



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Planning Committee

7 April 2022

S22/0091

Proposal:	Change of use of land to use as residential caravan site for two gypsy families, each with 3 caravans including no more than one static caravan, together with formation of new access, laying of hardstanding, erection of 2no utility buildings and installation of package sewage treatment plant.
Location:	1A The Lodges, Main Street, Carlton Scroop, Grantham Lincolnshire, NG32 3AY
Applicant:	Mr James Doherty
Agent:	Mr Philip Brown
Application Type:	Change of Use
Reason for Referral to Committee:	Public Interest
Key Issues:	Principle of Development, Highways, Amenity
Technical Documents:	Site Plan Visibility Splay Drawing

Report Author

Ellie Sillah (Senior Planning Officer)



01476 406080



ellie.sillah@southkesteven.gov.uk

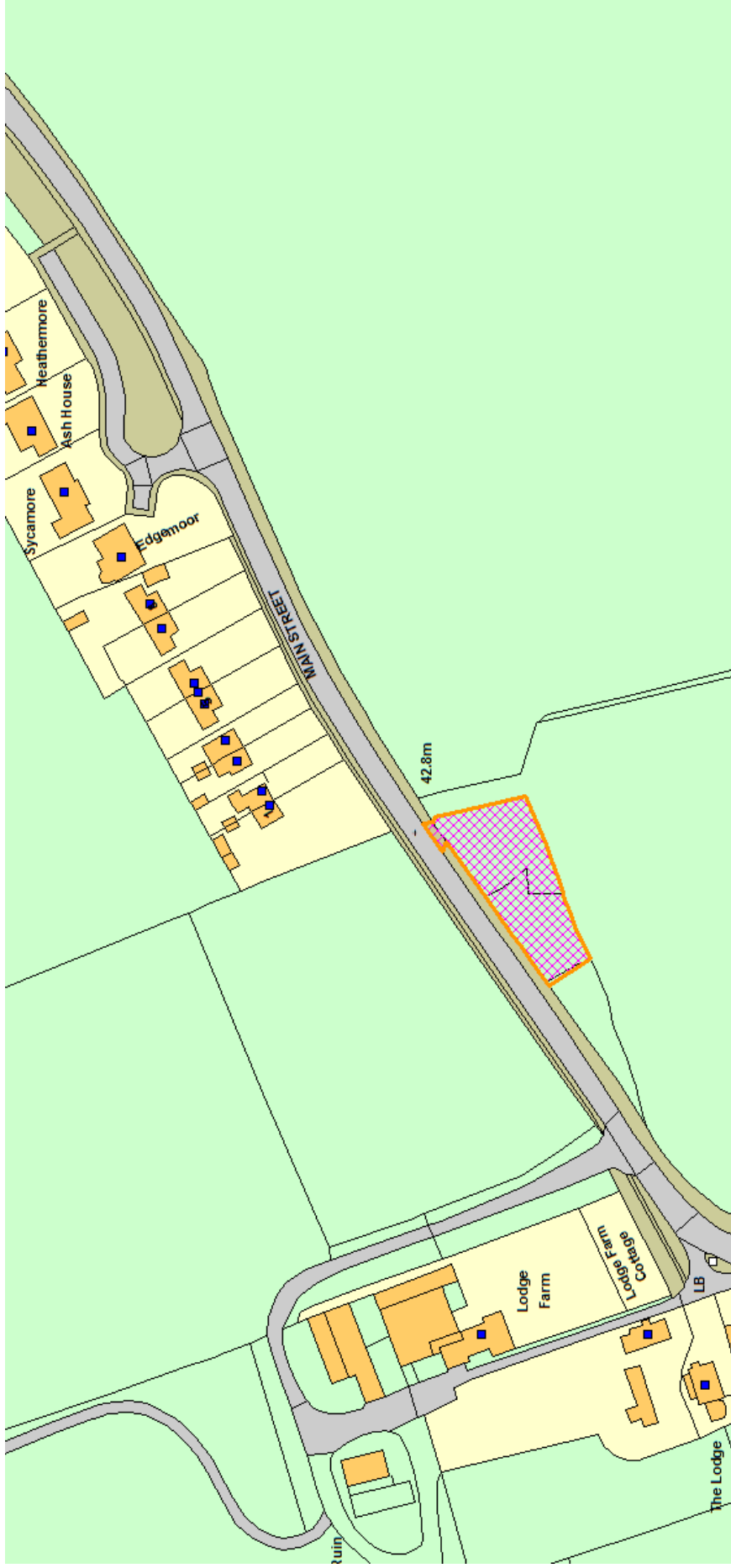
Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Peascliffe & Ridgeway

