

Change of use from paddock to a residential use for travellers (retrospective) including 4 caravan pitches, and associated touring caravans.

Land to the rear of Emmanuel House
Main Road Holbeach Drove PE12 0PS

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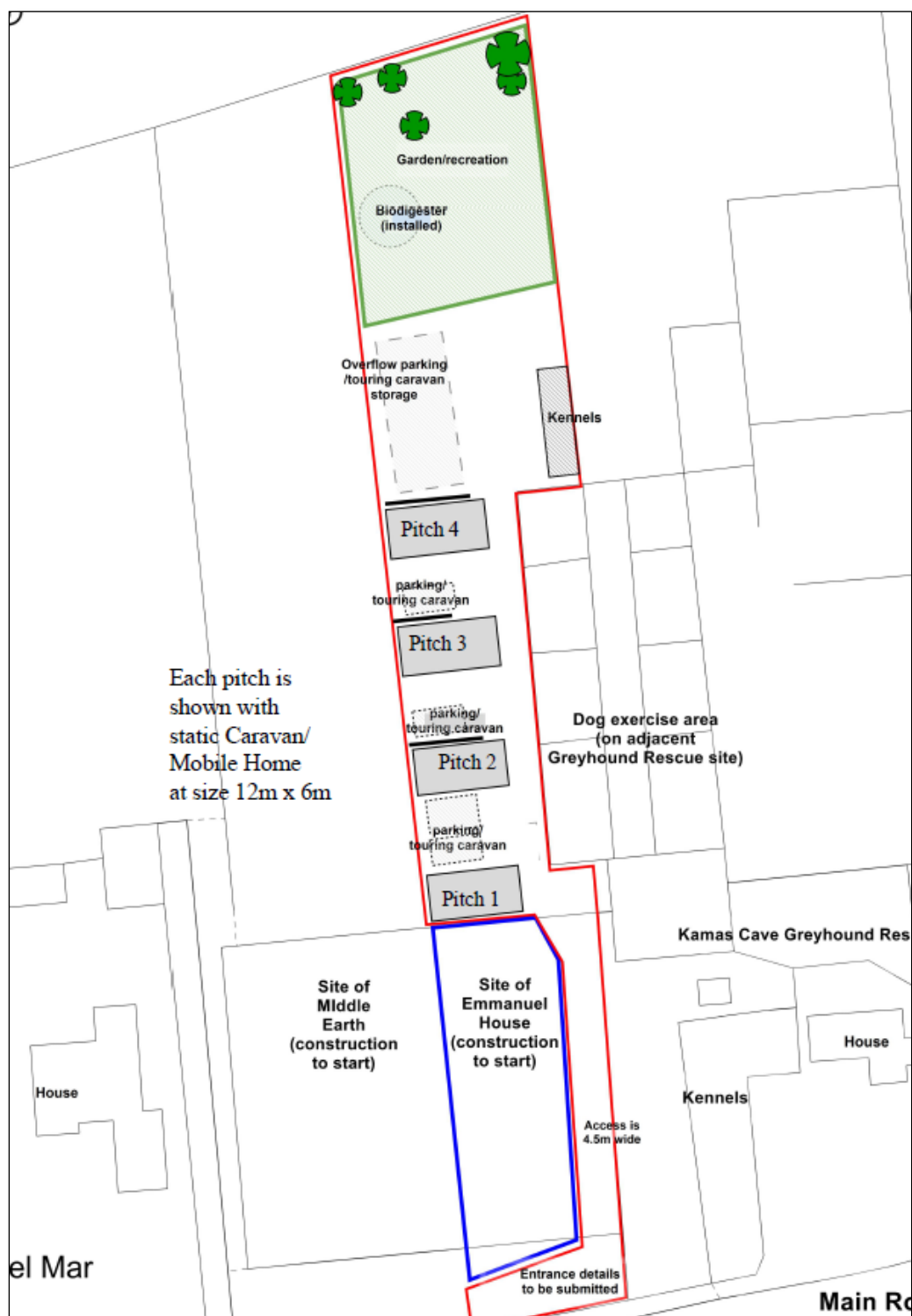
This submission comprises

Plans

1. Site location plan
2. Block plan showing layout (extract below) and
3. context plan showing adjacent approved housing sites

Documents.

