposal (both north and south) as a Local Gap and have nominated Cemetery Lane as Biodiversity Corridor.

The Neighbourhood Plan includes a Community Balance Policy, which aims to ensure that future development within the Parish supports new, better-paid and diverse employment opportunities, provides the homes needed for those who live and work in the Parish on low incomes, and maintains and evolves the services they rely on. As part of the Community Balance Policy, any new proposals for GTTSP pitches and plots within the Neighbourhood Plan area will be considered in accordance with Policy 36 of the Chichester Local Plan: Key Policies and any proposal must demonstrate that the current balance between the various sectors of the local community will be retained.

CDC's Environmental Department has identified Cemetery Lane as an important bat network, and has supplied the Parish Council with an ecological map showing this important bat corridor. The Environmental Officer also noted that Buffer birds are in need of protection along Cemetery Lane.

Please see further information about the Neighbourhood Plan at www.westbournepc.org

1.6 The Cemetery: A non-designated heritage asset

The area of the Cemetery and its Heritage setting is allocated and protected as a local green space. The cemetery is very important to Westbourne residents, to the families whose loved ones have been laid to rest there and to visitors to the area. It is classified in Chichester District Council's Historic Environment Register as a non-designated heritage asset.

Chichester District Council has previously assessed the site, observing: *'Heritage: There is particular concern about the effect of the increased activity, noise and disturbance on the setting of the adjacent cemetery with its chapel, considered to be a non-designated heritage asset. The significance of this asset has been considered at appeal (PINS: 13/2205297, LPA: 12/04779/FUL) in relation to an adjacent site for residential development. With reference to English Heritage guidance on setting, this envelope goes beyond physical proximity and visual interaction to encompass considerations of the surrounding landscape character, tranquillity and experience of the asset. Of particular concern is the level of activity and traffic movement. While the former use of the site for army accommodation is noted, the site has not been intensively used for many years. This proposal not only retains the existing industrial use but would provide accommodation for up to 12 families where there is currently only equestrian grazing. The intensification of the use of the site is material, as is the associated activity, including vehicle (cars, trailers, HGVs and other large commercial vehicles) movements using this relatively narrow rural lane as the primary route between the village and site and travel further afield. These effects will be in addition to the existing impacts caused by the larger WSCC run site and existing use of the lane. These changes to setting are likely to be harmful to the quality of people's experience, appreciation and interaction with the asset, which at present is one of quiet serenity befitting a place of rest, reflection and serenity in an historic rural setting. The effects of this have not been satisfactorily considered by the applicant.'*

Please also see the report from Dr Ian Wightman, written on behalf of Chichester District Council for planning appeal APP/L3815/A/13/2205297, which outlines further details about the Cemetery as a non-designated heritage asset. This is available at www.westbournepc.org.

1.7 Community Infrastructure Levy (CIL)

The Parish Council is concerned that GTTSP mobile homes are exempt from CIL payments. By continuing to grant permissions for so many GTTSP sites, a burden is being placed on the residents of Westbourne in terms of doctor's appointments, school places, or available parking in an already congested village. In addition, residents of the Parish will incur greater expense as a result of the increased maintenance of Cemetery Lane, a private and unadopted road, due to the associated increases in traffic, particularly given the size and weight of caravans and showman rigs. In addition to local residents, visitors to the cemetery use this road as well as funeral corteges and the additional traffic and disturbance has an impact upon them.

1.8 Current enforcement issues at Cemetery Lane

Chichester District Council's Enforcement Team provides a monthly log of all outstanding enforcement issues to the Parish Council. Currently, there are six issues relating to the GTTSP community at Cemetery Lane, Westbourne.

Enforcement reference: 13/00163/CONWST. The Old Army Camp, Cemetery Lane. Use of land for the storage of waste and stationing of a caravan. Part of the site has planning permission for 4 no. travelling showpeople's pitches.

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Building A (north end) – planning permission for storage of rides and equipment WE/09/00091/FUL.

Building B (middle) – previous planning consent was for aluminium and fibre glass boat building WE/46/87

Building C (south end) – temporary permission for parking and storage of motor vehicles and civil engineering plant WE/88/80 – this lapsed in 1986. Since then it was used for unauthorised recycling of inert waste

As of 28/10/16, a site visit showed a mixed use taking place: motor vehicle storage and repair, contractor's yard, transfer of hardcore and topsoil, storage of portable buildings and storage of building materials. The landowner was on site and claims that the uses have permission. He will consult a planning agent and meet with officers to discuss the planning history and extant permissions.

As of 31/10/16, contact with planning agent made and they say an application will be made.

17/11/16: email from agent who is reviewing the planning history for the site prior to making an application. The agent has advised that the landowner is on holiday until second week of January.

Please note, that the Parish Council referred the Enforcement Team to an appeal in 2000 Appeal A, B, C no. 99/1034553, 1032149 and 1030237 which required the use for vehicles etc. to cease operation and remove them returning it to the countryside setting. All of the above activity has happened in the last 12 months, and has involved much destruction of the local area, and removal of trees and ancient hedgerow.