Reviewed by: Phil Jordan (Principal Planning Officer)

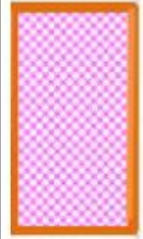
28 March 2022

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director of Planning to GRANT planning permission, subject to conditions outlined in this report



Key



**Application
Boundary**



1 Description of Site

- 1.1 The application site is approximately 0.11 hectares in size, located to the south side of Main Street upon entering the village of Carlton Scroop. The land is well screened along the northern boundary by mature conifer trees and is enclosed by timber fencing to the remaining boundaries.
- 1.2 The application site has had hardstanding laid across the site and up to the edge of the A607 creating an access into the site. The site is currently occupied by five caravans and two portaloos have been installed. Recently a pair of 2m gates have been installed to the access to the site.

2 The Proposal

- 2.1 The application has been submitted part retrospectively for the change of use of the land to use as a residential caravan site for two gypsy families, each with 3no. caravans including no more than 1no. static caravan, together with the formation of new access, laying of permeable hardstanding, the erection of 2no. utility buildings (maximum 4.1m in height, 6m in width and 4m in depth) and the installation of a package sewage treatment plant. As above, the hardstanding has been installed and there are caravans in situ, along with boundary fencing.
- 2.2 The application is accompanied by a Design and Access statement that sets out the personal details of the applicants and their families. This states that the applicants are Irish travellers and are both married with 9 children between them.

3 Policy Considerations

- 3.1 **South Kesteven Local Plan 2011-2036 (Adopted January 2020)**
Policy SD1 – The Principles of Sustainable Development in South Kesteven
Policy H2 – Affordable Housing Contributions
Policy H4 – Meeting All Housing needs
Policy H5 - Gypsies and Travellers
Policy EN1 – Landscape Character
Policy EN2 – Protecting Biodiversity and Geodiversity
Policy DE1 – Promoting Good Quality Design
- 3.2 **Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)**
- 3.3 **National Planning Policy Framework (NPPF) (Adopted July 2021)**
Section 2 – Achieving sustainable development
Section 4 – Decision-making
Section 5 – Delivering a sufficient supply of homes
Section 9 – Promoting sustainable transport
Section 11 – Making effective use of land
Section 12 – Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change
Section 15 – Conserving and enhancing the natural environment

3.4 Planning policy for traveller sites (2015)

3.5 Planning Practice Guidance (2021)

4 Representations Received

4.1 LCC Highways comments:

No objection on highway grounds, subject to conditions and informatives relating to the creation of the new access and requirements for suitable visibility splays.

This application is a minor application and it is the LPA's responsibility to satisfy themselves that the risk from surface water flooding is acceptable. It is noted that the proposal is located in an area at risk from surface water flooding. We therefore suggest that, to assist the LPA, a Flood Risk Statement is submitted which considers this risk and any necessary mitigation.

4.2 Parish Council Comments (Full report at Appendix A)

4.2.1 In summary, the key planning objections to the development are as follows:

4.2.2 The development represents an inappropriate and unsustainable form of development in an open countryside location.

4.2.3 The claimed gypsy status of the applicant and the intending site occupiers, and the absence of a five-years supply of gypsy pitches, whilst material considerations, are outweighed by the substantial harm arising from the proposed development.