- a. This supporting statement
- b. Additional document addresses family status (confidential given personal information)



1. Summary of proposal

Full planning permission is sought for the use of this 0.248-hectare paddock as a gypsy travellers' site for the applicant and their immediate family. It would consist of 4 pitches each with 12m x 6m twin unit static caravans, and each with pitches for touring caravans and a hardened surface access. It is located immediately adjacent to the village of Holbeach Drove and lies in open countryside.

This is one extended family of 9 persons. The applicants are gypsies and comply with the definition of "gypsies and travellers" within the definitions set out in *DCLG document Planning Policy for Traveller Sites, published August 2015*. Confidential information is provided to the Council that outlines family history, and their present circumstances.

The applicant is a prospective 'settled traveller' who is temporarily occupying a caravan pitch whilst their house is built at the front (Emmanuel House). He will live there to support the extended travelling family in the paddock to the rear. Once vacated his present Pitch 1 will be occupied by his son who is a gypsy traveller, but not yet resident.

The development will once completed comprise:

- 4 static mobile homes (the details of these units need not been specified however it is confirmed within the submission that these units will meet the definition of a caravan as prescribed by the Caravan Sites Act 1968- it is presently proposed that the units will be 12m x 6 m in size)
- 4 touring caravan pitches and associated vehicle parking areas to support each of the above units
- 3 utility or amenity buildings with toilets and washing facilities (designs have yet to be submitted)
- parking spaces
- outbuildings being mostly kennels
- a large garden area to the rear
- drainage to a large bio-digester tank that has been installed to the rear (details to follow)

The access road is presently compacted limestone but will be tarmacked. Timber fencing (2m height) has been erected but this does not require permission as such enclosures are permitted development.



2. The site and area.

The site is a paddock and an access to be shared with a house, together some 0.248 ha in size. It is situated approximately 5 miles (8 km) east from Crowland, and at the junction of the B1166 and the B1168 roads. The settlement is reasonably well connected having several bus services, and the classified roads in easy reach. It has some services with a combined shop and filling station. This is not a flood risk area.

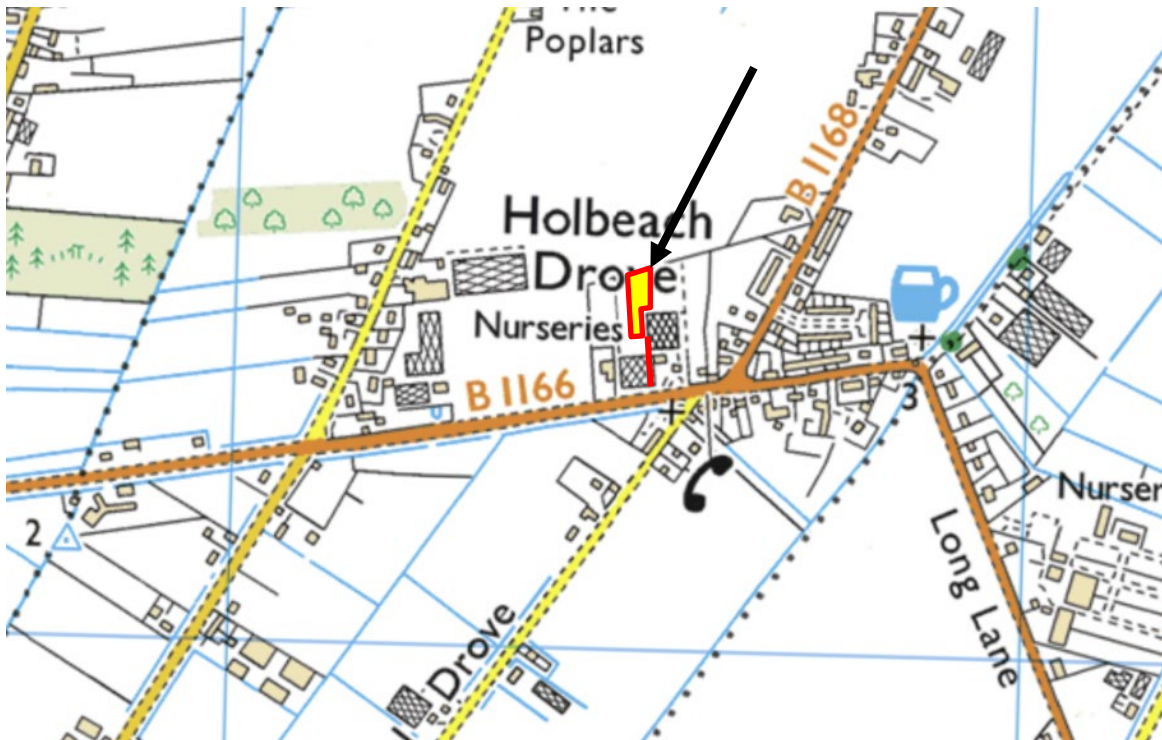
It is accessed by a new compacted limestone road on its eastern boundary (being the base course for a future tarmacked road). The site is now a compacted limestone surface with the except for land to the rear that is to be a garden (a domestic garden will be laid in the rearmost third of the site). A timber security fence of 2 metres height has been erected around the site; at the rear this roughly equates to the field boundary. At the time the application is made the site had 4 touring caravans and one static mobile home measuring 12m x 6m.