Enforcement reference: 16/00022/CONENG. The Old Army Camp, Cemetery Lane. Engineering operations. As above.

Enforcement reference: 16/00070/CONTRAV. The Old Army Camp, Cemetery Lane. Stationing of caravan on the land.

The creation of a further plot is noted and is the subject of a revised application awaiting validation under 16/03454/COU.

Enforcement reference: 16/00191/CONCOU. The Old Army Camp, Cemetery Lane. Change of use to tarmac contractor. Planning application to be submitted.

Westbourne Parish Council would like to add that this enforcement investigation relates to one of the five gypsy/traveller pitches at Land West of Harwood, Cemetery Lane (WE/14/01217/FUL) which was approved by the Planning Inspectorate at appeal, having previously been refused by CDC and objected to by the Parish Council. Instead of being used under its granted permission of a gypsy/traveller, it is being used by a tarmac contractor, Funnell and Howard, who have been operating illegally and without permission from the site for some time, and who is employed by West Sussex County Council's Highway's department through its contract with Balfour Beatty. Although CDC say that a planning application for change of use has been received, this has not yet been made available to the public or Parish Council.

Enforcement reference: 16/00242/CONBC. The Old Army Camp, Cemetery Lane. Food lights. To be included in planning application for use of land as a HGV contractor's yard.

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Enforcement reference: 16/00364/CONBC. The Old Army Camp, Cemetery Lane. Stationing of 6 MHs on one pitch and occupation of the land. 22/12/16 application 16/03656/FUL received – change of use of land to 4 no. showperson’s plots, 2 no. gypsy pitches inc 2 no. amenity buildings with associated access and landscaping works.

This site was granted permission for a single travelling showperson in 2016 as part of application WE/15/04086/FUL. It is now being used for six mobile homes which do not even form part of the new planning application WE/16/03656/FUL. There has been no enforcement action to remove the mobile homes and return the site for its current or proposed purpose.

In addition to the above list, the Parish Council reported the following issues to the Enforcement Team.

- There is the static caravan put there by Mr Green (WE/01078/COU), and in the paddock attached to the traveling showman plots is another static caravan with someone living in it. (Currently subject of an appeal).
- There is a further static caravan on the field at the northern part of the Old Army Camp which is occupied.
- There is often an acrid smell of burning rubber coming from The Old Army Camp, Cemetery Lane.

Chichester Local Plan Key Policies breaches in policies 1, 2, 3, 7, 9, 40, 45, 47, 48, 49, 52 and 54. See below

CLPKP Policy 1 Sustainable Development

The site is outside a settlement boundary and outside the considered area to be Sustainable see the Neighbourhood Plan Isochrones used on local facilities.

NPPF:

In order to fulfil its purpose of helping achieve sustainable development, planning must not simply be about scrutiny. Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives.

This should be a collective enterprise. Yet, in recent years, planning has tended to exclude, rather than to include, people and communities. In part, this has been a result of targets being imposed, and decisions taken, by bodies remote from them
Rt Hon Greg Clark MP Minister for Planning

The National Planning Policy Framework sets out the Government’s planning policies for England and how these are expected to be applied.¹ It sets out the Government’s requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities

The UK Sustainable Development Strategy Securing the Future set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society.

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy
- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;

So, not a sustainable development site

CLPKP Policy 2 states: Development Strategy and Settlement Hierarchy Settlement Boundaries;

There is a presumption in favour of sustainable development within the Settlement Boundaries which will be reviewed through the preparation of Development Plan Documents and/or Neighbourhood Plans, reflecting the following general approach:

1. Respecting the setting, form and character of the settlement;
- 2. Avoiding actual or perceived coalescence of settlements; and**
3. Ensuring good accessibility to local services and facilities.

Rest of the Plan Area: Small villages, hamlets, scattered development and countryside

Development in the Rest of the Plan Area outside the settlements listed above is restricted to that which requires a countryside location or meets an essential local rural need or supports rural diversification in accordance with Policies 45-46.

This does not fit that criteria

CLPKP Policy 3 The Economy and Employment Provision

Supporting and promoting a high-quality tourism economy (see Policy 30);
Who is going to want to come to Westbourne on Holiday with such a large growing encampment.

CLPKP Policy 7 Master planning Strategic Development

Incorporate high standards of urban design and architecture that respects the character of the landscape, heritage, adjacent and nearby settlements and built development, reflecting the urban to rural transition with appropriate boundary treatment;

This isn't happening

Create a strong sense of place, ensuring the proposed development makes a positive contribution to local character and distinctiveness;

No positive contribution.

Plan for integrated development, providing for a mix of housing that addresses the range of local housing needs, and encourages community cohesion;

These applications are causing Isolation not integration

Include measures to mitigate the traffic impacts of the proposed development on the strategic and local road networks.

Serious increase in levels of inappropriate traffic through the narrow country Lanes

Demonstrate a good understanding and respect for the **natural environment, its heritage assets and their setting both within the site and in the wider locality**, whether designated or not, and include details of how the natural environment and heritage assets will be preserved, conserved and enhanced

These are having a serious effect on natural environment and the heritage asset, 'The Cemetery'

CLPKP Policy 9

Development and Infrastructure Provision

Provide or fund new infrastructure, facilities or services required, both on and off-site, as a consequence of the proposal;

No funding been made available to improve any services as a result.

