

Proposed Siting of Mobile Home for occupation by Applicant
'Jen's Rest' Sparks Lane / Millgate
Whaplode PE12 6RT

Applicant
Mr. Brent Usher



PLANNING STATEMENT

August 2018

The Application

This Planning Application seeks permission for the siting of a mobile home for occupation by the owner of the application site. There is no request for any permanent structure / dwelling to be provided on the site and, as will be demonstrated in this Statement. This is a retrospective application and follows the refusal of a similar application that was refused by the LPA 21st August 2017 under planning ref H23-0578-17.

The Site

The application site extends to 1.7 hectares and is situated 1.3 miles to the south of Whaplode village centre. Whaplode is classified as a minor service centre and is located along the A151 which provides good road links to Holbeach (2 miles to east) and Spalding (4 miles to the west) There is existing vehicular access to the site at the junction of Sparks Lane and Millgate.

A particular feature of the site is the mature and continuous native species screening to the perimeter. There are also open watercourses to the perimeter of the site. There are nearby residential dwellings to the north along Millgate, the nearest being Eagle House which is approx. 75metres from the application site entrance.

Planning History

The Applicant has owned the site for 3 years having acquired what was effectively an abandoned and failed business venture. It was that previous use that generated several planning applications :-

H23-0589-06 Erection of Polytunnel - granted 15 Jun 2006

H23-1108-08 Agricultural Dwelling & Store - refused 6 Feb 2009

H23-0733-09 Agricultural Dwelling & Workshop Store- refused 23 Nov 2009

H23-0267-10 Siting of Caravan for Agricultural Worker (3 yr period) Installation of private treatment plant, new vehicular access and garden shed. – approved 25 May 2010

H23-0105-13 Agricultural Dwelling - refused 27 Aug 2013

H23-0578-17 Application for Proposed Siting of Mobile Home for occupation by agricultural worker involving Change of Use from agricultural to mixed use agricultural and residential. – Refused 21st Aug 2017.

PREVIOUS APPLICATION (H23-0578-17)

The Local authority considered that the previous application by Mr Usher was unacceptable and a delegated refusal was issued with no Committee consideration.

The Planning Officer Report referred to 2 public objections, 1 public support and no comments received by Ward Members or indeed the Parish Council. None of the Statutory Consultees had any issue with the proposal. There were fundamental assumptions made during the determination of that application – at no time did the Local Planning Authority visit the site – however the report stated that there was no substantive evidence of any livestock on the site.....?

The report also mentioned that the application had been scrutinised by external consultants Sanham Agricultural Planning Ltd., experts in this field of planning..... no questions were raised by the LPA as a result of that specialist consultation so on what basis of physical assessment of the site and its livestock holding was that judgement based ?

The Officer Report referred to the main issues as being :-

- Whether the principle of development is demonstrated, specifically the financial and functional need, is demonstrated satisfactorily
- Character and appearance of the countryside
- Likely impact on the amenity of nearby residents
- Highway Safety

It appears that the only reason that the application was considered unacceptable was that the Application failed to demonstrate that the activities to be carried out on the site would be financially viable. The other criteria referred to above are not in question given the specific character of the application site and the rural activities carried out by the applicant and site owner Mr Usher.

To the frustration of the applicant there have been other planning applications in the District which have at the very least been considered in far more detail before any Decision being made and indeed there have been successful applications for similar proposals where applicants have sought to reside on land in the open countryside in temporary accommodation, either caravan or mobile home, with no financial viability justification provided, or indeed requested by the Local Planning Authority.

The previous proposal stated very clearly and honestly that the Applicant simply seeks permission to reside on his own land and sustain a living from that land and associated activities including the livestock. His form of accommodation is temporary and that is all that he seeks permission for.

At a time when the Local Authority are failing to meet Government targets in terms of Housing Land Supply and supply of Gypsy and Traveller sites it is extremely difficult to comprehend why the Applicant cannot reside on his own land in temporary accommodation, particularly where the precedent has been established elsewhere in less suitable circumstances.

Since the Refusal of Planning the applicant has continued to sustain a living by simple means from his land with no borrowings or debt. That is his way of life and has been for decades. He has nowhere else to reside and does not possess the financial means to acquire permanent property.

Following the refusal of planning the applicant did enquire of the Local Housing Department the likelihood of them finding him accommodation – the answer was that he would not be eligible for any such assistance.

By contrast there are specialist agencies who actively assist people who are on forms of state benefit such as Income Support or Jobseekers Allowance in applying for Legal Aid to Appeal Planning Decisions which are similar in nature to Mr Usher's.

He is being penalised for being honest and self-sufficient.

It is not the intention to repeat the information previously supplied, however it is attached to this Statement for reference.

There are also numerous letters of support from a cross section of the community in relation to Mr Usher's Character and his way of life – a selection of these are also included with this application.

CONCLUSION

This application is of a similar nature to the Application determined by the Local Planning Authority in August 2017 with the exception that the application simply seeks permission for the Applicant to reside on the site in temporary accommodation along the lines of the consideration given to persons of a nomadic way of life which has been the case for the Applicant for many years.

We consider that the previous application was not given due consideration – e.g no site visit undertaken to assess the provisions, livestock etc. and the fact that there was very little comment made by Consultees such as parish Council or Ward Members does justify further consideration under a new planning application where it can be properly assessed on its own merits as should be the case in planning policy.

**A J Finch
20 Aug 2018**