

PLANNING STATEMENT

PLANNING APPLICATION
TO RETAIN A CARAVAN – PERSONAL
PERMISSION

AT

IRBY HOUSE
MILL GATE
WHAPLODE
SPALDING
PE12 6RT

Prepared by

1. INTRODUCTION

This application proposes to retain a caravan for personal permission at Irby House, Mill Gate, Whaplode, Spalding.

2. THE PROPOSAL

The planning application seeks to obtain permission for the following:

- Retain a caravan

3. THE SITE AND LOCATION

The site is located at Irby House, Mill Gate, as shown below.



Aerial view of the site. (Google maps 2022).



Site location plan. (Not to scale, please see submitted plans for scaling).

The site is outside of the settlement boundary for Whaplode, and is therefore, classed as being within the countryside. The site is part of former horticultural premises located at the rear of Irby House and to the south of Little Lane. It was previously occupied by derelict greenhouses and would on balance constitute previously developed land.

The South East Lincolnshire Local Plan states that 'In the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.'

PLANNING POLICY

National Planning Policy

National planning guidance and Local planning policy dictates the principle of development and the features of the dwelling houses proposed and associated works on the site.

The National Planning Policy Framework (NPPF 2021)

It sets out Central Government's planning policies for England and how these are expected to be applied.

Paragraphs 7 and 8 define the commitment to sustainable development based on three dimensions:

"An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

"A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

"An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

This is followed by a commitment to a presumption in favour of sustainable development. Paragraph 11 states that "for decision-taking this means:

c) Approving development proposals that accord with the development plan without delay, or; d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

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

Paragraph 11 states that for 'plan making' this means:

Plans and decisions should apply a presumption in favour of sustainable development.

a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 85 states that 'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public

transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'

South East Lincolnshire Local Plan 2011 – 2036 adopted March 2019

The Local Plan Policies deemed relevant to this application are:

- 01 Spatial Strategy**
- 02 Development Management**
- 03 Design of New Development**
- 04 Approach to Flood Risk**

Also relevant is the National Planning Policy Framework 2021

THE PRINCIPLE OF DEVELOPMENT

Policy 1 – Spatial Strategy

The site sits outside of the development boundary of Whaplode, however it only 1 mile from Whaplode and its facilities. The Council will be aware that the very nature of South Holland and its wide sporadic development, that a large number of dwellings are located outside of development boundaries and the use of the car is an essential need in these rural locations.

Part D - Countryside

The rest of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside. In the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Policy 2 – Development Management

Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:

1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;

7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets; and
9. impact on the potential loss of sand and gravel mineral resources.

Policy 3 – Design of new development

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

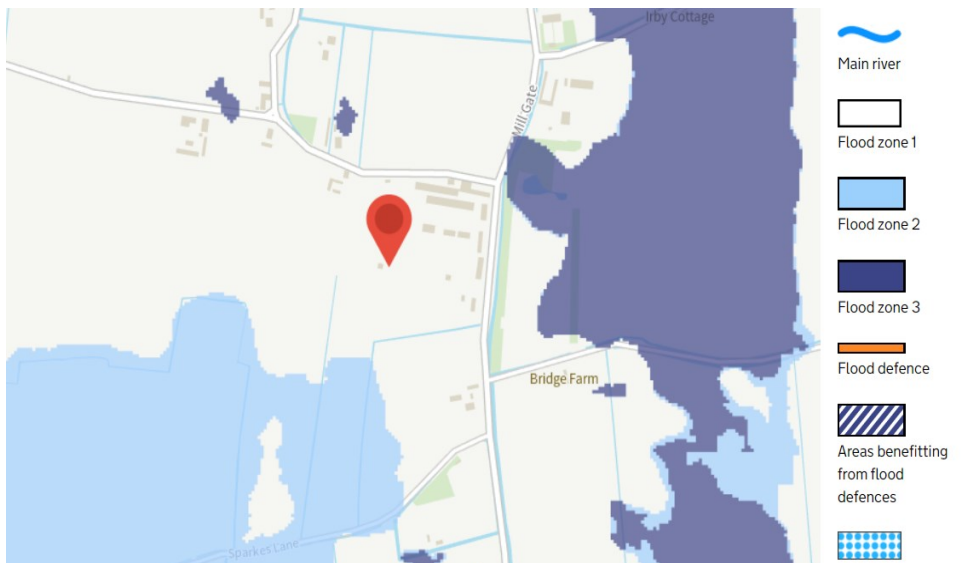
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