4.2.4 The development is located beyond the built-up area, in open countryside. The village lacks facilities; there is no shop or school. This represents an unsustainable location for this type of development.

4.2.5 The development by its nature will have a harmful visual impact upon the character and appearance of the open countryside and the setting of the village.

4.2.6 The density of occupation on the site is considered excessive and will offer a poor standard of amenity, with resulting highways safety implications.

4.2.7 The applicant has not demonstrated that there is sufficient space within the site, nor demonstrated that there are satisfactory ground conditions to accommodate the necessary drainage infrastructure to serve the development.

4.2.8 The development will materially conflict with development plan policies (in particular policies SP1, SP2, SP4, SP5, H5 and EN1), the National Planning Policy Framework and the DCLG document: Planning policy for traveller sites (2015)

4.3 **Cllr Maughan (Lincolnshire County Councillor for Hough Division)** raises the following objections:

1. **Impact on the character of the village** – the proposal develops open countryside at the edge of the village. There is no other development on the eastern side the A607 past the main built up area of the village. The development would be intrusive on the area and the views from existing residential properties, therefore in contradiction with policies EN1 and SP5.

2. **Community feeling/impact on residents** – Policy SP4 clearly sets out the need for the applicant to demonstrate substantial support for an edge of village development. From the correspondence I have received and the public meetings I have attended it is clear that local residents strongly object to the application and therefore the applicant cannot satisfy this requirement.

3. **Access to local amenities** – Policy H5 clearly states gypsy and traveller sites should be within reasonable distance of local shops, schools and health facilities. The nearest amenities to Carlton Scroop are several miles away in Caythorpe and Barkston. The SKDC local plan identifies Carlton Scroop as an unsustainable village due to the lack of local amenities that residents can access clearly making it an appropriate location for this development.

4. **Flood and drainage** – the area has been subject to recent surface water flooding on the A607 and is identified as being at risk of surface water flooding. The proposed soakaways are not sufficient to manage surface water flow on the site.

5. **Lack of detail from the applicant** – there is insufficient information provided by the applicant to evidence the gypsy and traveller status of the families, and the availability of alternative accommodation. In addition, there is insufficient detail given to explain why existing traveller & gypsy sites/provision in the district and wider local area is unable to meet the needs of the family.

5 Representations as a Result of Publicity

5.1 A total of 14 representations have been received as a result of publicity. These are summarised below:

- 1) Concerns raised regarding the safety of the access due to restricted views, proximity of bus stop, blind bend and vehicles regularly exceeding the 40mph speed limit
- 2) Safety concern for children living on site due to proximity of busy road
- 3) Noise coming from site impacting surrounding area (EG from generator and traffic coming and going)
- 4) No yellow notices put up in village to advertise application
- 5) No connections to mains sewers/electricity

- 6) No environmental impact study carried out prior to work including hardstanding
- 7) Continuous burning of items on site causing pollution
- 8) Carlton Scroop is small village, no amenities or services – cannot accommodate increase in population
- 9) There is an established travelling show persons site 0.7 miles away at Honington Junction
- 10) Site has not been identified in Local Plan as potential traveller site therefore inappropriate – others identified in Ancaster, Long Benington and Fulbeck
- 11) Occupants have no community or family connection to the village
- 12) No indication of rubbish collection
- 13) Inappropriate development in open countryside
- 14) Contrary to SP4 – edge of village no substantial community support
- 15) Adjacent fields often collect surface water – development on site will aggravate situation
- 16) No play area for children to play on site
- 17) Overcrowded
- 18) Work has begun and continued prior to planning permission and despite enforcement action
- 19) Potential to increase crime in the area
- 20) Air pollution from adjacent road
- 21) Detracts from rural character of village

