Proposed Residential Development

comprising siting of Mobile Home at

Akita Place Clay Lake Spalding

PE12 6BL

for Ms. S. Street

(retrospective application)



PLANNING STATEMENT

JULY 2019

mlp Moulton Land and Planning

alan j finch

PROPOSAL

This is a Full Planning application as required for the proposed siting of a mobile home on land at Clay Lake Spalding for the personal occupation of the Applicant and her dependants. This application is retrospective as the mobile home is in situ and occupied.

All details are submitted with the application in order that the Local Planning Authority can fully assess the proposal, particularly as this proposal has been subject to consideration previously by the Local Planning Authority. It is now considered that the proposal is in accordance with relevant National and Local Planning Policies or the reasons stated in this submission.

THE SITE

The application site is located to the south of Spalding on the western side of Clay Lake. Although classified in the Local Plan as being 'open countryside' (which technically applies to any land outside of designated settlement boundaries) there is an established diverse mixture of industrial, commercial and residential use. The residential use is a mixture of single and two storey traditional housing interspersed with mobile homes and caravans.

In terms of sustainability the application site is within reasonable distance of amenities such as schools, shops, and the town centre of Spalding is less than 2km from the site.

PLANNING HISTORY

The application site has been the subject of planning activity in the past. The most recent application was submitted to the LPA in January 2017 (ref H16-0030-17) for the Siting of a Mobile Home.
That application was retrospective following enforcement action in 2016.
In September of 2018 the LPA issued a Refusal of Planning.

THE PROPOSAL

Following the refusal of Planning in September 2018 the reasons for refusal and the personal circumstances of the Applicant, who continues to reside with her family at the site, have been reviewed in the light of National and Local Planning Policies as well as other relevant technical considerations, particularly Flood Risk, which was one of the stated reasons for refusal of the previous scheme.

By the very nature of the proposal i.e. the proposed structure is already in place, many of the details submitted previously remain unchanged. The mobile home and its siting are as previously considered, the only change being the continued growth of natural screening to the front boundary.

It is considered that the simplest approach to this new Application is to refer specifically to the previous reasons for refusal and provide the necessary evidence / information to robustly challenge those reasons.

Reason 1 of H16-0030-17

"… The site is situated in the open countryside where applications for residential developments such as the siting of a mobile home, are only permitted where an essential need exists, particularly in relation to agriculture or some other local need…"

Whilst it is clearly the case that the application site is not within a defined settlement as now defined in the recently adopted SE Lincs Local Plan it is considered that there is evidenced justification for the Applicant to be permitted to reside at this specific location.

It is understood that during the previous application various documents were provided to and discussed with the Local Authority. These documents included papers granting Licence for the siting of a caravan on the subject site and other legal documents relating to the family history connected with the application site and adjacent land.

The Applicant's immediate family have a long association with Clay Lake going back over more than 70 years when the applicant's grandfather, James Street, brought his dependants to Spalding at that time and they settled in their traveller caravan in Clay Lake, preceding most of the current residents of Clay Lake.

Paperwork has been previously submitted to the Local Authority to evidence that on 9th December 1971 the Applicants father was granted Licence by the then Spalding Urban District Council for the siting of a caravan at the application site. That Licence (ref 14/SU/3/71) was granted to Mr. T.J. Street to allow the *"..land situate at Clay Lake, Spalding, adjacent bungalow owned and occupied by James Street to be used as a caravan site…"*

Whilst it is acknowledged that the application site was at some time used for scrap material this serves to demonstrate the local connection of the family with the site and indeed their established local employment. The re-use of the site to provide a home for the Applicant is a more suitable and compatible use of the land, particularly given the adjacent residential dwellings that are now established.

The Street family never left the area and indeed the Applicant has lived at Clay Lake for 36 years. The Applicants parents and sister continue to reside in close proximity along the same road.

The Applicant has two young dependants who are at different stages in the local education system and the Applicant herself is able to work from home which provides a settled and safe environment for her children in a modern mobile home that is comfortable and energy efficient.

The Applicant is more than willing to provide any relevant form of statement / evidence to demonstrate that her family history justifies the occupation of a dwelling at this location, as has been considered acceptable in other parts of the District in similar circumstances.

Reason 2 of H16-0030-17

"… The application site lies within Flood Zone 3 defined by the National Planning Policy Framework as having a high probability of flooding…"

The Flood Risk Assessment has been reviewed, with site specific levels now taken to fully inform the updated report that accompanies this application.
Additionally, there has been relevant planning activity in this part of the District which has seen the Environment Agency relax their stance on proposed developments of a similar nature

Immediately opposite to the Application site is a static caravan site which in 2007 was granted consent for 20 transit caravans and a shower block. In 2017 the site was granted permission for permanent residential occupancy for 12 mobile homes. May 2019 has now seen the number of mobile homes permitted to be increased to 15.
The permission for that development stipulated that the floor levels of the caravans should be raised 1.8m above surrounding ground levels and that the units should be 'suitably fixed to ground anchors'.
These static caravans are currently being locally advertised for rent for permanent occupation.
The Environment Agency did not object to the proposal.

