

Application No: 14/5108C

Location: THREE OAKS CARAVAN PARK, BOOTH LANE, MOSTON, SANDBACH, CW10 0HE

Proposal: Proposed extension to existing caravan park to form 24 additional plots

Applicant: Mr Thomas Price

Expiry Date: 21-Apr-2015

SUMMARY

Whilst the application site is located within the open countryside, it would serve to extend an existing Gypsy and Traveller site. The principle of the development has been accepted previously. However, the permission has since lapsed.

The visual impact of the proposal in terms of the wider landscape would be minimised and could be further safeguarded through conditions ensuring retention of the boundary hedges and trees.

The site is generally within the required 1.6km of the facilities referred to in policy H8 of the local plan, and is reasonably accessible. No significant amenity or highway safety issues are raised.

Cheshire East has not met its need for Gypsies and Travellers provision. As such, the delivery of 24 permanent pitches would assist the Council towards meeting this existing and future need.

Consequently, subject to the conditions and the satisfactory receipt of the outstanding comments from Natural England, it is considered that the benefits of the proposal outweigh any negative impacts.

SUMMARY RECOMMENDATION

Approve subject to conditions

PROPOSAL

The application seeks full planning permission to extend the existing gypsy and traveller Caravan Park to the rear in order to provide an additional 24 no. plots. In addition to associated works, the application also seeks permission for the erection of a single storey building of some 54m², which would serve as communal day centre. This application is similar to a scheme previously approved under planning ref; 05/0766/FUL.

SITE DESCRIPTION

The application site comprises an enclosed area of land to the rear of an existing gypsy caravan park which is accessed directly off Booth Lane, Middlewich. To the south-eastern boundary, there is a hedge of mixed species. There is a similar hedge along the rear south-western boundary interspersed with a number of deciduous trees. The northern boundary to the front is shared with the existing caravan park, which comprises of a number of amenity blocks together with a number of larger fixed caravans. Telegraph cables cross the site. The site is located within the Open Countryside as identified in the Congleton Borough Local Plan.

RELEVANT HISTORY

05/0766/FUL - Proposed extension to existing caravan park to form 24 additional plots, communal day centre and amenities blocks – Approved 11-Nov-2005

37188/3 - Proposed regrading of land including importation of clay and topsoil to create suitable horse pasture – Approved 01-Jun-2004

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework (the Framework) establishes a presumption in favour of sustainable development. The Framework sets out that there are three dimensions to sustainable development: economic, social and environmental. These roles should not be undertaken in isolation, because they are mutually dependent.

Planning Policy for Traveller Sites (PPTS) sets out the Government's planning policy for traveller sites. It should be read in conjunction with the Framework. The overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

Development Plan:

The Development Plan for this area is the Congleton Borough Local Plan First review 2004, which allocates the whole site as being within the Open Countryside

The relevant Saved Policies are:

GR1	(New Development)
GR2	(Design)
GR6	(Amenity and Health)
GR9	(Accessibility, Servicing and Parking Provision)
GR17	(Car Parking)
GR19	(Infrastructure)
GR20	(Public Utilities)
PS8	(Open Countryside)
H6	(Residential Development in the Open Countryside)
H7	(Residential Caravans and Mobile Homes)
H8	(Gypsy Caravan Sites)

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

- SD1 Sustainable Development in Cheshire East
- SD2 Sustainable Development Principles
- PG5 Open Countryside
- SC7 Gypsies and Travellers and Travelling Showpeople

Other relevant documents

Cheshire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (March 2014)

Cheshire East Council Gypsy, Traveller and Travelling Showpeople Site Identification Study (April 2014)

CONSULTATIONS:

Environmental Health – No objections subject to conditions relating to lighting, waste provision, drainage and dust control.

Strategic Highways Manager – No objections subject to conditions specifying visibility splays and to be kept clear of vegetation.

Moston Parish Council – No objection to so long as it is open to all members of the gypsy and travelling community.

Brine Compensation Board – No objection subject to the use of strengthened foundations.

REPRESENTATIONS

None

APPRAISAL

The key issues are:

- (a) Whether the site is in an appropriate location for the scale of use proposed having particular regard to accessibility to services and facilities as well as other sustainability considerations referred to in the Local Plan and Planning Policy for Traveller Sites;
- (b) The effect of the proposed development on the character and appearance of the area;
- (c) The impact upon the living conditions of neighbours;
- (d) The impact upon highway safety;
- (e) The impact upon nature conservation interests; and
- (f) Whether there is any harm and conflict with policy, there are material considerations which outweigh any identified harm and conflict with policy.