This paddock lies behind a site with permission for two new houses that have yet to start construction (Land East of Kelmar Main Road Holbeach Drove H09-0783-18 approved 24.06.2019). It is accessed alongside the easternmost Plot that was previously named *Plot 2* and is now *Emmanuel House*). The site will be managed by the applicant who will occupy the house and share its access.

Immediately to the east of the site lies a dog rescue centre - Kamas Cave Greyhound Rescue - with up to 20 dogs. This was permitted on appeal in 2007 (ref H09/0035/06).

The character of the area is of a pleasant rural-suburban nature, with mostly two-storey contemporary detached houses and modern bungalows interspersed with older two storey houses. A listed chapel lies close by.

Site location(Source: Bing)



Accessibility. A rural service is offered to Holbeach Drove that includes Route 36 (Mon- Sat. hourly day time service) to Peterborough, and Routes 43/43A Monday to Sat. (not Thursday) single service to Spalding. There is also a school bus and the Call Connect bookable service.

3. Site history

a. This site

H09-0783-18. Land East: Kelmar Main Road Holbeach Drove
Demolition of glasshouse and erection of 2 detached dwellings. Approved 24 June 2019.

The present site is not part of this permission but access to the present application site is taken across the front of Plot 2. This Plot is now named Emmanuel House and will be lived in by the applicant who will manage the traveller site to the rear.

b. Adjacent site to south

H09-0783-18 Land East of KelMar,
Demolition of glasshouse and construction of 2 houses.
Approved 24.06.2019

H09-0683-21 Plot 1 (Middle Earth) And Plot 2 (Emmanuel House) Main Road Holbeach Drove
Modification of Condition 2 to allow amendments to previously approved plans and removal of Condition 6 relating to Contamination.
Undecided.

c. Other recent decisions concerning traveller sites.

All cases are post adoption of the SELLP (in March 2019).

H06-0233-19. Green Acres Park, Ropers Gate, Gedney
Change of use of land (part retrospective) to provide five additional gypsy/traveller pitches with one day room per pitch and existing stables converted to dayrooms..
Approved 5 September 2019.

H16-0734-19. Akita Place, Clay Lake, Spalding
Siting of single mobile home (retrospective)- re- submission of H16-0030-17.
Approved 20 September 2019.

H23-0848-19. Bleu Raye Farm, Millgate, Whaplode
Proposed residential gypsy/traveller site. 4 pitches each with 2 touring caravans and 1 mobile home.
Approved 26 June 2020.

H20-0513-20. The Stables, Baulkins Drove, Sutton St James
Residential gypsy caravan site for one family with 2 caravans (retrospective) - approved under H20-0287-06. Modification of Condition 1 to allow the name on the planning approval to be changed to Ms West.
Approved 25 August 2020.

H23-0841-20 Foxes Lowe Hurdletree Bank Whaplode St Catherine.
Change of use from paddock to travellers' site for applicants' and family only (part retrospective). 1 static and 3 touring vans.
Approved 18 December 2020.



4. Planning Policy

a. NPPF July 2021

Paragraph 62.

Housing delivery - the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to ... travellers).

Paragraph 74.

Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies. At Footnote 38 "For the avoidance of doubt, a five-year supply of deliverable sites for travellers – as defined in Annex 1 to Planning Policy for Traveller Sites – should be assessed separately, in line with the policy in that document."

b. Department of Communities and Local Government DCLG (now Ministry of Housing, Communities & Local Government) : Planning Policy for Traveller Sites ('PPTS', August 2015)

Local Planning Authorities should:

9. set traveller pitch targets.
10. identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets
13. ensure that traveller sites are sustainable economically, socially and environmentally. and ensure that their policies promote peaceful and integrated co-existence between the site and the local community
14. when assessing the suitability of sites in rural or semi-rural settings ensure that the scale of such sites does not dominate the nearest settled community.

c. South East Lincolnshire Local Plan (SELLP) , March 2019.