The Flood Risk Assessment that is now submitted with this current application is able to demonstrate that the proposed mobile home can be located with a floor level well below that originally calculated based upon the flood maps at that time. Along with the specific levels that have been recorded, the floor level of the mobile home can be placed at 3.70m above Ordnance Datum which translates to 920mm above site level. This is not considered to be an unacceptable level at which to provide a dwelling – it is indeed now being evidenced across the district in more sensitive locations than the proposed application site where impact on residential and visual amenity is inevitable, particularly in built up areas of Spalding.

Given that the mobile home is currently located at 3.50m AOD, if theoretical calculations are adhered to in the strictest manner, then the structure will need to be lifted by just 200mm…… Perhaps some thought could be given to settling at the current floor level as a practical common sense approach.

Reason 3 of H16-0030-17

"…As a result of the height and layout of the mobile home, it is considered that the development gives rise to an unacceptable level of overlooking, to the neighbours of Tomar Lodge, The Wheels, and to Milestone Cottage to the east…."
"…Paragraph 122 (of the NPPF 2018) stipulates that development make efficient use of land taking in to account, inter alia, the desire of maintaining an area's prevailing character and setting, and the importance of securing well designed and healthy places…"

Firstly we are considering a pre-fabricated single storey mobile home with a shallow roof pitch that is currently sited 900mm above site level. The gable elevation towards Tomar Lodge to the south has no openings and so cannot possibly be considered to give rise to any overlooking of that property.
The north (side) elevation of the home does incorporate windows but there is existing screening in the form of fencing and landscaping and relative relationship of the mobile home to the bungalow next door means that the rear garden of the adjacent bungalow is not overlooked.

It is also relevant to note that the adjacent bungalow 'The Wheels' is in the ownership of the Applicant's family.

The only other property referred to in the reason for refusal is Milestone Cottage. That building is some 30metres away from the mobile home, separated by two boundary fences, the public highway and various screen trees and shrubs within both gardens. The vehicular access and driveway to that property is located between the house and Clay Lake, with any private garden areas concealed from any view from the application site.

If the Local Planning Authority considered at the time that the mobile home created unacceptable overlooking of Milestone Lodge then that begs the question – why was permission granted to allow 15 static caravans on land immediately behind that property with their floor levels at 1.8m above ground level ?

The fact that the mobile home is in situ provides factual evidence of its relationship to adjacent property and it is not considered that the proposed height and layout of the mobile home creates in any way any unacceptable level of overlooking to any neighbouring property.

The fact that the revised FRA concludes that the floor level of the mobile home does not need to be set at 1.8m above ground level represents a significant improvement for all parties.



LOOKING NORTH TOWARDS 'THE WHEELS'



LOOKING SOUTH TOWARDS TOMAR LODGE



LOOKING EAST FROM ENTRANCE LEVEL OF MOBILE HOME



LOOKING SOUTH - EAST FROM ENTRANCE LEVEL OF MOBILE HOME
(THE ROOF IN THE DISTANCE IS ROMANY WAY WHICH IS BEYOND MILESTONE COTTAGE)



STREET VIEW LOOKING SOUTH SHOWING FENCE ARRANGEMENTS TO APPLICATION SITE MILESTONE COTTAGE AND CARAVAN SITE ENTRANCE



VIEW OF FRONT BOUNDARY FENCE AND SCREENING FROM CLAY LAKE



VIEW OF SITE FRONTAGE FROM THE SOUTH –
NOTE MATURE SCREENING TO SOUTHERN BOUNDARY

CONCLUSION

In September 2018 the Local Authority refused planning permission for a mobile home to be sited at Clay Lake, Spalding on a brownfield site that has been in the ownership of the Applicant's family for over 70 years when, as travellers, they moved to Clay Lake.

The reasons for the Refusal of Planning in 2018 have been reviewed and addressed by the submission of this revised planning application.

It is considered that the Applicant meets the criteria that justify the need to live at this location with personal circumstances referred to earlier in this statement and which can be expanded upon to suit the statutory requirements set by the relevant legislation.

The Flood Risk has been addressed and should now enable the Environment Agency to remove any previous objections, in line with recent planning decisions. The mobile home does not need to be elevated to the previously calculated heights, indeed, its floor level will be lower than some recently approved residential developments in the District where relative heights are significantly more sensitive to neighbours and the overall character of such areas.

This Statement along with photographic evidence demonstrates that there is no overlooking issue or any negative impact on the particular character of this part of Clay Lake where there is an extremely diverse mix of heavy industrial, commercial, agricultural and residential which in itself has evolved in differing forms, including static caravans and mobile homes.