

Ref: 17/502714/FULL

Ulcombe Parish Council

The Parish Council continues to challenge whether the applicant complies with the current definition of Gypsies and Travellers (G&T's) including through a letter from solicitors acting for them. The main points are as follows:

- The Council is not applying the correct test for whether the applicants are 'gypsies or travellers'.
- The Council has not properly assessed the submitted evidence in support of their assertion they are 'gypsies or travellers'.
- There appears to be no objective evidence that the applicant is nomadic. We can't see where in law it says attending horse fairs justifies a nomadic lifestyle
- There is no evidence that the applicants will only reside "temporarily" at hawthorn Farm.

Officer Comment

For clarity, the Government's Planning Policy for Traveller Sites (PPTS) states that "gypsies and travellers" means:

"Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such."

The main report outlines that the agent has confirmed that proposed families for the plots travel for work purposes and provides details of various horse fairs attended throughout the year. As such, the potential occupants are considered to pursue a 'nomadic habit of life' and comply with the G&T definition.

The Parish Council appear to suggest that it is only possible to live on a site temporarily in order to comply with the definition of a G&T. Living on a site provides a settled base from which G&T's can continue to live a nomadic lifestyle in pursuit of work. In this case, the occupants intend to continue with a nomadic habit of life but provide a settled base for their children to provide schooling and a structured family life.

RECOMMENDATION

Recommendation remains unchanged