

PLANNING DESIGN AND ACCESS STATEMENT

**Change of use of land to Gypsy/Traveller residential
caravan site comprising two additional pitches
at
Greenacres
Ropers Gate, Gedney
PE12 0DA**

June 2015

1 INTRODUCTION

Planning permission was granted on 6 September 2013 for two gypsy/traveller pitches at this site. This new application proposes an additional 2 pitches on the adjacent paddocks. It is anticipated that each pitch would require 2 mobile homes and 2 touring caravans.

The application submitted is for the change of use of land to provide 2 gypsy/ traveller pitches. It is anticipated that each pitch would require one mobile home and one touring caravan.

The intention is that these pitches would provide accommodation for extended family members.

A Flood Risk Assessment prepared by Geoff Beel Consultancy supports this application.

Planning permission has also been granted for stables on parts of the larger site, all within the same ownership.

2 PLANNING POLICY FOR TRAVELLER SITES 2012

Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Planning Policy for Traveller Sites' (PPTS) is therefore a material consideration carrying significant weight.

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.

To help achieve this, the Government's aims include:

- **To encourage LPAs to plan for sites over a reasonable timescale**
- **To promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites**
- **To increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply**
- **To enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure**

Policy B: Planning for Traveller Sites

Criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the

interests of the settled community.

Paragraph 11 requires travellers' sites to be sustainable economically, socially and environmentally. Local Authorities should therefore ensure their policies reflect the aims a-h in that paragraph.

Policy C: Sites in Rural Areas and the Countryside

When assessing the suitability of sites in rural or semi-rural settings, LPAs should ensure that the scale of such sites does not dominate the nearest settled community.

Policy H: Determining Planning Applications for Traveller Sites

Local Planning Authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- **The existing level of local provision and need for sites**
- **The availability (or lack) of alternative accommodation for the applicants**
- **Other personal circumstances of the applicant**
- **That the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites**
- **That they should determine applications for sites from any travellers and not just those with local connections**

LPAs should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. LPAs 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.

When considering applications, LPAs should attach weight to the following matters inter alia:

- **Sites being well planned or soft landscaped in such a way as to enhance the environment and increase its openness**
- **Promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children**

3 NATIONAL PLANNING POLICY FRAMEWORK 2012

Paragraph 14 states that 'At the heart of the NPPF is a presumption in favour of sustainable development ...

For decision taking, this means:

- **Approving development proposals that accord with the development plan without delay; and**
- **Where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:**

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole; or

specific policies in this Framework indicate development should be restricted

4 LOCAL POLICY

South East Lincolnshire Joint Strategic Planning Committee

On 5 July 2011 the South East Lincolnshire Joint Strategic Planning Committee Order 2011 came into force. This Order establishes a Joint Strategic Planning Committee for the areas of the districts of Boston and South Holland (known collectively as South East Lincolnshire). The constituent authorities are Lincolnshire County Council, Boston Borough Council and South Holland District Council.

The Joint Committee exercises the functions of a local planning authority including the preparation of joint local development documents in a joint local development scheme.

Certain policies have been ‘saved’ from the Boston Borough and South Holland District until replaced by one or more new DPDs.

The relevant Policy saved from the South Holland Local Plan is **HS19 ‘Sites for Gypsies and Travellers’** which states:

‘Planning permission will be granted for new gypsy and traveller sites where there is an unmet need, or a need arises unexpectedly, and provided that the following criteria are satisfied:

- **The site is within reasonable distance of a school, shop and other local services**
- **Sites should respect the scale of the nearest settled community and should avoid placing undue pressure on the local infrastructure**
- **The site would not have a significant adverse effect on the amenities of existing local residents or adjoining land uses**
- **The site is already, or is capable of being, successfully assimilated into both its immediate environs and the wider landscape**
- **The use of the site would not prejudice highway safety or give rise to problems of parking and highway safety**
- **The site would have adequate connections to services including drinking water supply, electricity and waste water treatment**

- **The site would not be at high risk of flooding or rapid inundation**

Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment for South East Lincolnshire (November 2012)

The South-East Lincolnshire Joint Strategic Planning Committee has statutory status as a local planning authority. It will prepare joint land use policy documents and these documents will form the South East Lincolnshire Local Plan.

Any local plan must be prepared upon a robust evidence base. In order to provide the evidence to support policy development on Traveller sites, a Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment was commissioned, and the findings are set out in this report.

The study was commissioned to deliver:

- An assessment and location of present needs – identify pitch and plot targets to establish a 5 year site supply for the local plan and in line with emerging government policy looking ahead for 15 years
- The identification of locations for future provision – for each type of site, based on need

With regard to plan making, there is a requirement to adhere to the policies of the NPPF with the objective of contributing to the achievement of sustainable development ...

To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that development will be delivered on the site within 5 years and in particular that development of the site is viable...

Criteria should be set to guide land supply allocations where there is an identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. ...Such criteria are also likely to be relied upon in determination of applications arising prior to adoption of the Local Plan.