6 Response to Objections

- 6.1.1 No objection from LCC Highways – please see Access and Highways section of report.
- 6.1.2 No noise report submitted, however following site visit noise levels are not considered unacceptable and the site would not significantly increase vehicular movements within the area given small scale nature.
- 6.1.3 Two site notices were posted in the village on 11th February – one outside the site and one within the village close to the church as requested by the Parish – this is above the statutory requirement for publicity.
- 6.1.4 Utility connections are not material planning considerations and are separate matters to be agreed with the relevant authorities
- 6.1.5 In relation to ecology please see Ecology section of this report.
- 6.1.6 Burning of items on site – this is not part of what has been proposed and is not being considered as part of the application. If burning items on site was occurring frequently this may require intervention from Environmental Protection.
- 6.1.7 Carlton Scroop is defined a small village, however there are services and facilities within a reasonable travelling distance of the site.
- 6.1.8 Site at Honington Junction is a travelling show persons site rather than gypsy and traveller site therefore not considered an alternative for the applicants.
- 6.1.9 No sites are currently allocated as gypsy and traveller sites within district. Each site that comes forward is required to be assessed on its own merits.
- 6.1.10 No family or other connection to the area is required by policy.
- 6.1.11 Gypsy and traveller sites can have a need to be located outside of main settlements. See principle of development section of the report.
- 6.1.12 Flood risk – see flood risk section of report.
- 6.1.13 Play area – no grassed area but there is space on site for children to play.
- 6.1.14 The retrospective nature of the application, and ongoing enforcement case, should not prejudice the decision making process.
- 6.1.15 In relation to a potential increase in crime, there is no evidence to support this.
- 6.1.16 Given the openness of the site within the countryside, there is unlikely to be a high risk of air pollution for the occupants.

- 6.1.17 In relation to impacts on the character of the area, see Impact on the Character of the Area section of the report.
- 6.1.18 To comply with SP4 the site would need to be adjacent to the existing pattern of development for the area, or adjacent to developed site allocations as identified in the development plan. Given the location on the opposite side of Main Street and surrounding open fields, the application has been assessed against policy H5.

Evaluation

6.2 Principle of Development

- 6.2.1 Paragraph 2 of the NPPF states planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 4 provides that the Framework should be read in conjunction with the Government's planning policy for traveller sites.
- 6.2.2 The application site is located outside of any settlement identified by Policy SP2 and therefore it is relevant to consider the application against Policy SP5. Policy SP5 (Development in the open countryside) limits development within the countryside to that which has an essential need to be located outside of the existing built form of a settlement.
- 6.2.3 Policy H5 of the adopted Local Plan (2020) supports proposals for residential Gypsy and Traveller pitches where the following apply:
- a. the proposed site provides an acceptable living environment for its residents;
 - b. the site has good access to the highway network and will not cause traffic congestion or safety problems;
 - c. the site is in reasonable proximity to shops, schools and health facilities;
 - d. the site is not identified as an area at risk of flooding in the Strategic Flood Risk Assessment (SFRA); and
 - e. the scale and layout of the site will respect its relationship with any residential (settled) community and not place undue pressure on the local infrastructure.
- 6.2.4 The NPPF (Paragraphs 60-62) requires that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).
- 6.2.5 Footnote 27 of the NPPF directs the decision maker to National Policy Document, 'Planning Policy for Traveller Sites (PPTS)' which sets out how travellers' housing needs should be assessed for those covered by the definition in Annex 1 of that document. Policy H of the document sets out the relevant considerations for determining individual planning applications.

