

BRECKLAND COUNCIL - PLANNING COMMITTEE - 08-04-2013

ITEM	2	RECOMMENDATION : APPROVAL
REF NO:	3PL/2012/1004/F	CASE OFFICER: Chris Raine
LOCATION:	MATTISHALL Summer Meadows Site Off Mill Road	APPN TYPE: Full POLICY: Out Settlemnt Bndry ALLOCATION: No Allocation CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr S Jay & Ms S Falquero Summer Meadows Site off Mill Road	
AGENT:	Overburys Solicitors 3 Upper King Street Norwich	
PROPOSAL:	C/U site from agricultural to residential, erect 1 static caravan & retention of 1 touring caravan	

KEY ISSUES

Principle of development
Highway safety

DESCRIPTION OF DEVELOPMENT

Change of use of agricultural land to residential use and the associated standing of a static caravan and a touring caravan which would be occupied by a traveller family. The development is accessed via a private drive which adjoins the nearby Mill Road.

SITE AND LOCATION

The site is in a rural location outside the village of Mattishall and the Settlement Boundary. It consists of a roughly square shaped parcel of land which is accessed off a long private drive which adjoins the Mill Road carriageway to the west. There is a mobile home and outbuildings to the south of the site which is served via the same private drive and to the east, along the same private drive, is a further traveller site. To the north is the residential curtilage of a neighbouring dwelling and to the west, beyond the Mill Road carriageway, are a collection of residential properties. The site is enclosed by timber fencing to its eastern, southern and western boundaries and hedging to the northern boundary.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2012/0080/F - Retention of 1 static home, 2 touring caravans, laundry room 2 sheds, fences, access/splays parking, c/u ag land to res. - Approved.

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3PL/2010/0223/F - Retention of mobile unit for 1 travellers family permanent residential occupation & caravan for family room - Approved

3PL/2009/1112/F - Retention of mobile home - Refused

3PL/2006/1526/F - Siting of mobile home (renewal) - Temporary Approval

3PL/2002/0517/F - Mobile home (retrospective application) - Temporary Approval

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework have also been taken into account, where appropriate

CP.02	The Travelling Community
DC.01	Protection of Amenity
DC.12	Trees and Landscape
DC.16	Design
NPPF	Planning Policy for Traveller Sites

CONSULTATIONS

MATTISHALL P C -

The Parish Council objects to this application as it is outside the settlement boundary. The Parish Council does not wish to see an expansion of the site as it is inappropriate for this sort of development

NORFOLK COUNTY COUNCIL HIGHWAYS

In response to an earlier application on the adjacent site (3PL/2012/0080) concerns were raised regarding additional development being served by Mill Road, but at the time it was felt that adverse comment could be difficult to substantiate. However, this application seeks to add a further residential plot served off Mill Road and I consider the additional movements will further increase the likelihood for vehicles to meet on this narrow section of Mill Road, add to vehicle conflict and result in additional vehicles mounting the highway verge to facilitate passing. The proposed development intends to create one permanent residential gypsy pitch it is generally accepted such development is likely to engender similar levels of traffic movements to that of a permanent residential dwelling, namely some 8 - 10 weekday movements per unit.

Given the location of the site and the local services that exist in Mattishall I consider the majority of vehicle movements generated by this development are likely to leave the site and head south, and return to the site by the same route. I am of the opinion that to facilitate additional development Mill Road is in need of works in order to provide dedicated passing provision and therefore should your Authority be minded to support this application I would want to see the applicant fund some localised carriageway widening on the section of Mill Road to the south of the site to provide a passing area. Such works would require the applicant to enter into a legal agreement with the Highway Authority to ensure the works are designed and constructed to the specification of the Highway Authority. Should the applicant be accepting to this I would recommend conditions be appended to any subsequent permission.

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ENVIRONMENTAL HEALTH OFFICERS

No objection.

MATTISHALL SOCIETY

Strongly object to the change of use of yet further agricultural land in Mill Road, Mattishall. For some years, this area has been blighted by temporary buildings and caravans and the Society considers that further development of this sort is unfair to those with permanent dwellings in Mill Road.

ENVIRONMENTAL PLANNING - No Comments Received

REPRESENTATIONS

Objections have been received, a summary of which is as follows:

Increased traffic; outside of the Settlement Boundary for Mattishall; it would set a precedent for similar proposals in the future; not allocated for this purpose by Breckland Council; make it difficult to sell properties in the future; detrimental to the character of the area; unacceptable noise from the on-site generator; floodlights on site are harmful and travellers should be treated in the same way as others by the planning process.