- Policy 2 - Development Management
- Policy 3 - Design of New Development
- Policy 4 - Approach to Flood Risk
- Policy 11 - Distribution of New Housing
- Policy 17 - Providing a Mix of Housing Policy 19 - Rural Exception Sites
- Policy 20 - Accommodation for Gypsies, Travellers and Travelling Showpeople
(see comment overpage)
- Policy 28 - The Natural Environment
- Policy 31 - Climate Change and Renewable and Low Carbon Energy
- Policy 32 - Community, Health and Well-being



Policy 20 of the SELLP is the most relevant policy as it expresses the Council's commitment to providing sufficient accommodation for travellers. It allocates a few sites for gypsies and travellers but does not presume against further sites and states:

"Additional needs which may arise during the Local Plan period will be met through the determination of planning applications on other, unallocated sites. Planning permission will be granted for proposals on such sites, if they meet criteria 1 to 3 above"

These 3 criteria are that they:

- "1. will be adequately provided with appropriate infrastructure such as electricity, drinking-water, waste-water treatment and recycling/waste management;*
- 2. will not have a significant adverse effect on the amenities of existing local residents or adjoining land users (and proposals must therefore give careful consideration to layout, landscaping, external lighting schemes, and the type of business uses that would be appropriate (if mixed residential and business use is proposed)); and*
- 3. will be successfully assimilated into both their immediate environs and the wider landscape."*

and they:

- "a. provide occupants with an acceptable standard of amenity;*
- b. are not located adjacent to uses likely to endanger the health of occupants, such as a refuse tip, water recycling centres or contaminated land;*
- c. respect the scale of the nearest settled community;*
- d. will not place undue pressure on local infrastructure;*
- e. will not adversely affect heritage assets or areas of importance to nature conservation;*
- f. will not prejudice highway safety or give rise to problems of parking or highway access;*
- g. for sites for permanent residential use they:*
 - i. provide occupants with access to education, health care and recreational facilities, shops and employment within reasonable travelling distances, preferably by walking, cycling or public transport;*
 - ii. are suitable (or capable of being made suitable) for mixed residential and business use;*
 - iii. are not located within Flood Zone 3a or 3b and, if located in Flood Zone 2, the Sequential and Exception Tests have been passed; and*
- h. for sites for transit or stopping place use, are not located within Flood Zone 3b and, if located within Flood Zone 3a, the Sequential and Exception Tests have been passed."*



5. Planning evaluation.

It is suggested the main issues in this case are

- a. The general need for this development
- b. The needs of this family, and social and economic sustainability
- c. Open countryside location, and visual impact
- d. Impact on the amenity of neighbours and relationship with the nearest settled community

a. The general need for this development

National policy states that the Local Planning Authority should set pitch targets for gypsies and travellers that address the likely permanent and transit site accommodation needs and have an up to date 5-year land supply. This is also echoed within local policies. The South East Lincolnshire Local Plan (SELLP), 2019 acknowledges there is both a 'known' and 'unknown' unmet need for additional Gypsy/Traveller residential accommodation within its district between the period 2011-36.

The matter of need was presented to the Planning Committee as recently as December 2020 (see case reference H23-0841-20 Hurdletree Bank). It was reported then that, as part of the SELLP work, an independent Gypsy and Traveller Accommodation Assessment was undertaken on behalf of the Joint Planning Unit, and that report was published in November 2016.

At the time of the above report, in South Holland there were no public sites; 10 private sites with a total of 57 pitches; 1 unauthorised site with 10 pitches; and 3 Travelling Showpeople yards with 14 plots. There was no other provision for Gypsies, Travellers or Travelling Showpeople. This has not been updated although some 5 years has passed.

The components of future need appear to be recognised by the Council as follows:

- older teenage children in need of a pitch of their own.
- households living on sites with temporary planning permissions.
- new household formation.
- in-migration .

The report set out that there may be a need across the plan period for up to 13 additional pitches for 'unknown' households.

There has been no update to the above report and so it is not possible to adequately demonstrate that the district has a 5-year supply of traveller pitches at present. It can also be inferred that the Council would be unable to confirm the availability of alternative accommodation for the applicants. Given that there is an unmet need, the application achieves compliance with policy that commits the Council to allowing sufficient accommodation for travellers.