- 6.2.6 The applicant has set out the personal details of the applicants and their families. This states that the applicants are Irish travellers and are both married with 9 children between them. This has been confirmed through planning enforcement site visits and there is no evidence to dispute the traveller status of the applicants.
- 6.2.7 PPTS Paragraph 24 states, Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:
- a) the existing level of local provision and need for sites
 - b) the availability (or lack) of alternative accommodation for the applicants
 - c) other personal circumstances of the applicant
 - d) 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
 - e) that they should determine applications for sites from any travellers and not just those with local connections
- 6.2.8 PPTS Paragraph 25 directs Local Authorities to 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.
- 6.2.9 PPTS Paragraph 26 states that when considering applications, local planning authorities should attach weight to the following matters:
- a) effective use of previously developed (brownfield), untidy or derelict land
 - b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
 - c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
 - d) 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.
- 6.2.10 PPTS Paragraph 27 is clear that in the instance that a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.
- 6.2.11 PPTS Paragraph 28 instructs Local planning authorities to consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including:
- a) limiting which parts of a site may be used for any business operations, in order to minimise the visual impact and limit the effect of noise
 - b) specifying the number of days the site can be occupied by more than the allowed number of caravans (which permits visitors and allows attendance at family or community events)

c) limiting the maximum number of days for which caravans might be permitted to stay on a transit site

6.2.12 Whilst the location of the application site is outside of any main settlement, it is well related to the village of Carlton Scroop which in itself is within a reasonable distance of the larger villages of Caythorpe, Barkston and Ancaster. Given both the Local Plan and PPTS requirements for traveller sites to respect and not dominate settled communities, it is likely that desirable sites would be located close to, but outside existing settlements. As such, the principle of development in terms of the site's locational qualities is acceptable and in accordance with Policies SP5 and H5 and guidance in the PPTS.

6.3 **Assessment against Policy H5**

6.3.1 Living Environment for Occupants

6.3.2 Local Plan Policy DE1 states (amongst other criteria) that all development proposals will be expected to ensure there is no adverse impact on the amenity of neighbouring users. The policy also requires that development proposals should provide sufficient private amenity space for the type of development proposed. Policy H5a requires traveller sites to provide acceptable living environments for its residents. Paragraph 130 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.3.3 The site is adjacent to Main Street which has a 40mph speed limit. No noise report has been submitted, however following a site visit noise levels are not considered unacceptable and the site would not significantly increase vehicular movements within the area given it's small scale nature.

6.3.4 The site is enclosed by timber fencing and has permeable hardstanding covering the entire ground. There is no soft landscaping proposed within the site. The site layout plan indicates that the caravans and utility buildings would be situated to the edges of the site leaving an area within the centre that would be available for amenity space, shared between the families on site. The site does not provide separate private garden spaces. Although the site does not include planting within the boundaries, the trees to the boundary with Main Road would be retained providing a visual screen between the site and the road as well as providing a barrier in relation to noise from the road.

6.3.5 With the above in mind, the site does not provide a high level of amenity for the occupiers, and as such there is some conflict with Policies H5a, DE1 and the NPPF (section 12)

6.3.6 Access and Highways

6.3.7 Access is proposed from Main Street and has been constructed. The speed limit is 40mph. There are existing residential accesses onto Main Street on the opposite side of the highway. LCC (as Local Highway Authority) have requested an additional drawing to demonstrate the visibility splays. This has been submitted and indicates visibility of 59m in

each direction. LCC (as Local Highway Authority) have subsequently submitted comments with no objection to the proposal, but requiring a condition to ensure that any planting or boundary treatment is kept to no higher than 0.6m within the visibility splays demonstrated. If approved the recommended condition can be attached.

6.3.8 As such, the site is considered to have good access to the highway network and would not cause traffic congestion or safety problems. The proposal would therefore comply with Policy H5b.

6.3.9 Location and Proximity to Local Services

6.3.10 Carlton Scroop is identified within Policy SP2 of the Local Plan as a 'smaller village', whereby small scale development is supported in principle. There are no services within the village aside from a church, however the surrounding villages of Barkston (2.5 miles away), Caythorpe (2.7 miles away), and Ancaster (approximately 4 miles away) have a range of services including local convenience stores, public houses, primary schools, and GP surgeries. These villages are easily accessible by car. There is also a bus service from Carlton Scroop to Grantham and Lincoln, providing a sustainable and public transport option.

