

South Holland District Council
Planning Department,
Council Offices,
Priory Road,
Spalding,
Lincolnshire,
PE11 2XE

Date: 25 April 2023
GPS ref: 21_1186A
Planning Portal ref: PP-12022132

Dear Sir/Madam,

Re: Planning Statement - Land North of the Gatehouse, 86 Langhole Drove, Pinchbeck, Spalding, PE11 3SS

An application at the above-mentioned address has been submitted via Planning Portal for *'the use of land for the stationing of caravans for residential purposes, together with the formation of hardstanding and utility/day room ancillary to that use'*.

This application is a resubmission of application H14-0419-22, refused on the 27th June 2022. As South Holland District Council are not opposing an appeal to the previous application, Green Planning Studio Ltd on behalf of Mr. Thomas Connors have opted to resubmit.

The applicant seeks planning permission for a 1 no. residential Pitch to meet a recognised need, and a personal need, for such facilities in the area to facilitate a gypsy lifestyle.

Following a site visit and consultation with the client the site layout has been determined to best meet the applicant's requirements and although it has been withdrawn by Government, in the absence of any replacement document, the pitch has been designed with reference to the standards that were defined in *'Designing Gypsy and Travellers Sites – A Good Practice Guide (2008)'*.

The proposed caravans will conform to the definition within Section 29(1) of the Caravan Sites and Control of Development Act 1960 and Section 13(1) of the Caravan Sites Act 1968 and therefore plans and elevations of individual units are not required.

The application site is accessed through an existing access from the Eastern side of Old Fen Lane, a lane off from Northgate Road, with Langhole Drove situated to the south border of the site. The site is enclosed by an agricultural field to the north of the application site. The eastern boundary of the site is enclosed by the Peterborough – Lincoln Railway line. The site is well screened by existing tree planting along the western and southern boundaries, while additional hedge planting along the west of the proposed site will provide additional screening from the rail line.

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The application site lies within Environment Agency Flood Zone 3 and within a low hazard zone of the South East Lincolnshire Strategic Flood Risk Assessment. The technical evidence in relation to Flood Risk is dealt with in the Flood Risk Assessment (FRA) which was completed by Geoff Beel Consultancy in March 2022 and updated in May 2022, were both submitted with the previous planning application. The updated FRA, resubmitted with this application, concludes in chapter 10 that:

“Overall, the FRA showed that the site is not in a Functional Floodplain as defined by the NPPF and is in fact located in the Passive Floodplain protected by defences to a 1 in 100-year return period.

The site is in a Low Hazard Zone with the actual risk of flooding from any Environment Agency river system being very low.

Although the site is located within an Internal Drainage District with a minimum standard of drainage of 1 in 50 years, this accords with Defra guidelines for rural development. Freeboard to design water level of 900mm to lowest land level is available for events greater than 1 in 50 years providing further storage within the drainage channels.

Finished floor levels of the utility/day room and the static caravan will be a minimum of 500mm above existing ground level and suitably anchored to the ground with any flood water able to pass below the static caravan, all as required in the Planning Inspectorate Appeal Decision of APP/D0515/C/18/3196061.

On site surface water drainage will be discharged to soakaway to BRE365 specification and Building Regulations approval.”

The LPA refused the previous application based on the site’s location within Flood Zone 3. The section of the Officer’s Report entitled Flood Risk and Drainage makes no reference or consideration to either the South East Lincolnshire Strategic Flood Risk Assessment and the Site-Specific Flood Risk Assessment, both of which consider the actual risk of flooding as opposed to the Environment Agency’s generalised approach. It is worth noting the approach taken by inspector R. Merrett in Enforcement Appeal Ref: APP/A2525/C/20/3258547: Land on the east side of Baulkins Drove, Sutton St James - Inspector’s decision 13 Jan 2023, whereby a similar permission is granted within Flood Zone 3. It is also worth noting the approach taken by inspector Helen Hockenhull in Appeal Ref: APP/A2525/W/20/3249950: (H02-1174-19) Bridge Inn Caravan Park, Common Drove, Crowland - Inspector’s decision 11 Jan 2023, who suggests applications such as this should be allowed where an appropriate Flood Risk Assessment has been submitted.

Additionally, the previous application was refused in regards to the NEED for Gypsy and Traveller pitches. Considering the two aforementioned appeal decisions as well as the approach taken by Jonathon Edwards in Appeal Ref: APP/A2525/W/22/3300517: (H09-0087-22) Land to The Rear of Emmanuel House, Main Road, Holbeach Drove, Spalding - Inspector’s decision 31 Oct 2022, there is a clear need for pitches across the district. All three Inspectors concluded that there is an unmet need in the district based on the outdatedness of the Gypsy and Traveller Accommodation Assessment (GTAA), the high number of unknown households and the fact that Local Plan policy does not place an upper limit on sites.

Please note, all above appeal decisions that have been referred to are located withing the South Holland district. Appeal decisions can be provided if necessary.

The proposal incorporates one mobile home, one touring caravan, and one dayroom. The dayroom is designed to be in keeping with the existing buildings that are nearby and will provide facilities that enable the occupants of the caravans to minimise the recognised hazards associated with cooking and fire in the close confines of caravans and provide facilities for washing and bathing and the maintenance of basic hygiene, constructed out of brick as in keeping with the surrounding developments in the area.

Please note in regards to making the decision that there will be children living on the site and as such any decision taken by the council should be made having considered the best interests of the children that will be on the site. There is an explicit requirement to treat the needs of the children on the site as a primary

consideration (UNCRC Article 3, fully set out at para 80-82 of AZ) and, in respect of a decision by the LPA to safeguard and promote the welfare and well-being of the children (Children's Act 2004, s.11(1)).

Yours sincerely,

E.M. Giles

Ethan Giles

Planning Applications Caseworker

For and on behalf of Green Planning Studio Ltd