# Forest Heath District Council

**DEVELOPMENT CONTROL COMMITTEE**

**1 FEBRUARY 2017**

**DEV/FH/16/004**

**Report of the Head of Planning and Growth**

**PLANNING APPLICATION DC/16/1758/FUL – LAND NORTH OF LODGE FARM, SKELTONS DROVE, BECK ROW**


**Synopsis:**

Application under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 and associated matters.



CONTACT OFFICER

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# Committee Report

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| **Date Registered:** | 07.10.2016 | **Expiry Date:** | 06.01.217<br>08.02.2017 (extended) |
| **Case Officer:** | Charles Judson | **Recommendation:** | Refuse |
| **Parish:** | Beck Row | **Ward:** | Eriswell and The Rows |

**Proposal:** Planning Application DC/16/1758/FUL - Change of use of land to provide 10 pitches for traveller families (each pitch to include 1 mobile home, 1 travelling van and 1 day room)

**Site:** Land North of Lodge Farm, Skeltons Drove, Beck Row

**Applicant:** Mr R Oakley

**Background:**

**This application is referred to the Development Control Committee as it is a major application which the Parish Council support, however, the Officer recommendation is for REFUSAL.**

**Proposal:**

1. Planning permission is sought for the change of use of the application site to provide 10 pitches for traveller families. Each pitch would include space for 1 mobile home, 1 travelling van and 1 day room. The day room would be a red brick building with a pantile pitch roof to provide a family room, utility room and bathroom to each pitch.

2. Access would be via the south west of the site on to the unadopted Skeltons Drove and a new driveway would extend the length of the southern boundary. Pitches would be subdivided by 1.8m high close boarded fencing and picket fencing to the front and soft landscaping and fencing to site boundaries.

**Application Supporting Material:**

3. Information submitted with the application as follows:
   - Location, layout and block plan
   - Flood risk assessment
   - Amended flood risk assessment
   - Design and access statement
   - Personal character references

- Land contamination report
- Biodiversity checklist
- Schedule of intended occupants

**Site Details:**

4. The site is situated to the north of Beck Row accessed via an unadopted track known as Skeltons Drove. It is located within the open countryside for the purposes of planning policy and is in agricultural use. The site is bounded to the west, south and east sides by drainage ditches and a mature tree belt and security fencing to the north. Land use in the vicinity is primarily agricultural but the land to the north is an unused military site described as a bomb dump and contains a number of unused single storey flat roof buildings.

**Planning History:**

5. No relevant history

**Consultations:**

6. Highway Authority: The site is over 1km from the nearest highway access points (on Rookery Drove and The Street) on the unadopted Skelton's Drove. Each pitch has parking space for at least 2 vehicles plus a touring caravan. It is not anticipated that the traffic generated by the site would lead to road safety or congestion issues at the highway access points. Therefore the Highway Authority does not wish to restrict the granting of permission due to negligible impact on the highway.

7. Strategic Housing Team: Unable to support this application as under the new definition for Gypsy and Traveller there is currently no requirement for any additional pitches in Forest Heath. The Gypsy and Traveller Needs Assessment (GTNA) 2016 however has caveated a potential need for up to 8 additional pitches but this is classified as 'unknown' within the definition and will be for the LPA to determine whether this application meets the 'unknown' need.

   Further comments following additional information:

   In light of the letter to identify where the need for these proposed pitches is arising from and who would be occupying the site, the Strategic Housing Team is now able to support this planning application based on the fact it demonstrates that the family meet the new definition and could fall into the 'unknown' category in the new GTNA.

   Further comments following additional information:

   Although the Strategic Housing Team support this scheme in principal, we believe the applicant has failed to submit enough information/evidence to prove that they meet the new definition for Gypsy and Travellers (Gypsy and Travellers Needs Assessment 2016) within the 'unknown' category on

the following points highlighted in bold below;

a) Whether they previously led a nomadic habit of life – I note evidence has been submitted for the Oakley family, however, no evidence has been submitted for the Nunns, Barhams and Macdonalds.
b) The reasons for ceasing their nomadic habit of life – we accept that they have provided enough information to demonstrate why they have currently ceased their nomadic habit of life.
c) Whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances – No information has been provided to demonstrate when and in what capacity the families intend to start living a nomadic habit of life in the future.