ASSESSMENT NOTES

* This application is referred to the Planning Committee at the request of the Ward Representative

Principle of Development

* Proposals for Gypsy and Traveller sites should be determined in accordance with Government policy contained in Planning Policy for Traveller Sites which was issued in March 2012, to be read in conjunction with the National Planning Policy Framework (NPPF) and relevant local planning policy including Policy CP2 of the adopted Breckland Core Strategy.

* Planning Policy for Traveller Sites sets out the Government's aims in respect of traveller sites, and these are as follows:

- that local planning authorities should make their own assessment of need for the purposes of planning;
 - to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites;
 - to encourage local planning authorities to plan for sites over a reasonable timescale;
 - that plan-making and decision-taking should protect Green Belt from inappropriate development;
 - to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites;
 - that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective
- for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies;

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- to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply;
- to reduce tensions between settled and traveller communities in plan-making and planning decisions;
- to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure;
- for local planning authorities to have due regard to the protection of local amenity and local environment.

* In respect of the Local Planning Authority decision-making process, the following points are considered to be particularly relevant:

- the existing level of local provision and need for sites;
- the availability (or lack) of alternative accommodation for the applicants;
- other personal circumstances of the applicant;
- that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites;
- that they should determine applications for sites from any travellers and not just those with local connections

* Local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

* When considering applications, local planning authorities should attach weight to the following matters:

- effective use of previously developed (brownfield), untidy or derelict land;
- sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness;
- promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children;
- not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

* On a local level, Policy CP2 of the adopted Breckland Core Strategy states that within the period up to 2011 a permanent site for 15 pitches will be allocated along the A11 corridor via either the Site Specifics Policies and Proposals Development Plan Document or Area Action Plan dependent on location, and goes on to set out the criteria which would be used to identify suitable sites, these being as follows:

- The site is within reasonable distance to facilities and supporting services;
- The site is properly serviced;
- The site will not have an adverse impact on the character and appearance of the surrounding landscape.

Preference will be given to previously developed land or vacant and derelict land.

* It is evident that local policy is consistent with national planning policy guidance and it is considered that the key issues relate to the availability of sites, scale in the rural locality and

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whether the site would have appropriate access to key local services and facilities eg schools, shops etc.

* Firstly, it is evident from the application documents that the applicants are from the travelling community and fall within the planning definition of gypsy or traveller. They have ceased travelling so as to provide a permanent base to meet the educational needs of three of their four children who attend the nearby Mattishall Primary School, which is confirmed as a justifiable reason to cease travelling yet still be considered a traveller or gypsy for the purposes of planning decisions as set out in the aforementioned document Planning Policy for Traveller Sites.

* Secondly, the Authority has not provided such a site via the Site Specifics Policies and Proposals Development Plan Document and the relevant Area Action Plan has yet to be formulated. Therefore it is clear that Breckland District Council does not have an adequate supply of available sites. In light of this acknowledged shortfall, it is considered appropriate in principle to consider this site for use by a travelling family.

* Thirdly, having accepted that there is a shortfall, it is necessary to ensure that the site in question is suitably located.

* The site is close to the village of Mattishall, which is defined as a Service Centre within Policy SS1 of the Breckland Core Strategy. This means that the site has access to a significant range of local facilities and supporting services.

* The site is set back and well screened from Mill Road which means that the static caravan and touring caravan are not unduly prominent within the rural landscape.

* In summary, it is considered that, in the light of the Local Planning Authority having no available sites, despite there being an acknowledged need, this site is appropriately located to cater for the needs of the qualifying travelling family who have sought permission and would not cause undue harm to the character and appearance of the area.

Highway Safety

* The Highway Authority has raised concerns regarding the ability of Mill Road to cater for the additional vehicle movements which would be brought about as a result of this development, by virtue of its restricted width. In order to address this concern, it is considered necessary for the applicant to provide some localised carriageway widening on the section of Mill Road heading south towards the village of Mattishall. If this course of action is pursued, appropriate planning conditions will be required in relation to the necessary upgrades.

Other issues

* The structures are sufficiently distanced from any other properties so as not to compromise light, outlook or privacy or lead to unacceptable noise and disturbance, given the residential use proposed.

Conclusion

* It is considered that the site is acceptable in strategic terms and would not cause undue harm to the amenities of the locality and the application is therefore recommended for approval.

RECOMMENDATION

Planning Permission

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CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3046** In accordance with submitted plans
- 3920** Landscaping scheme
- 3920** Removal of fencing
- 3920** Occupied by gypsies or travellers only
- 3920** Foul water drainage
- 3920** Surface water drainage
- 3920** Restriction on type and number of structures on-site
- 3920** Highway condition - access
- 3920** Highway condition - off site works
- 3920** Highway condition - off site works complete
- 3920** Landscaping scheme
- 3998** NOTE: Reasons for Approval
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 2000** NOTE: Application Approved Without Amendment