6.3.11 In relation to distance to schools, the Lincolnshire County Council Fair Access Protocol (2021) states that a 'Reasonable distance is defined as 5 miles for primary age children and 10 miles for secondary age children measured by straight line distance using the Lincolnshire County Council admissions software.

6.3.12 The above gives a good indication of a reasonable distance to travel to access services.

6.3.13 Given that there are services within a 5 mile radius, the proximity to services is considered reasonable and therefore in accordance with Policy H5c

6.3.14 Flood Risk

6.3.15 Policies EN5 and H5d aim to avoid development within areas at risk of flooding, as well as avoiding the risk of flooding elsewhere. The site lies within Flood Zone 1 and therefore is at low risk of fluvial flooding. The EA maps show the site is at low risk of surface flooding. It is indicated that a soakaway would be used for surface water drainage and the hardstanding is permeable. Given the low risk of surface water flooding, this is considered to be acceptable and therefore the proposal is in accordance with Policy H5d.

6.3.16 Scale and Layout

6.3.17 The scale of the proposal is relatively small, providing accommodation for two families only. As a result, it is not considered that the proposal would have a significant impact on local infrastructure and services.

6.3.18 The size of the site has been raised as a concern by local residents. The site is 0.11 of a hectare. The adopted Local Plan accepts a density of 30 dwellings per hectare as an average (in some cases higher or lower dependant on the site). If a site of this size was proposed for typical dwellings, this would equate to approximately 3.3 dwellings as an

acceptable number. The density of the site for a residential use as proposed is therefore considered acceptable.

- 6.3.19 The layout includes caravans and 2no. utility buildings positioned at the edges of the site. The layout is not considered harmful in terms of character or visual amenity.
- 6.3.20 The site is enclosed by fencing, but it is shown on the plans that hedgerow would be planted on the external sides of the fencing. This would provide visual mitigation as well as increase biodiversity in the area.
- 6.3.21 The site, although within open countryside, is situated next to the A607, in close proximity to existing built form on the opposite side of the road, therefore is well related to the village and not isolated from the community. The location and scale of the site is considered to respect its relationship with the settled community and therefore accords with Policy H5e.

6.4 Local Need and Current Provision

- 6.4.1 Paragraph 2.45 of the Local Plan identifies a need for 32 residential pitches during the period 2016 to 2036 within the district.
- 6.4.2 To date, 2 pitches have been granted planning permission since 2016 on Harrowby Lane in Grantham (S17/1378) and a further pitch has been approved under reference S20/2223.
- 6.4.3 A planning appeal has recently been allowed for a further 6 pitches at Cold Harbour, reference APP/E2530/W/19/3242145 (SKDC reference: S18/0944).
- 6.4.4 The most up to date Gypsy and Traveller Accommodation Assessment for the District identifies a need for 16 pitches between 2016 and 2021. A further 5 pitches are required between 2021 and 2026. To date this figure has not been achieved and therefore the proposal would contribute towards meeting this requirement, if approved.
- 6.4.5 There are currently no allocated gypsy and traveller sites within the adopted Local Plan. The lack of available sites within the district and the fact that the Council cannot currently demonstrate an up-to-date 5 year supply of deliverable sites, is a significant material consideration.
- 6.4.6 A more recent appeal decision ref: APP/E2530/W/21/3270598 at Fourways, Bulby Lane, Fulbeck, issued on 22nd March 2022, (although dismissed for heritage and drainage reasons) highlights the lack of available alternative sites within the district and emphasises this stating 'the shortfall is not insignificant.'
- 6.4.7 The inspector states within the decision, 'Furthermore, there is limited evidence that the Council is taking other measures to address the deficit through the grant of planning permissions. It is therefore unsurprising that there are unauthorised encampments, as is set out in the enforcement update document, because Gypsies and Travellers are having to find somewhere to live. The Lowfields Paddocks appeal decisions that I have been referred to indicate that a lack of provision has been an historical issue. The current situation amounts to a policy failure.'