As I mentioned before, under the new definition for Gypsy and Travellers (Gypsy and Travellers Needs Assessment (GTNA) 2016) there is currently no requirement for any additional pitches in Forest Heath. The GTNA 2016 however, has caveated a potential need for up to 8 additional pitches classified as 'unknown' within the definition and will be for the Local Planning Authority to determine whether this application meets the 'unknown' need.

8. Design Out Crime Officer: Identifies the requirements of Policy DM2 to produce designs and layouts which are safe and take account of crime prevention, community safety and public health and DM22 which seeks to create a safe and welcoming environment.

9. Environmental Health (contaminated land): The application is supported by a Desk Study and Risk Assessment which includes a summary of the current and previous uses of the site and surrounding area, identifying the adjacent military land use. The risk assessment considered there to generally be a low risk and the report concludes that the site is suitable for the intended end use. Intrusive investigations are considered not necessary. The service agrees with the findings of the report and does not require any further information. An advice note is suggested.

10. Natural England: No comment.

11. Mildenhall Internal Drainage Board: The application site is within the Mildenhall Internal Drainage District and is adjacent to the Board's Catchwater Main Drain. No works can take place, structure built or planting undertaken within 9 metres of the Board's Main Drain without prior consent of the Board. The application states that surface water will be disposed of via soakaways. Provided that the soakaways form an effective means of surface water disposal in this area, the Board will not object to this application. If soakaways are found not to be an effective means of surface water disposal the Board must be re-consulted in this matter. The Board's system has no residual capacity. If soakaways are not proven to work, then water will have to be balanced on site before discharging into the Main River. The Board will only accept a Greenfield run-off rate of 1.11/s/ha. Any discharge would require the consent of the

board. The piping of the ditch to form an access will also require the consent of this Board. The track to the site is owned by the Board, so the owner of the site will need the Board's agreement to use the track.

12. Suffolk Fire and Rescue: Access to buildings must meet with the building Regulations. The nearest fire hydrant to the site is over 420m from the proposed build and we therefore recommend that consideration be given to providing additional water for firefighting.

13. Suffolk County Council (Schools Infrastructure): Due to the scale and nature of the proposed development Suffolk County Council will not be seeking infrastructure contributions.

14. Environment Agency: We object to this application because the proposed development falls into a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. We recommend that the application should be refused planning permission on this basis. The application site is within Flood Zone 3 defined by the NPPF as having a high probability of flooding. The proposed development type is classified as highly vulnerable in accordance with the NPPF Guidance which makes it clear that this type of development is not compatible with Flood Zone 3 and should not therefore be permitted. The amended Flood Risk Assessment submitted by the applicant has referenced outlines from the Environment Agency's Eastern Rivers model and has interpreted that these supersede the existing flood zones in the Flood Map for Planning. The Flood Maps for Planning shows the extent of flooding if there were no flood defences in place and do not consider the presence of flood defences as they do not entirely remove the possibility of flooding as there is always a chance of breaches occurring or defences being overtopped in extreme circumstances.

    Comments on Amended Flood Risk Assessment:

    Maintain their objection based on the vulnerability of the development and the Flood Zone in which it would be located.

    Further comments:

    The Flood Map for Planning does not consider the presence of flood defences as they do not entirely remove the possibility of flooding as there is always a chance of breaches occurring or defences being overtopped in extreme circumstances. However, we deem the main risk to the site to be from the network of IDB drains and given that the IDB have no objection to the application I would suggest that we are able to remove our objection provided that your authority are satisfied that the hazards associated with the development can be managed for its lifetime. It is recommended that the mitigation measures proposed in the FRA are adhered to.

15. Suffolk County Council Flood and Water Engineer: Because the proposed development is located on a greenfield site and is greater than or equal to 0.5ha or 10 dwellings, there needs to be a suitable scheme implemented

for the disposal of surface water. This is to prevent increased risk of flooding, both on and off the site due to the increase in impermeable areas post development. No drainage strategy or hydraulic calculations have been submitted and this is not satisfactory and there is a holding objection until such time a detailed drainage strategy is submitted along with a ground investigation report outlining soakage rates at the site.