It is concluded the provision of a site for the applicants' and their family would therefore contribute to the future need for pitches within the local plan period. This is a material consideration of considerable weight.



b. The needs of this family, and social and economic sustainability

The rationale for considering gypsy status in a planning application is that their nomadic lifestyle brings with it special needs that render them more vulnerable to homelessness if subject to the normal regime of planning control. For the purposes of planning policy "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 dependents' educational or health needs or old age have ceased to travel temporally'*.

All those living on the proposed site can be recognised as ethnic Gypsy Travellers. Some continue the traditional lifestyle and are therefore recognised under the national Traveller definition. Those that have stopped traveling, for either health reasons or to be educated, would also be recognised as such as they may resume a nomadic lifestyle in the future. Being nomadic does not preclude having a permanent base which an individual or family can return to and live on for periods of time.

The family originated from the Wisbech area and have local family connections. They have been resident elsewhere but - given accommodation problems - have chosen to reconnect with friends, family and connections in this area. During the past few years, the applicants' have been searching for a parcel of land, whereby they could settle down on a more continual basis than they currently are able to - with the view of finding a site to call home and settle down with their growing family. Mr Carman the applicant has a roofing and building company. He and the family run their business away from home, from construction sites. Commercial vans for home to work travel are brought home but the family do not use any land on the site for associated business purposes or materials storage.

The application site is located adjacent to existing residential accommodation, and although within the open countryside, is immediately adjacent to the built-up area of this village thereby benefiting from the services in that village (a stores and filling station).

There is nothing within either national or local policy to suggest that traveller sites must be accessible by means other than by private car. Policy recognises that the lifestyle of travellers must be factored into the planning balance, so the more general sustainability issues should not be rigidly applied. The site is not physically close to large Sub-Regional or Main Service Centres such as Spalding, Crowland and Holbeach, but it does have easy road links to those areas. Its location would enable school age children to be given access to relevant school catchment areas (there is a school bus from Holbeach Drove to Spalding). The village benefits from a regular hourly service to Peterborough. Although not well served for timed bus routes to Spalding, the village does still benefit from the bookable Call Connect service. For a village there are therefore other options than access by car.

The family are registered with doctors and other agencies in the area.

A privately-owned site may effectively restrict occupants to close family but this would be compatible with the aims of national policy to promote private traveller site provision.

National policy requires Councils to ensure that traveller sites are sustainable economically, socially, and environmentally. Considering that the proposal would contribute to the future need for pitches within the Local Plan period, and the above social and economic factors, it is concluded here the proposed development presents a sustainable development. This conclusion is consistent with other recent decisions by the Council concerning traveller sites in Gedney, Whaplode, Sutton St James, and Whaplode St Catherine.

Confidential personal information accompanies the application. This supporting information includes details of the extended family group and their health needs together with a note of the relationships between the residents of each pitch.



c. Open countryside location, and visual impact

A key policy requirement that the site needs to will be successfully assimilated into its immediate environs and the wider landscape.

The proposal is for the development of a piece of unused agricultural land. National policy acknowledges that gypsy sites may be in rural areas, whilst noting that “*new traveller sites in open countryside away from existing settlements should be very strictly limited*”. The site is immediately adjacent to an existing settlement and so would not conflict with the policy advice as it is not ‘away’ from the settlement. It will appear as an extension to the settlement given proximity to adjacent houses, and a Greyhound Sanctuary. It does not project into the countryside and is contained within a previous field boundary to the south. In visual terms, does not really affect local countryside character. The site does not fall within green belt, nor is in an area of outstanding natural beauty nor has any other special planning characteristics. There are no local footpaths that will allow a public view of the site. The site is discreetly located as viewed from the main road. It will in time be largely hidden for views from the public road by new houses, and associated landscape work. It is concluded that there are no special countryside characteristics requiring this land to be kept undeveloped.

Consideration has been given to visual impact at close quarters. The next closest houses are adjacent to the road to the south east (Main Road Nursery/Greyhound Sanctuary) and south west (Kel-Mar). The former has intervening kennel buildings, other buildings, and an exercise area between the rear of the house and the new site (with a 38m separation of the house’s rear elevation to its boundaries). The rear elevation of the latter (Kel-Mar) is a similar distance. Both will experience views of the upper sections of Mobile Homes above the site’s new 2m timber fence.

Plot 1 of the adjacent housing site is named Middle Earth. This house when built and occupied will experience views of the site at close quarters but with a large garden intervening (it will be 26m from rear elevation of the new house to the travellers’ site). The owner of Middle Earth is fully aware of the new traveller site and the site was purchased in full knowledge.

