

From: Gary Guiver [REDACTED]
Sent: 27 August 2021 15:30
To: Eleanor Storey [REDACTED]; Paul Woods [REDACTED] >
Subject: FW: Section 2 Main Modifications

Rep from Carol Bannister.

From: Carol Bannister [REDACTED]
Sent: 27 August 2021 15:11
To: Gary Guiver <[REDACTED]>; Planning Services [REDACTED]
Subject: Section 2 Main Modifications

Dear Mr Guiver

Please find attached my submission to the current Public Consultation on the Section 2 Main Modifications.

I trust that this letter in its entirety will be forwarded to the two Local Plan Inspectors Anne Jordan and Jameson Bridgwater.

Kind regards

Carol Bannister

Ms Carol Bannister
9 Waylands Drive
Weeley
Essex CO16 9JS

27 August 2021

Mr Gary Guiver
Assistant Director of Strategic Planning and Place
Tendring District Council
Council Offices
Thorpe Road
Weeley
CO16 9AJ

Dear Mr Guiver

Tendring District Local Plan Consultation – Section 2 Main Modifications

Schedule of Proposed Map Modifications

On the Weeley Modifications Map, the **final phase** of Oakleigh Park has a small, but extremely important missing part – THE ROAD THAT SHOULD CONNECT IT TO THE REST OF THE DEVELOPMENT.

As you are fully aware, this section is still under construction and for over a year, despite objections from the public, the Doran family has been allowed by Planning Officers, who should know better, to use sections of it as an unauthorised fully residential rental park (mainly single secondhand caravans) with a large unauthorised access along Gutteridge Hall Lane - yes, you know it, the once exquisitely pretty single-track, no-through lane, with blind bends, and without formal passing spaces or lighting or footpaths.

The **only permission** that section has is for year-round holiday use of 67 chalet/lodges as part of Oakleigh Holiday and Residential Park. There are just 4 Certificate of Lawful Use Residential Pitches elsewhere on the development, in an area that is not shaded pink, the colour representing Safeguarded Holiday Parks.

To avoid any confusion whatsoever, the final phase should also be labelled 'E' and the point where its spine road (clearly shown on detailed plans as going over a ditch) meets the rest of the park near the clubhouse, should be shown clearly, as should the only access for the entire park.

I am also concerned that the south-western corner of this final section is off the map. As such an important part of this safeguarded holiday development I consider it crucial that it should be shown in its entirety on the Weeley Modifications Map.

Schedule of Proposed Main Modifications

Policy LP9 Gypsy and Traveller Sites

I agree with this new wording in paragraph 5.9.4, which reflects the requirements of national planning policy for gypsies and travellers:

*'Planning Policy for Traveller Sites (2015) says that where there is no identified need for additional gypsy and traveller pitches, Councils should have criteria-based policies in their Local Plan to provide a basis for decisions in case applications nevertheless come forward. Such policies should be fair and should facilitate the traditional and nomadic life of travellers **while respecting the interests of the settled community**. Any applications for the creation of new gypsy and traveller sites or additional pitches will be judged against the criteria of Policy LP9 below and any other relevant policies in this Local Plan'.*

The above is based on the requirements set out in paragraph 11 within *Policy B: Planning for traveller sites* of the Planning Policy for Traveller Sites (PPTS 2015). Also, of particular importance within Policy B is paragraph 10, parts (d) and (e):

(d) relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density.

(e) protect local amenity and environment.

In certain circumstances the words '*surrounding population*' in (d) and '*local*' in (e) could refer to nearby residents, particularly if they are small in number and the location is a single-track no-through-lane.

This is reinforced by paragraph 14 in *Policy C: Sites in rural areas and the countryside*, which states:

'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'.