16. Public Health and Housing: Public Health and Housing do not object to this application however in accordance with the latest noise contours provided by the MOD the proposed dwellings will be affected by noise from aircraft using the nearby airfields. The average noise levels 72dB(A) are over a 16hr period which means that there are times when the noise is very high due to the aircraft using afterburners to take off. This means that as a mobile home will offer little to no attenuation of noise, the residents will suffer loss of amenity. At take off the aircraft produce a very intensive, although short lived, level of noise. Currently in line with information provided by the MOD this is six times a day (07:00- 23:00hrs) with no flights between 23:00 and 07:00hrs, therefore the loss of amenity will be during the day and evening times. Guidance from BS8233:2014 recommends internal noise levels to be no higher than 40dB LAeq 16hr however this only relates to buildings and not mobile homes. Some of the legislation that we are consulted on namely the Housing Act does not apply to caravan sites, however, the site would require a Caravan site Licence under Caravan Sites and Control of Development Act 1960.

**Representations:**

17. Parish Council: The Parish Council unanimously support this application. It was noted that the applicant has already made improvements to this area and if this continues it will be an enormous benefit to the village.

18. Ward Member (Councillor David Bowman; Cllr James Waters): No comments received.

19. Neighbours comments:

    66B Skeltons Drove: No objections to the proposal however we do object to the so called access Skeltons Drove. This is not Skeltons Drove but a private road named by locals as Bomb Dump Road, a private road. Back in the 80s 66A/66B/68/70 Skeltons Drove paid for the rights of entry. This entry road is still privately owned, with past expansion along this road we have increased wear and tear plus legal rights. At least when owned by the M.O.D. we had their policing to fall back on. We ask if this area is to be developed, then SCC or FHDC should adopt this section of road, make good, therefore can be policed legally by our police force. We for see with Persimmons development more problems on this stretch of private road in the future. For our legal protection please adopt this road, we have mentioned this to Beck Row Parish council and your councillor David Bowman.

    Address unspecified: Write to advise that one of the applicants has or did

have a site at Spooner Row, Wymondham where they also built and occupied a house before purchasing land at Hallowing Crescent and selling it after 4-6 months of occupation. It is also understood that he is in the process of purchasing a plot of land in Hockwold to build another property. He and his family made himself homeless from a site in Spooner Row when it had permanent permission on that site which has permission for 8 pitches. The Environment Agency recommend refusal. Neighbour occupants object due to the state of the access road which is unadopted and additional traffic will cause wear. Beck Row has a large traveller community and increasing it will result in further disquiet. Please consider all the implications that would affect the village community if your Council supports this development.

**Policy:** The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 have been taken into account in the consideration of this application:

20. Joint Development Management Policies Document:
    - Policy DM1 – Presumption in favour of sustainable development
    - Policy DM2 – Creating Places
    - Policy DM5 – Development in the Countryside
    - Policy DM6 – Flooding and sustainable drainage
    - Policy DM13 – Landscape features
    - Policy DM22 – Residential design
    - Policy DM27 – Housing in the countryside
    - Policy DM46 – Parking standards

21. Forest Heath Core Strategy 2010
    - Policy CS2 – Natural Environment
    - Policy CS3 – Landscape Character and the Historic Environment
    - Policy CS8 – Provision for Gypsy and Travellers
    - Policy CS10: Sustainable Rural Communities

**Other Planning Policy/Material considerations:**

22. National Planning Policy Framework (2012)
23. Planning policy for Traveller Sites (2015)
24. Planning Practice Guidance; Reference ID: 7-001-20140306 – Flood Risk and Climate Change
25. Gypsy and Traveller Needs Assessment (2016)

**Officer Comment:**

26. The issues to be considered in the determination of the application are:
    - Policy Context
    - The need for such accommodation
    - Definition of gypsy and traveller
    - Flood risk
    - Noise
    - Landscape Impact
    - Highway issues
    - Sustainability

Policy Context

27. At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. The NPPF identifies that there are three dimensions to sustainable development:
    - Economic (contributing to building a strong, responsive and competitive economy)
    - Social (supporting strong, vibrant and healthy communities); and
    - Environmental (contributing to protecting and enhancing our natural, built and historic environment).

28. Provision is made within the Planning Policy for Traveller Sites publication (PPTS) for the consideration of traveller sites in rural areas and the open countryside, but indicates that 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.

29. The site is outside the development boundary and is within the open countryside. The extent to which planning policy provides for the proposed development, and the manner in which this application should be considered, is set out within the later sections of this part of the report.