- 6.4.8 In relation to alternative sites, the inspector concluded that there are no other obvious sites that the appellants could occupy, siting a Council-run site in Grantham that is currently overcrowded therefore not a suitable alternative.

6.5 Impact on Neighbouring Amenity

- 6.5.1 Policy DE1 of the Local Plan expects new development to provide sufficient private amenity space, suitable to the type and amount of development proposed whilst paragraph 130 of the NPPF seeks to ensure that proposals create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 6.5.2 The site is on the opposite side of the road to any neighbouring dwellings which are set back from the public highway. Further, the site is well screened to the road side by mature trees and hedgerow. This limits any visual or noise impact from the site. Given the separation distances, intervening boundary treatments and road, the proposed use would not result in any unacceptable impacts to neighbouring amenity.

6.6 Impact on Visual Amenity and Character of the Area

- 6.6.1 Policies EN1 (Landscape Character), DE1 (Promoting Good Quality Design), and Parts 12 and 15 of the NPPF seek to ensure development does not have an adverse impact on the character of the surrounding area.
- 6.6.2 The boundary fencing is not in keeping with the rural character of the countryside and is readily visible on the approach to the village. However, hedgerow has been planted to the external sides of the fencing. Although this would take time to become established, it is considered that the hedgerow would provide visual mitigation for the fence. In addition, it should be noted that a fence could be erected up to 2m in height without the need for a formal planning application providing it is not adjacent to the highway, under the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended). The site is well screened from the north boundary by existing trees and hedgerow that are not proposed to be removed.
- 6.6.3 The proposed utility buildings would be constructed in either brick or timber cladding and would be single storey in height with a pitched roof. These would be set back from the public highway.
- 6.6.4 With the above in mind, the visual impact of the proposal is considered acceptable and in accordance with Policies EN1 and DE1.

6.7 Impact on Ecology

- 6.7.1 Policy EN2 seeks to protect biodiversity within the district. This includes seeking to enhance ecological networks and seeking to deliver a net gain on all proposals, where possible. The site has been covered in hardstanding. No ecological survey has been submitted with the application. This is not a validation requirement and given the relatively

small scale of the site and the former use of the land, it is considered that there would be low potential for habitats for protected species.

6.7.2 The proposal does include new hedgerow (which has been planted) to the external sides of the fencing, which would enhance the biodiversity of the area by providing new habitats for wildlife.

6.7.3 With the above in mind the impact on ecology is considered acceptable and to be in accordance with policy EN2.

6.8 Drainage

6.8.1 A soakaway is proposed for surface water and foul water drainage. A 'Hydroclear' sewage treatment plant is proposed. Details of the treatment plant have been provided noting the plant removes 97% of pollutants, has a low running noise, and if there is a power failure it works as a traditional septic tank.

6.9 Crime and Disorder

6.9.1 It is considered that the proposal would not result in any significant crime and disorder implications.

6.10 Human Rights Implications

6.10.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been considered in making this recommendation.

6.10.2 It is considered that no relevant Article of that act will be breached.

7 Planning Balance and Conclusion

7.1.1 Planning permission is sought to change the use of the land to a residential caravan site for two gypsy families. Personal details of the applicants has been submitted confirming their traveller status and there is no evidence to dispute this.

7.1.2 The site is within a reasonable distance of other settlements with facilities and services. The visual impact of the fence would be mitigated by the hedgerow which has already been planted therefore the impact on the character of the area is limited. There are no highways or drainage concerns in relation to the proposed development.

7.1.3 However, it is acknowledged that amenity for the occupiers is not of a particularly high standard, and as such there is some conflict with Policies H5a, DE1 and the NPPF (section 12).

7.1.4 The lack of available sites for gypsies and travellers is evidenced through the under supply of pitches and conclusions reached in the recent Fulbeck appeal decision. In these circumstances PPTS para 27 states this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.