Again the words '*settled community*' could refer to a very small group of settled residents if they are living in a single-track no-through lane such as Gutteridge Hall Lane, Weeley, which back in 2008 became the location of a Traveller Site on the north side. At the time, its formation was described as a 'weekend traveller invasion'. Furthermore, as you are fully aware, this was joined back in 2017 by an extremely large Romany Gypsy pitch barely a hundred yards or so away, on the south side of Gutteridge Hall Lane. The couple who own it, Mr Tom Buckley and Ms Kelsey Buswell, are obviously preparing for more, having recently helped a relative based in Sevenoaks, to obtain planning permission for a manege, plus 4 internal stables, tack room, feed storage area and wash area on an adjacent field, also south of Gutteridge Hall Lane, Weeley.

Consequently, I have extremely grave concerns regarding the removal of so many of the original conditions set out in Policy LP9. Yes, the Policy was too prescriptive, but it is only fair that certain stipulations should be in place in order to ensure, for example, that

nearby communities are not overwhelmed as has already happened in the case of Gutteridge Hall Lane, the single-track no-through lane in Weeley.

I most certainly object to [MOD C](#), which proposes the removal of criterion c. that says '*sites should, where possible, utilise previously developed land and recognise the scale of nearby communities*'. Contrary to the reason given for this proposed modification, there should not always be consistency with the approach taken in policies for other forms of development, since the Gypsy/Traveller communities are already so often allowed to set up sites on land, where the settled community would not be allowed to build. Also, as previously explained, the surrounding population's size and density should be respected and taken into consideration.

There is no getting away from the fact that a significant number of Traveller sites, in particular, have become 'no go' areas in many parts of the country and that problem has to be addressed! Consequently, I consider that Tendring Council was very wise in criterion d. to set their original restrictions on sizes of sites and pitches and of distances between sites. To remove them will only exacerbate those serious issues that already exist along Gutteridge Hall Lane in Weeley, for example. There is no point in pretending that the problem does not exist. The Council's chosen figures were based on an understanding of how best to manage what could become highly sensitive situations within its district and the size stipulations are necessary. Consequently, I would like to see [MOD D](#) removed in order to reduce the likelihood that proposals will be allowed to dominate the nearest settled community, as has already occurred along Gutteridge Hall Lane, Weeley.

I am pleased to note that criterion e. is to remain almost untouched. However, there must be some way of ensuring that the Planning Inspectorate is not able to overturn a Local Authority's decision to refuse a retrospective application when all the evidence points to the fact that the access to an unauthorised site is dangerous for all and that the surrounding land has severe surface water drainage issues.

Surely, criterion f. describes the aspirations of most Local Authorities when planning housing developments for the settled community. Rather than proposing to remove this criterion, the Council should ensure that something similar, if it is not already there, is included somewhere in the policies for other forms of development. Therefore I cannot agree with the introduction of [MOD E](#), which proposes to remove criterion f.

Although agreeing with the removal of criterion h. by [MOD F](#) I would like to see conditions established and more stringently regulated in order to ensure that packet treatment plants are maintained to the standard required and not allowed to deteriorate to such an extent that ditches become full of standing stagnant water/effluent, which has been allowed to occur at times along Gutteridge Hall Lane, Weeley.

Unfortunately, Planning Officers have unwisely allowed the sole submission regarding Gypsy and Traveller sites in last year's Public Consultation to unfairly influence their views and virtually wipe the board of those measures that were in place to protect local amenity and environment. Dr Simon Ruston, the agent acting for Mr Tom Buckley who owns an oversized pitch along Gutteridge Hall Lane, Weeley, made the submission. He is one of the co-authors of Research Report 128 from the Equality and Human Rights

Commission, which argues against the new definition of Gypsies and Travellers to be found in the PPTS (2015). Furthermore, although mentioning that Mr Buckley agrees the correct approach is to ensure that proposals will not dominate the nearest settled community, his suggested modifications to Policy LP9, if agreed by Council Officers and the Local Plan Inspectors, will lead to the reverse being more likely to occur, as is already the case along Gutteridge Hall Lane, Weeley.

I trust that my letter will be received in its entirety by the Planning Inspectors and that my comments and concerns will be given due consideration.

Yours sincerely

Carol Bannister