



SUPPLEMENTARY INFORMATION

Planning Committee

8 October 2020

Agenda Item Number	Page	Title
9 and 10	1 and 2	Supplementary Written Update

If you need any further information about the meeting please contact Lesley Farrell, Democratic and Elections democracy@cherwellandsouthnorthants.gov.uk, 01295 221591

CHERWELL DISTRICT COUNCIL

Planning Committee – 8 October 2020

Supplementary Written Update

Agenda Item 9

20/01122/F – Piddington

Additional information received

None.

Additional Representations received

None.

Officer comment

The officer's report did not mention the Human Rights Act in relation to the applicants. Under Article 8 there is a positive obligation to facilitate the gypsy way of life (paragraph 96 of Chapman v UK (2001)) as gypsies and travellers are identified as a specialist group.

The application proposal is for a residential caravan site for gypsies and travellers. The proposed development would therefore provide new accommodation for the gypsy and traveller community with the Cherwell District. The contribution that the site makes to facilitating the gypsy and traveller way of life weighs in favour of the proposal.

Officers have considered the duties under both Article 8 and Article 1 of the First Protocol and have resolved that, in the event that the application is refused planning permission, there would not be any discrimination (or potential discrimination) on the applicants.

Potential discrimination may arise from a grant of planning permission without evidence that the proposals would not increase the flooding risk on the site and future occupiers of the development be adversely affected thereby.

In weighing the planning balance, officers consider that the contribution that the site makes to facilitating the gypsy and traveller way of life, together with the proposal's other benefits, would be outweighed by the harm identified at Section 10 of the report.

Change to recommendation

No change to recommendation.

Agenda Item 10
20/01747/F – Piddington

Additional information received

None.

Additional Representations received

None.

Officer comment

The officer's report did not mention the Human Rights Act in relation to the applicants. Under Article 8 there is a positive obligation to facilitate the gypsy way of life (paragraph 96 of Chapman v UK (2001)) as gypsies and travellers are identified as a specialist group.

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Change to recommendation

No change to recommendation