30. National guidance in the form of PPTS emphasises that it is the Government's overarching aim to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life whilst respecting the interests of the settled community. Annex 1 of the guidance defines "gypsies and travellers" as:

    *Persons of nomadic habit of life, whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling show people or circus people travelling together as such".*

31. Policy H of the PPTS sets out the criteria for determining planning applications for traveller sites. This policy emphasises the need to determine planning applications in accordance with the development plan unless material considerations indicate otherwise as required by planning law. The policy lists the following issues amongst other relevant matters when considering applications for traveller sites:

    a) **The existing level of local provision and need for sites** – The Gypsy and Traveller Needs Assessment (2016) shows that there is currently no known requirement for any additional pitches in Forest Heath. This study has however, caveated a potential need for up to 8 additional pitches but this is classified as 'unknown' within the definition. Unknown need arises from those who have not been

identified in the GTNA as having a need because interviews were not able to be undertaken. The need for 8 additional pitches for 'unknown' households is made up of new household formation of 12 less 4 vacant pitches on a private rental site that can be considered as available for general occupation.

The applicant has submitted a schedule of those families intended to occupy the pitches. This identifies that one family currently reside on a pitch they deem to be overcrowded and four families live on pitches which are described as temporary only. Despite officer requests, no further information has been provided on why the pitches are temporary and whether efforts have been undertaken to make them permanent.

The applicant has advised that the family have been dispersed after the closure of the "Romany Way" traveller site in Bury St Edmunds. It is now their wish to reside as a family unit in Beck Row which the applicant and his family have a historic connection to and would enable children to attend school and provide access to healthcare.

b) **The availability (or lack) of alternative accommodation for the applicants –** The applicant has stated that there are no available sites or alternative accommodation which would allow the ten families to live as one family unit as they propose.

c) **Other personal circumstances of the applicant** – The application contains information regarding the desire to live as a family unit on a private site which they can control. It also identifies that the applicant and his family have a historic connection to Beck Row and that the application would enable access to schooling and healthcare facilities in the area.

d) **That the lack of 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** - Policy CS8 of the adopted Core Strategy sets out the locally specific criteria against which any applications for a gypsy and traveller site should be determined. This is considered in further detail below.

e) **That they should determine applications for sites from any traveller and not just those with local connections** – This guidance is being followed in the determination of this application, although the applicant's local connections are also noted.

32. Policy CS8 of the Core Strategy identifies that beyond 2011 provision for Gypsy and Traveller sites will be made for on an annual 3% increase in the level of overall residential pitch provision unless evidence from an up to date GTNA dictate otherwise. Since the GTNA 2016 identifies no known need for additional pitches no allocations are proposed in the emerging Site Allocations Local Plan (Submission) Document. However, policy CS8 also provides criteria for the assessment of proposals for gypsies and

travellers where applications do come forward (as suggested in PPTS) and the application should be assessed in accordance with these criteria. These criteria include the proposal meeting an identified need, pitch sizes to facilitate good quality living accommodation without overcrowding or unnecessary sprawl, good design and mitigation for impact on visual amenity.

33. Policy DM5 provides a criteria based approach for the consideration of new development in the countryside and the provision of gypsy and traveller accommodation is not listed as a type of development which would be permitted. However, within PPTS is provision for the consideration of gypsy and traveller sites in rural areas and the open countryside but indicates that 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.

The need for such accommodation

34. The GTNA 2016 does not identify the need for any new pitches in the District up to 2036 but it does identify a potential need for up to eight additional pitches classified as 'unknown'. Information provided by the applicant identifies that most of the families intending to occupy the proposed pitches currently reside outside of the study area for the GTNA and this could therefore account for why their need was not identified in the research for the GTNA as they were not interviewed. As Policy CS8 of the Core Strategy identifies that proposals for gypsy and traveller sites will be considered by reference to whether the proposal meets an identified need the applicant has been asked to demonstrate where the need for these pitches has arisen from.

35. The applicant states that four of the families reside in temporary accommodation in Fordham and Attleborough. One family reside on a pitch at Sandy Park, Beck Row but consider the site to be overcrowded. Five families are stated to reside on existing permanent pitches in Thetford, Lakenheath and Wymondham.