- 7.1.5 Further, Section 72 of the Town and Country Planning Act 1990 allows the local planning authority to grant planning permission for a specified temporary period only in some circumstances. Paragraph: 014 Reference ID: 21a-014-20140306 of the PPG explains this can be done via condition and provides examples of circumstances where this may be appropriate including where it is expected that the planning circumstances will change in a particular way at the end of that period.
- 7.1.6 The Local Plan is currently under review with the intention to allocate sites for gypsies and travellers in order to meet their housing needs. There is not a definitive time frame for when the amended local plan will be adopted, however three years is considered a realistic timeframe for this to happen and for more suitable sites to become available.
- 7.1.7 Whilst there is an identified conflict with Local Plan Policies H5a and DE1 in terms of living conditions on the site, the lack of available alternative options is a significant consideration. Having a base would clearly be advantageous to the applicant and their families, as well as serving the best interests of their children.
- 7.1.8 In conclusion, it is recommended to grant a temporary permission on site for three years from the decision date, with the intention that after the three years, a more appropriate site would be available within the district for the families to move to following the review and adoption of the updated Local Plan. Bearing in mind the use has already begun site, for the avoidance of doubt it is recommended that the temporary permission should begin from the date of the decision, if the application is approved.

8 RECOMMENDATION: To authorise the Assistant Director of Planning to GRANT planning permission, subject to the following conditions:

1. The use hereby permitted shall be for a limited period being the period of three years from the date of this decision, or the period during which the premises are occupied by them, whichever is the shorter. At the end of three years, whichever shall first occur, the use hereby permitted shall cease and all hard standing, caravans, buildings, structures, materials and equipment brought on to, or erected on the land, or works undertaken to it in connection with the use shall be removed, and the land restored to its condition before the development took place within 6 months of the cessation of the use.

Reason: For the avoidance of doubt and to allow the Council to re-assess its planned allocation of gypsy and traveller sites as required by the early Local Plan review.

2. The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - Site Location Plan received 17 January 2022
 - Site Layout Plan received 8 March 2022
 - Proposed Floor and End Elevation Plan received 17 January 2022
 - Front and Rear Elevation Plan received 17 January 2022

- Hydroclear specification received 17 January 2022

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

3. Before the access is brought into use all obstructions exceeding 0.6 metres high shall be cleared from the land within the visibility splays illustrated on drawing number (Amended Site Layout Plan with Visibility Splays) dated 08/03/2022 and thereafter, the visibility splays shall be kept free of obstructions exceeding 0.6 metres in height.

Reason: To ensure that drivers intending to enter the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre.

4. No commercial activities shall take place on the land, including the storage of materials for commercial purposes.

Reason: In the interests of visual amenity and to protect the character of the area in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

5. No floodlighting, security lighting or other external lighting shall be installed or operated on the site other than in accordance with details which shall have been previously submitted to and agreed in writing by the local planning authority.

Reason: To protect the visual amenity of the area and limit light pollution in accordance with Policies EN4 and DE1 of the adopted South Kesteven Local Plan.

Informatives

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit:

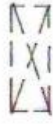
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact vehiclecrossings@lincolnshire.gov.uk

This application is a minor application and it is the LPA's responsibility to satisfy themselves that the risk from surface water flooding is acceptable. It is noted that the proposal is located in an area at risk from surface water flooding. We therefore suggest that, to assist the LPA, a Flood Risk Statement is submitted which considers this risk and any necessary mitigation.

SITE LAYOUT PLAN

SCALE 1:500

KEY:



MOBILE HOME



TOURER



PERMEABLE HARDSTANDING



PARKING SPACES



EXISTING HEDGEROW



PROPOSED HEDGEROW

UTILITY BUILDINGS

89m vis. splay

2.4m

89m vis. splay

2.0M HIGH SCREEN FENCE



Proposed Front Elevation of Utility Building