Mitigate the impact of the development on existing infrastructure, facilities or services;

Fund or contribute to improvements to increase the effectiveness and efficiency of infrastructure, facilities or services; and

Provide for the future maintenance of infrastructure, facilities or services provided as a result of the development.

Nice but not happening

CLPKP Policy 40

Sustainable Design and Construction

1. How the proposal aims to protect and enhance the environment, both built and natural. Where this is not possible, how any harm will be mitigated
2. The proposals include measures to adapt to climate change, such as the provision of green infrastructure, sustainable urban drainage systems, suitable shading of pedestrian routes and open spaces and drought resistant planting/landscaping
3. **The historic and built environment, open space, and landscape character will be protected and enhanced**
4. The natural environment and biodiversity will be protected and/or where appropriate provision will be made for improvements to biodiversity areas and green infrastructure;

5. The development is appropriate and sympathetic in terms of scale, height, appearance, form, siting and layout and is sensitively designed to maintain the tranquillity and local character and identity of the area;

Have any of these been taken into account or implemented? No

CLPKP Policy 45 Development in the Countryside

Planning permission will be granted for sustainable development in the countryside where it can be demonstrated that all the following criteria have been met:

1. The proposal is well related to an existing farmstead or group of buildings, or located close to an established settlement;
2. The proposal is complementary to and does not prejudice any viable agricultural operations on a farm and other existing viable uses; and
3. Proposals requiring a countryside setting, for example agricultural buildings, ensure that their scale, siting, design and materials would have minimal impact on the landscape and rural character of the area.

None of the above apply so should be refused

CLPKP Policy 47 Heritage and Design

The proposal conserves and enhances the special interest and settings of designated and non-designated heritage assets

No, it doesn't its wrecking the peace and tranquillity and beautiful setting of the Heritage asset of the Cemetery

Development respects distinctive local character and sensitively contributes to creating places of a high architectural and built quality

Again, no it doesn't

CLPKP Policy 48 Natural Environment

Has to show; There is no adverse impact on:

- The openness of the views in and around the coast, designated environmental areas and the setting of the South Downs National Park; and
- **The tranquil and rural character of the area.**

Yes, there is an impact so can be refused.

Development recognises distinctive local landscape character and sensitively contributes to its setting and quality

Does not contribute to the setting in fact is destroying that setting

The individual identity of settlements, actual or perceived, is maintained and the integrity of predominantly open and undeveloped land between settlements is not undermined.

The individual identity of Woodmancote is being compromised.

The Gap between Westbourne and Woodmancote is being seriously eroded.

CLPKP Policy 49 Biodiversity

1. The biodiversity value of the site is safeguarded;
2. Demonstrable harm to habitats or species which are protected or which are of importance to biodiversity is avoided or mitigated;
3. The proposal has incorporated features that enhance biodiversity as part of good design and sustainable development;
4. The proposal protects, manages and enhances the District's network of ecology, biodiversity and geological sites, including the international, national and local

designated sites (statutory and non-statutory), priority habitats, wildlife corridors and stepping stones that connect them;

5. Any individual or cumulative adverse impacts on sites are avoided;

ALL Above is being compromised

CLPKP Policy 52 Green Infrastructure

1. The proposals maintain and where appropriate contribute to the network of green infrastructure i.e. public and private playing fields, recreational open spaces, parklands, allotments and water environments;

2. The proposals contribute to improving the health and well-being of the local and wider community;

3. Where appropriate, the proposals incorporate either improvements to existing green infrastructure or the restoration, enhancement or creation of additional provision/areas;

4. Where appropriate, the proposals incorporate either improvements to existing ecology and biodiversity or the restoration, enhancement or creation of additional habitat and habitat networks;

5. Where appropriate, the proposals incorporate either improvements to existing trees, woodland, landscape features and hedges or the restoration, enhancement or creation of additional provision/areas;

6. Where appropriate, the proposals create new green infrastructure either through on site provision or financial contributions. Where on-site provision is not possible financial contributions will be required and be negotiated on a site by site basis; and

7. The proposals do not lead to the dissection of the linear network of cycleways, public rights of way, bridleways and ecological corridors such as ancient woodlands, hedgerows, ditches and water environments.

Such provision will be required in accordance with adopted policies and strategies relating to green infrastructure and biodiversity network provision. Development that will harm the green infrastructure network will only be granted if it can incorporate measures that avoid the harm arising or sufficiently mitigate its effects.

None of the above have been met, the green infrastructure is being destroyed

CLPKP Policy 54 Open Space, Sport and Recreation

New residential development (excluding replacement dwellings) will be required to contribute towards:

1. The creation of new open space, sports and recreation facilities; and/or

2. Improving the quality and/or accessibility of existing open space or indoor facilities

None forthcoming –destruction of local amenity of quiet walks in the countryside.

Sure there are more breaches but Planning must know them