36. The applicant has identified that the site is needed to secure long term access to school with many of the families having children of school age. Furthermore, one of the intended occupants requires access to health care facilities with information provided to demonstrate that they have a long term health condition. However it is considered that insufficient information has been submitted to demonstrate that the existing accommodation arrangements of the intended occupants fail to meet their educational and health care needs. No information has been provided to explain the circumstances of the temporary pitches, how long the families are able to reside on these pitches and whether efforts have been made to make the pitches permanent. In respect of those families living on permanent pitches, other than one pitch being on an overcrowded site, no information has been provided to explain why their existing

accommodation arrangements fail to meet their needs in terms of access to schooling and healthcare.

37. The desire for the family to live together on a private site and the benefits that this would provide them are noted, but it is considered that the applicant has failed to adequately demonstrate that the proposal would meet an identified need and is in conflict with Policy CS8 of the Core Strategy.

Definition of Gypsy and Traveller

38. The definition of Gypsy and Traveller is provided in paragraph 30 of this report. The PPTS states that in determining whether persons are gypsies and travellers for the purpose of planning policy, consideration should be given to the following issues amongst other relevant matters:

a) Whether they previously led a nomadic habit of life
b) The reasons for ceasing their nomadic habit of life
c) Whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

39. The applicant has confirmed that all occupants of the site have previously led a nomadic habit of life, and in their opinion this is evidenced by the fact that some of the older members of the families are unable to read and write due to moving around following work and not attending school. It is not considered that this represents robust evidence that all of the proposed occupants have previously led a nomadic habit of life. The Oakleys are a family who are known locally as having a traveller background however the circumstances of the Macdonalds, Barhams and Nunns, also listed to occupy the site, are less well known although the applicant has confirmed that they are of a nomadic habit of life. No evidence however is presented of when the families last travelled and in what capacity other than to confirm that they attend travellers fairs around the country such as Appleby in Cumbria and Horsemans Den in Kent.

40. The application states that the reasons for ceasing their nomadic habit of life is both for their children to attend local schools and to attend local health centres for long term illness with the exception of Mr and Mrs Oakley who have retired but do not have children of school age and do not have a requirement to access health care and instead wish to live amongst their family. It is considered that these represent reasonable grounds for temporarily ceasing to travel.

41. The applicants have confirmed that it is the intention of all families to carry on a nomadic habit if life 'as and when possible' but has not provided any further information under what circumstances this might be. Given the age of some of the children intending to occupy the pitches, it is likely that a number of the intended occupants would not continue to lead a nomadic habit of life for at least 15 years and the occupant with long term illness is unlikely to continue travelling again.

42. Taking account of the above the Strategy and Enabling Officer considers that the applicant has failed to submit enough information and evidence to prove all the intended occupants meet the definition of gypsy and traveller in the PPTS.

Flood Risk

43. The application site is located within Flood Zones 1, 2 and 3 as defined by the Environment Agency's Flood Map for Planning (FMfP). Zone 1 is considered to have a low probability of flooding (1 in 1000 annual probability); Zone 2 has a medium probability (between 1 in 100 and 1 in 1000 annual probability); and Zone 3 has a high probability (a 1 in 100 or greater annual probability). The Planning Practice Guidance advises that the use of land for caravans, mobile homes and park homes intended for permanent residential use is a Highly Vulnerable use which should not be permitted in Flood Zone 3. On this basis the Environment Agency objected to the application.

44. The FMfP used by the Environment Agency (EA) does not consider the presence of flood defences as the defences do not entirely remove the possibility of flooding as there is always a chance of breaches occurring or defences being overtopped in extreme circumstances. The applicants amended Flood Risk Assessment has identified that if the flood defences are taken in to consideration the majority of the site is protected to the 1 in 1000 year standard which is the equivalent of being in Flood Zone 1 with only a small area of land to the eastern part of the site alongside a main drain owned by the Mildenhall Internal Drainage Board (MIDB) being affected by flooding. They therefore argue that the presence of flood defences should be taken in to consideration and conclude that the application should not be refused on flood risk grounds being largely within a Flood Zone with a low risk of flooding. Following discussion, the EA have withdrawn their objection on the basis that the main risk to the site would be from the MIDB drains but the MIDB have no objection. Officers consider that the likelihood of flood defences being overtopped or breached is low and given that the EA and MIDB raise no objection the risk of flooding is considered low.