Plot 2 of this new development site is named Emmanuel House. This will be occupied by the site’s owner who will manage the site on behalf of his family. Issues of visual impact thereby do not arise.

To conclude on this issue, Gypsy and traveller sites, as well as caravan sites in general, are a common sight in the countryside and are not intrinsically discordant or out of character. This site is discreetly located as viewed from the main road. The site will in time be largely hidden for views from the public road by 2 new houses, and associated landscape work. There is no material harm to neighbouring residential amenity from overlooking or overshadowing. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the surrounding area. If there is any residual visual harm from this use of previously open countryside it is very limited and is readily offset by the planning advantages of meeting traveller needs in an otherwise acceptable way.



d. Impact on the amenity of neighbours and relationship with the nearest settled community

National policy encourages the promotion of peaceful and integrated co-existence between the site and the local community. This is a measure of the impact of new activity on this residential area by reason of harm to amenity from disturbance.

Mixed residential and business use is not proposed, so residential use is unlikely to give rise to any obvious amenity harm. This is because it is a wholly residential site without any associated working area. The use may thereby be treated in the same manner as other residential uses on the edge of a village.

The proposed access is initially shared with a housing Plot (Emmanuel House), then runs approximately north-south alongside the eastern boundary with the Greyhound Sanctuary (alongside that adjacent site's kennels). Given the relatively low intensity of the use, vehicle movements will not result in nuisance to the house that lies a further 25m to the east of this boundary.

The development is relatively small scale providing for the accommodation needs of 4 linked households. The occupants will engage with the community – a local shop is within easy walking distance, a local nursery is already being used, fuel will be purchased at the local filling station.

It is also not likely to experience harm *from* adjacent uses – immediately to the east of the site lies a dog rescue centre – Kamas Cave Greyhound Rescue – with up to 20 dogs. This was permitted on appeal in 2007 (ref H09/0035/06). This is well managed with and, whilst noise from barking is apparent at meal and exercise times, this is of very short duration. Greyhounds do not bark as much as other breeds. The present applicants have been living on the site since June 2021, so the matter of nuisance has been shown to not be an issue. Indeed, the applicants also keep dogs and so the two uses are mutually respectful neighbours.

The development would comply with national policy (the second limb of paragraph 25, PPTS) in that the site would *“respect the scale of, and not dominate, the nearest settled community, and avoid placing undue pressure on local infrastructure.”*



6. Other Technical matters

a. Archaeology.

A Heritage statement was submitted with the proposed houses to the north and permitted to the south (H09-0783-18). There were no obvious archaeological impediments to that development. an identical conclusion can be drawn here given the proximity of this site.

b. Visibility splays

The plans are conservatively drawn with a 2.4 'y' dimension giving rise to a 57m visibility splay in both directions. Given generous roadside verges, it is readily possible to present a far greater visibility looking west on exiting.

Plainly the alternative measure of a 2m 'y' direction may also be deemed suitable as this will be a lightly trafficked access with a built-up area. This will also increase this visibility along this straight road.

Visibility must be judged in the context that:

- this once was a busy horticultural space where slow moving commercial vehicles used to exit, and
- two houses were permitted to the front (H09-0783-18) and the additional use to be made of the previously approved access will be minimal.

c. Refuse management.

There will be no trade waste as there is not a working compound here. Residential refuse will be stored for collection in a dedicated space adjacent to the public highway

d. Flood risk

The site is not in a flood risk zone.



7. Conclusion and the Planning Balance

It is not possible to adequately demonstrate that the district has an adequate supply of traveller pitches at present. As there appears to be an unmet need, the application achieves compliance with policy that commits the Council to allowing sufficient accommodation for travellers. The provision of a site for the applicants' and their family would contribute to the future need for pitches within the local plan period. In the context of unmet need, this is a material consideration in favour of the proposal.

In any event, this is a suitable site for the use with limited visual impact. The proposal is in a discreet position away from the public highway. It will be mostly obscured by two new houses with permission that are to be built in front of the site. The development would not be entirely concealed, but gypsy sites should not be so enclosed as to give the impression of deliberate isolation.

It is of a modest size that will not dominate the local community. The amenity of neighbouring residents would not be harmed given their relative position, distance, and some intervening structures.

The site is with easy access by road to nearby larger settlements, and there are some bus links.

On balance this is a sustainable form of development.