OTHER MATERIAL PLANNING CONSIDERATIONS

Flood Risk:

The site is located within flood zone 1 as defined by the Environment Agency Flood Map for planning. Therefore, the proposal accords with Policy 4 of the SELLP and the NPPF.



Environment Agency Flood Map for Planning (2022).

RESIDENTIAL JUSTIFICATION

It is fully accepted that the located of a residential caravan is not wholly in accordance with Local Plan policy in terms of location. However, the Council is respectfully asked to take into account the personal circumstances of the applicant and the request that the permission is made personal to them so that when their occupation ends, the use of the caravan for residential purposes would cease.

In terms of the planning balance, it is suggested that the benefits of the proposal and the lack of harm tilts the planning balance in favour of an approval especially on the basis of the personal nature of the permission.

Out of circumstances beyond their control, the applicants find themselves living on the site in the caravan and this is their only available accommodation. The applicants are long term residents of South Holland. They are better known as the landlords of the Punchbowl Public House and their 22 years running this public house has made them well known and liked in the area. A few years ago, their long term care of the public house came to an abrupt end when the owners of the Punchbowl decided not to renew the lease which they were entitled to on the grounds of wanting to turn it into a managed house. The Punchbowl remains open as a pub under management and was only closed during the pandemic.

The applicants were left devastated at the prospect of not only losing their income but also their home as the Punchbowl had been the centre of their world for over 22 years. The applicants were faced with the prospect of being homeless and without any income.

The siting of a caravan on the site was offered by an acquaintance of the applicants and was accepted as a last resort as they were facing homelessness and a lack of immediate funds. The occupation of the site was only ever seen as a 'stop-gap' to enable the applicants to get their life back on track and to accumulate some funds for their next home.

During this time, the whole country was then affected by the Pandemic and the restrictions this imposed on everyone greatly affected the applicant and their ability to start to rebuild their lives. The Pandemic has effectively pushed them back to square one and they are only just now starting to build for their future.

The caravan on the site is not a permanent feature and is not convoluted attempt to establish some kind of residential use of the land. It was an emergency solution to the applicant's profound personal circumstances at the time. The Council is asked to take into account the lack of harm and the nature of the surrounding residential uses which is not affected at all by the caravan on this site.

The Council is asked to note that residential development for 2 dwellings (H23-0211-19), was relatively recently permitted very close to the site. This was not policy compliant however arose out of an extant permission for the site. However, it is considered that it could be justified in planning policy terms due to the lack of harm and it was a positive addition to existing domestic dwellings in that immediate area. Also, in the absence of any flood risk or highways concerns, was likely considered acceptable despite failing outside of the development boundary. This application is temporary in nature with no long term affects.

The Council is asked to consider the nature of this occupation which has arisen out of unavoidable personal circumstances. There is a distinct lack of harm with no highways or flooding issues and due to its location, has very little impact on amenity. The Council has the ability to make any permission personal to the applicant and in addition time limit any permission which would give the applicant some time to find an alternative home. The occupation was never envisaged as the long-term solution, but is a stop gap, providing a home whilst a long-term solution can be found.

The caravan is well screened from public views and has no immediate impact on any residential dwellings and with the imposition of conditions can be controlled so that once the occupation of the applicants cease then it must be removed from the site, preventing any long-term impacts.

6. CONCLUSIONS

The siting of a caravan for personal use at this location would have no detrimental impact upon the character of the area due to the location and existing landscaping surrounding the site. There would be no impact upon residential amenity and the site is not within a flood zone. The occupation of the caravan arises out of profound personal circumstances and the Council is asked to give weight to the lack of harm and the personal occupation which can be controlled by condition which tips the planning balance in favour of a tightly controlled approval.