ENVIRONMENTAL SUSTAINABILITY

Paragraph 11 of the PPTS states local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally, and that planning policies should:

- a) Promote peaceful and integrated co-existence between the site and the local community;
- b) Promote, in collaboration with commissioners of health services, access to appropriate health services;
- c) Ensure that children can attend school on a regular basis;
- d) Provide a settled base that reduces the need for long distance travelling and possible environmental damage caused by unauthorised encampment
- e) Provide proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well being of any travellers that may locate there or on others as a result of new development;
- f) Avoid placing undue pressure on local infrastructure and services;
- g) Do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans;
- h) Reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability

Accessibility

The locational criteria set out within saved Local Plan Policy H8 are considered to be consistent with the thrust of the Framework and the PPTS. Policy H8 states that sites should, wherever possible, be within 1.6km (1 mile) of existing local shops, community facilities, a primary school and public transport facilities.

There is a bus service between Sandbach and Middlewich along the A533 which operates from a nearby bus stop only 90 metres distance from the application site. There is a also a convenience store approximately 1.6km from the site, and a primary school 1.9km away. Most day-to-day facilities are available in Middlewich Town Centre approximately 2km from the site. The application site is generally within 1.6km of the facilities referred to in policy H8, and where not they are available in Middlewich Town centre. As such, the proposal is considered to comply with the locational criteria in this policy.

Character & Appearance

The site is surrounded by fallow fields on its southern and western boundaries, with a paddock servicing a private residence to the northwest. Opposite the existing caravan park, on the other side of Booth Lane are further fields that appear to be actively farmed.

The only views into the site are from the paddock attached to the applicant's private dwelling and the existing caravan park. The boundaries to the site benefit from well-established screen planting, which would be retained as part of the proposals. The site is relatively flat and distant views of the site are limited. The additional 24 pitches would be viewed within the context of the existing caravan park.

Policy C of PPTS makes clear that gypsy and traveller sites may be acceptable in rural settings and hence there can be no in principle presumption that they should be hidden from view or that

a degree of harm to the character and appearance of the countryside is unacceptable. The sight of caravans in the countryside is not unusual.

The proposed plots would extend the existing developed area of the site and whilst they would be visible, they would not be prominent or intrusive. The site is adequately screened and landscaped and whilst the proposal does involve encroachment into the open countryside, this proposal would extend an existing facility into a physically enclosed area and as such, it is not considered to have any significant impact on the character of the application site or its wider setting within the open countryside.

Amenity

The nearest neighbours are located to the north of the application site, including the applicant's existing residence. There are also 2 properties on the opposite side of Booth Lane. The proposal would extend the existing caravan park away from these nearest neighbours and would not significantly harm the living conditions of neighbours through noise or disturbance.

The Council's Environmental Protection Unit has advised that the impact upon the occupants of the site, both transit and permanent is acceptable. Overall it is considered that the impact upon the living conditions of existing neighbouring residents will be adequately maintained and an acceptable standard of amenity will be provided for future occupants of the site, in accordance with policies GR1, GR6 and GR8 of the Congleton Local Plan.

Ecology

The proposed development is located within 250m of the Sandbach Flashes SSSI. As the proposed development includes discharge of foul water to a septic tank, The Nature Conservation Officer has advised that Natural England must be consulted and advice sought on the potential impacts on the SSSI. This will be reported to Members by way of an update.

With respect to other ecology matters, the Nature Conservation Officer has recommended that the existing hedgerows on site should be retained and incorporated into the landscaping for the site.

Trees / landscape

Since the previous approval, some ground works have taken place on site, including the formation of several concrete slabs. In addition, a length of hedge (shown on both the existing and proposed plans) appears to have been removed from the northern boundary of the site and has been replaced with a timber fence. There is also a hedge present to the north west of the site not shown on the plans. No details of proposed landscape works or boundary treatment are provided nor are details of tree retention. This could be secured by condition.

Highways

The Head of Strategic Infrastructure (HSI) has assessed the proposals and has offered no objection subject to conditions. The proposal will use the existing access to the site which is known to operate safely. The HSI has confirmed that the traffic generation from 24 units will be

non-material when accessing and egressing onto the A533 Booth Lane, which has significant capacity at this location.

The application detail shows the junction arrangement and it is known that appropriate visibility splays can be achieved, however, the HSI recommends that a condition be attached to any permission which requires a detailed plan of the visibility splays to be provided to the satisfaction of the LPA. Subject to this, the proposal is found to be acceptable in highway terms.

