

**BARNARD CASTLE TOWN COUNCIL
PLANNING COMMITTEE**

3 NOVEMBER 2014

PRESENT: Councillor Harrison (in the Chair); Councillors Blissett (Town Mayor), Kinch, Marshall and Yarker.

Also in attendance: One member of the press.

Officer: Mr King (Town Clerk).

47. APOLOGIES

There were none.

48. DECLARATIONS OF INTEREST

In accordance with this Council's adopted Code of Conduct (Minute 72(a)/Sep/12 refers), Members were asked whether they had any personal or prejudicial interests in any matter on the agenda and, if so, to declare those interests at this point of the meeting. Members were reminded that a declaration could be given later in the meeting if a need arose during discussion. There were no declarations of interest at this juncture.

49. PLANNING COMMITTEE MEETING – 20 OCTOBER 2014 – MINUTES

Resolved – That the Minutes be approved as a correct record.

50. APPLICATIONS FOR CONSIDERATION

The following applications were submitted for consideration:-

(i) **Barnard Castle School** - Retention of existing temporary building (portakabin) as female day pupil common rooms. Design and Access and Heritage Statements had been circulated for members' information.

Resolved – That conditional approval be supported.

(ii) **Barnard Castle School** - Variation of condition 2 pursuant to planning application 6/2014/0008/DM seeking alterations to fenestration patterns and roofing materials and amendments to 6/2014/0009/DM/LB to alter fenestration patterns and roofing materials. Design and Access and Heritage Statements had been circulated for members' information.

Resolved – That conditional approval be supported.

(iii) **89 Galgate** - Single storey rear extension. Design and Access and Heritage Statements had been circulated for members' information.

Resolved – That conditional approval be supported.

(iv) **21 Horsemarket** - Listed building consent for alterations to shop front and internal layout. Design and Access and Heritage Statements had been circulated for members' information.

Resolved – That listed building consent be supported.

51. PLANNING POLICY FOR TRAVELLER SITES – CONSULTATION

Submitted – A report summarising the Department for Communities and Local Government's (DCLG) consultation in respect of proposed changes to Planning Policy to Traveller Sites with a view to the submission of an appropriate response on behalf of the town council.

Resolved – That the following responses to the consultation questions be made:

Q1 – Do you agree that the planning definition of travellers should be amended to remove the words or permanently to limit it to those who have a nomadic habit of life? If not, why not?

Yes.

Q2 – Are there any additional measures which would support those travellers who maintain a nomadic habit of life to have their needs met? If so, what are they?

Transit sites should be available to meet the needs of travellers who transit at particular times of year, for example at the time of the Appleby Horse Fair in May/June, annually, for those passing through Teesdale. Accommodating these needs should not be at the expense of proper planning controls elsewhere, for example, the designation of excepted sites.

Q3 – Do you consider that:

a) we should amend the 2006 regulations to bring the definition of "gypsies and travellers" into line with the proposed definition of "travellers" for planning purposes;
b) we should also amend primary legislation to ensure that those who have given up travelling permanently have their needs assessed? If not, why not?

a) Care should be taken to assess the impact of such changes on the ability of anyone to identify with a particular ethnicity, particularly with regard to the protected characteristics of the Equalities Act. A definition which conflicted with that legislation, or which had the effect of denying or curtailing basic rights and freedoms, would be unsustainable.

b) Yes.

Q4 – Do you agree that Planning Policy for Traveller Sites be amended to reflect the provisions in the National Planning Policy Framework that provide protection to these sensitive sites? If not, why not?

Yes.

Q5 – Do you agree that paragraph 23 of Planning Policy for Traveller Sites should be amended to "local authorities should very strictly limit new traveller sites in the open countryside"? If not, why not?

Yes.

Q6 – Do you agree that the absence of an up-to-date five year supply of deliverable sites should be removed from Planning Policy for Traveller Sites as a significant material consideration in the grant of temporary permission for traveller sites in the areas mentioned above? If not, why not?

Yes.

Q7 – Do you agree with the policy proposal that, subject to the best interests of the child, unmet need and personal circumstances are unlikely to outweigh harm to the 13 Green Belt and any other harm so as to establish very special circumstances? If not, why not?

Yes.

Q8 – Do you agree that intentional unauthorised occupation should be regarded by decision takers as a material consideration that weighs against the grant of permission? If not, why not?

Yes.

Q9 – Do you agree that unauthorised occupation causes harm to the planning system and community relations? If not, why not?

Yes.

Q10 – Do you have evidence of the impact of harm caused by intentional unauthorised occupation? (And if so, could you submit them with your response.)

Yes. There is a history of travellers passing through Teesdale, particularly in late May/early June each year, who, despite the best efforts of Durham County Council, as planning authority, choose to camp remote from established temporary and transitory sites. These actions inconvenience and create nuisance for residents and create additional cleaning costs for the principal authority to deal with refuse and human waste.

Q11 – Would amending Planning Policy for Traveller Sites in line with the proposal set out above help that small number of local authorities in these exceptional circumstances? If not, why not? What other measures can Government take to help local authorities in this situation?

Yes. Under these circumstances, i.e. where there is established, alternative provision for travellers, unauthorised occupation should be subject to a **swift and effective** process of removal.

Q12 – Are there any other points that you wish to make in response to this consultation, in particular to inform the Government's consideration of the potential impacts that the proposals in this paper may have on either the traveller community or the settled community?

No.

Q13 – Do you have any comments on the draft planning guidance?

No.