45. The NPPF requires Local Planning Authorities to apply a sequential test to guide development to Flood Zone 1, then Zone 2 and then Zone 3. Given that the significant majority of the site is within Flood Zone 1 it is considered that the sequential test is passed being a site with a low probability of flooding.

46. The Suffolk County Council Flood and Water Engineer identifies that due to the size of the greenfield site there needs to be a suitable scheme implemented for the disposal of surface water to prevent increased risk of flooding both on and off the site due to the increase in impermeable areas as a result of the development. As no drainage strategy or hydraulic calculations have been undertaken the Flood and Water Engineer has a holding objection. Furthermore, the MIDB requires that soakaways must form an effective means of surface water disposal. In the absence of such information the application is unacceptable and Members are advised that

if they intend to approve the application then a suitable scheme for the disposal of surface water is agreed by officers in consultation with the Flood and Water Engineer and MIDB in advance of planning permission being granted. In the event that a suitable scheme cannot be agreed the matter could be reported back to Members.

Noise

47. The site is located within an area where noise associated with nearby airfields will affect development. Average noise levels over a 16 hour period are relatively high (72db) and if houses were to be built in the same area they would require a high level of acoustic insulation to protect residents. However, such standards are not possible in mobile homes and it is considered that the residents would suffer from an unacceptable level of residential amenity as a result of this aircraft noise. Latest information from the Ministry of Defences identifies that aircraft flights would be 6 times a day between 07:00 – 23:00 with no flights between 23:00 – 07:00. The associated noise impact of these flights would be contrary to policy DM2 (h) of the Joint Development Management Policies Document 2015 which seeks to not site development where its users would be adversely affected by noise. Whilst Public Health and Housing do not object to the application, this is because mobile homes are not covered by the Housing Act.

Landscape Impact

48. The site is located within the open countryside and currently in agricultural use. Whilst there are existing buildings to the north, these are related to the former military use of the adjacent site and reflect to some extent the character of the area given the proximity of the site to the local airbases. To the south, east and west of the site are level fields providing distant views across agricultural land. The introduction of mobile homes, vehicles, day rooms, hardstanding and associated domestic paraphernalia would have a negative landscape impact bearing in mind the open and undeveloped character of the site and surroundings. This is exacerbated by the size of the site. The site however is located down a private road and some distance from any public vantage point and is not in a Special Landscape Area. Furthermore, the visual impact could be reduced further by the introduction of soft landscaping within and to the site boundaries and this could be secured by condition. On balance it is considered that the development would have a detrimental impact on the immediate landscape but its impact on the wider landscape would not be significant. There would therefore be some harm contrary to policy DM13 of the Joint Development Management Policies Document.

Highways

49. The Highway Authority identify that the site is over one kilometre from the nearest highway access points (on Rookery Drove and The Street), on the un-adopted Skelton's Drove. Each pitch has parking space for at least 2 vehicles plus a touring caravan. They do not anticipate that the traffic generated by the site would lead to road safety or congestion issues at

the highway access points and accordingly they do not wish to restrict the granting of permission. On this basis the application is considered acceptable in terms of highway safety.

Sustainability

50. The thread of achieving sustainable development runs through the NPPF. The development would enable the intended occupant's access to local schooling and healthcare facilities, however, no information has been presented to identify how existing accommodation arrangements are unable to meet the educational and health care requirements of the applicants, therefore the benefits of the proposal have not been demonstrated in this respect. The application would enable the family to live on one site which would have positive benefits for them compared to their current dispersed living arrangements.

51. The PPTS identifies that in rural areas development should respect the scale of and not dominate the nearest settled community. There are existing gypsy and traveller pitches along Skeltons Drove at Sandy Park and whilst the proposed development would add an additional 10 pitches to the local supply, it is noted that the application has received the support of the Parish Council. Beck Row is defined as a Primary Village under policy CS1 of the Core Strategy and has a good level of existing services including a general store, post office, public houses, a community centre, public open spaces. The existing Primary School is at capacity and the proposed development would increase demand on local educational services. However, Suffolk County Council has confirmed a strategy to increase capacity at Beck Row Primary School exists and they do not seek any contributions towards infrastructure. Taking account of this support from the parish Council, the lack of objection from Suffolk County Council and the limited level of representations received from the public it is considered that the proposal would respect the scale of the existing settled community.