SOCIAL SUSTAINABILITY

The PPTS makes it clear that sustainability is important and should not only be considered in terms of transport mode and distance from services. But other factors such as economic and social considerations are important material considerations. It is considered that authorised sites assist in the promotion of peaceful and integrated co-existence between the travellers and the local community. The provision of a transit site will ensure that unauthorised encampments can be moved on, either to this site or out of the Borough, and will help with easier access GPs, schools and other services.

The Criminal Justice and Public Order Act 1994 is particularly important with regard to the issue of Gypsy and Traveller transit site provision. Section 62A of the Criminal Justice and Public Order Act allows the Police to direct trespassers (unauthorised encampments) to remove themselves, their vehicles and their property from any land where a suitable pitch on a relevant caravan site is available within the same Local Authority area. A suitable pitch on a relevant caravan site is one which is situated in the same Local Authority area as the land on which the trespass has occurred, and which is managed by a Local Authority, Registered Provider or other person or body as specified by order by the Secretary of State.

Need

In 2013 Opinion Research Services (ORS) was commissioned by the local authorities of Cheshire to undertake a Gypsy, Traveller and Travelling showpeople Accommodation Assessment (GTTSAA). The local authorities involved were: Cheshire West & Chester, Cheshire East, Halton and Warrington. Prior to this the last Gypsy and Traveller Accommodation and Related Services Assessment was published in 2007.

The study provides an evidence base to enable the Council to comply with their requirements towards gypsies, travellers and travelling showpeople under the Housing Act 2004, the National Planning Policy Framework 2012 and Planning Policy for Traveller Sites 2012. It provides up-to-date evidence about the accommodation needs of gypsies, travellers and travelling showpeople in the study area up to 2028.

Planning records indicate that there are approximately 266 pitches across the four local authorities forming Cheshire, plus further space available for households in transit through the area. In terms of future need within Cheshire East specifically, an extra provision totalling 69 pitches is required up until 2028. Over 5 year periods, this translates to 32 pitches 2013-2018, 17 pitches 2018-2023 and 20 pitches 2023-2028. Any current need is included in the initial period 2013-2018, along with any need arising from new household formation during that time. Any supply of pitches has also been taken into account in the first 5 year period. The council

has not met this need and as such, this proposal would help towards meeting the required provision.

Site Identification Study

Peter Brett Associates were appointed by the Council to carry out research to identify gypsy, traveller and travelling showpersons sites across the Borough. Sites have been assessed to determine if they are suitable, available and achievable. It is intended that the results of the study will be used to inform the development of relevant policies and allocations and to guide the consideration of planning applications.

Potential sites were established from a review of information relating to: a call for sites; existing authorised sites subject to full, temporary or personal consents or certificates of lawful use; existing unauthorised and tolerated sites and encampments; other sites owned by gypsies, travellers and travelling showpeople; surplus Council owned land; sites from previous and current land studies; housing allocations and potential urban extensions, and; sites owned by Registered Providers (housing associations).

It should be clarified that the site identification study does not allocate land for the proposed use, or confirm the acceptability in planning terms of the identified sites. It simply serves to highlight options available to the Council to meet the identified need for accommodation for gypsies, travellers and travelling showpeople within the Borough.

Owing to the previous permission on the site for an additional 24 pitches, the application site is identified in this study as a suitable site for the provision of permanent pitches. Accordingly, this proposal is in line with the recommendations of the most recent study available to the Council and on that basis, the proposal can be considered to represent a sustainable form of development in the social context.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development has the potential to bring increased trade to nearby shops and businesses.

PLANNING BALANCE

Whilst the application site is located within the open countryside, it would serve to extend an existing Gypsy and Traveller site. The principle of the development has been accepted previously, however, the permission has since lapsed.

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RECOMMENDATION

For the reasons set out above, the application is recommended for **APPROVAL** subject to the satisfactory receipt of comments from Natural England and the following conditions:

- 1. Standard Time limit (3 Years)**
- 2. Accordance with approved plans**
- 3. Site limited to stationing of no more than 24 caravans**
- 4. Prior to the commencement of development, detailed plans showing the visibility splays shall be submitted and provided prior to first occupation. Splays shall be kept clear.**
- 5. Caravans restricted to use by Gypsy & Travellers only.**
- 6. No development shall commence until details of drainage have been submitted and approved.**
- 7. Existing boundary hedges and trees retained as part of a landscaping scheme, to be submitted and approved.**
- 8. Implementation of approved landscaping scheme**
- 9. Submission of scheme to minimise dust emission**
- 10. Details of external lighting to be submitted**
- 11. Details of bin / refuse storage**
- 12. Amenity blocks provided prior to first occupation**

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