Until the adoption of the emerging local plan, the saved policies of both Boston Borough Council and South Holland District Council remain in force.

Policy HS19 of the 2006 Local Plan (South Holland) relating to sites for gypsies and travellers was saved.

The South East Lincolnshire Joint Strategic Planning Committee, Draft Revised, Local Development Scheme March 2015 is expected to be adopted in February 2017.

A review of GTAAAs in the East Midlands was undertaken in 2008. It concluded that there were significant gaps in the surveying, that the absence of interviews with those on unauthorised developments and the small number on unauthorised encampments resulted in the nature of the needs being underestimated.

The review also commented specifically on the South Holland GTAA which was conducted in 2005. The absence of a thorough approach, namely the inability to act on the guidance in the ODPM Draft issued in 2006, which it predates. As a result, the calculation of need was unlikely to be accurate due to methodology deficiencies.

It is clear from the findings of the GTAAs Review that there is a likelihood of the earlier reports underestimating the total need for additional pitches for the travelling community.

Paragraph 9.3 13 confirms that demand is evident for up to 34 additional residential pitches on traveller owned sites.

Paragraph 9.3.16 confirms that **‘these figures can never be more than an estimate due to the small numbers involved in the calculations and should be treated with caution.’**

The report concludes, inter alia:

- **In years 1-5 of the plan period there is a need for 34 additional pitches for gypsies and travellers.**
- **The demand for 34 additional pitches is for pitches on traveller owned sites**
- **A 5 year supply of deliverable sites has not been identified**
- **In years 6-10 a further 15 residential pitches could be required, the majority on privately owned residential sites**
- **During years 11-15 a further 17 pitches may be required**
- **The LPA should consider and adopt specific criteria to guide the allocation of sites in development plans against which planning applications coming forward for unallocated sites will be judged**
- **The LPA should consider adoption of a rural exceptions policy to permit the development of small affordable traveller sites for family occupation by those with demonstrable local connections**

National guidance in both the National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites makes clear that Councils' should, as with other conventional housing, identify a five year supply of deliverable sites for either permanent or transit Gypsy and Traveller Sites within their district, and this within a wider policy framework appropriate to deliver at least a 15 year supply.

There is clearly an identified shortfall of sites and this proposal could help make a positive contribution to the number of pitches required.

5 THE ISSUES

Impact on Character and Appearance of the Area

The application site would be an extension of the existing site, with the actual plots occupying only a relatively small area of the overall field. Additional landscaping has already been carried out and this will help reduce the visual impact of the development, and assimilate it into the landscape.

Sustainability

PPTS makes it clear that LPAs should ensure that sites are sustainable economically, socially and environmentally. Thus paragraph 11 states that LPAs should ensure that their policies:

- a) **Promote peaceful and integrated co-existence between the site and the local community**
- b) **Promote access to appropriate health services**
- c) **Ensure that children can attend school on a regular basis**
- d) **Provide a settled base that reduces the need for long distance travelling and possible environmental damage caused by unauthorised encampment**
- e) **Provide a proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there**
- f) **Avoid placing undue pressure on local infrastructure and services**
- g) **Do not locate sites in areas of flooding**
- h) **Reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability**

The site satisfies all of these criteria. It also satisfies the criteria in saved policy HS19.

The existing level of local provision and need for sites, and the availability of alternative accommodation

Any alternative site must not only be available, it must be suitable and affordable for the appellant. Even if a site were to become available, there may be good reasons why it might not be acceptable. Examples could include:

- They may be expected to purchase the site but not be able to afford it;
- An 'available' site might be privately owned and the owner may vet the proposed occupiers, or keep it for specific family members.
- It may not be close enough to access regular important services for health and education.

There is no evidence to suggest that there is a site currently available and affordable, which

would be a suitable alternative for the applicant and her family.

Sites selected for potential allocation are generally authorised sites, often with personal permission, or known and suitable unauthorised sites. With most or all of these sites being privately owned and already occupied this would preclude occupation by any other gypsy/traveller family.

6 CONCLUSION

This application proposes additional pitches to an existing, authorised pitch. The proposed pitches would be occupied by extended family members.

When considering the earlier application, officers considered that:

- There is a need for additional pitches
- The principle of the development was acceptable
- The Flood Risk Assessment proposed acceptable mitigation measures
- Existing landscaping and additional planting would help mitigate the site's visual impact

The report concludes:

'This application has been assessed against both adopted local policies and standing national guidance. It is considered that this application meets the various criteria set out in those policies and guidance, and would go towards addressing an identified shortfall in gypsy/traveller provision within the District. As a consequence it is not considered reasonable to seek to impose a condition that use of the site should enure only for the benefit of the applicant.

.... Consequently, the recommendation is for approval.'

Whilst the grant of permission would extend the overall size of the development, it is considered that the extended area would also achieve a development which would provide much needed accommodation gypsy/travellers whilst safeguarding the amenity of both the immediate locality and in its wider context.