52. The application site is however over 1 kilometre from the nearest access points on The Street and therefore a significant distance from the services on offer at Beck Row. Bearing in mind the unmade, unlit nature of Skeltons Drove it is considered likely that occupants of the site would be reliant on the private car to access day to day services. This reliance on the car would undermine the sustainability of the development in conflict with the NPPF and policy DM2 of the Joint Development Management Policies Document 2015.

53. Given that the benefits in terms of access to schooling and health care compared to their existing accommodation arrangements have not been demonstrated, the reliance of residents on the private care, the adverse impact on the immediate landscape and the impact on amenity associated with aircraft noise, it is considered that the benefits of allowing the development which include enabling the family to live as one unit do not outweigh the harm and the development is deemed to be unsustainable.

Other matters

54. Two letters of representation have been received. One principally concerns the state of Skeltons Drove and the need for it to be adopted should permission be granted. The other raises concerns about the existing accommodation arrangements of one of the intended occupants, the condition of Skeltons Drove, the issue of flood risk and the impact of the development on the settled community. It is not considered necessary for Skeltons Drove to be adopted as part of this application however the applicant would need to make appropriate arrangements with the owner to mitigate against any additional wear and tear the development may result in. This however would be a private matter. The other matters raised are addressed in this report above.

Summary:

55. The application site is located within the open countryside outside of any settlement boundary. There is no known need for additional gypsy and traveller pitches in the District however the GTNA 2016 does identify a potential need for 8 additional pitches although this need is defined as 'unknown'. It is not considered that the applicant has submitted sufficient information to demonstrate where the need for the development has arisen from and that the existing accommodation arrangements of the intended occupants do not meet these needs. The application therefore represents unjustified development in the countryside contrary to policies CS1 and CS8 of the Core Strategy and policy DM5 of the Joint Development Management Policies Document.

56. The development would have an adverse impact on the local landscape but the impact on the wider landscape would not be significant given the distance of the site from public vantage points. Robust landscaping would also help reduce the visual impact on the development. Furthermore, whilst the site is located within Flood Zone 3, existing defences significantly reduce the probability of flooding.

57. The application site is located sufficiently far from local services with access provided by an unlit, unmade, track to reasonably conclude that occupants of the site would be reliant on the private car to access day to day services. Whilst it is accepted that securing a site for gypsy and traveller accommodation within the settlement boundaries would prove very difficult, bearing in mind the lack of identified need for this development it is considered that the location of the development is unsustainable contrary to the NPPF and policy DM2 of the of the Joint Development Management Policies Document.

58. The site is located within an area where average noise levels over 16hrs are 72dB(A) due to the location of the site relative to local airfields. Mobile homes would provide a very limited degree of noise mitigation and it is considered that occupants would suffer an unacceptable loss of amenity due to noise pollution. The application would therefore be contrary to policy DM2 (h) of the Joint Development Management Policies Document.

59. The support from the Parish Council is noted and it is accepted that the development would enable the family to live on a private site that they control which would provide them with personal benefits but it is not considered that this warrants a departure from Local Plan policies bearing in mind the lack of need and the harm identified.

**Conclusion:**

60. In conclusion, the principle and detail of the development is considered to be unacceptable and in conflict with relevant development plan policies and the National Planning Policy Framework.

**Recommendation:**

61. It is recommended that planning permission be **REFUSED** for the following reasons:

1. The application site is located within the open countryside where Planning Policy for Traveller Sites (2015) seeks to strictly limit new traveller site development. The application has failed to demonstrate that the proposal meets an identified need and therefore represents unjustified development in the countryside contrary to policies CS1 and CS8 of the Forest Heath Core Strategy 2010 and policy DM5 of the Joint Development Management Policies Document 2015.

2. The applicant has failed to provide sufficient information to confirm that the intended occupants of the proposed pitches would comply with the definition of a Gypsy or Traveller defined in *Planning Policy for Traveller Sites* (2015). Insufficient information has been given regarding the extent to which the families have previously travelled and how and under what circumstances the families intend on living a nomadic habit of life in the future.

3. The application site would be adversely affected by noise associated with adjacent operational airfields to an extent that the residential amenity of future occupants would be adversely affected, contrary to DM2 of the Joint Development Management Policies Document 2015 and the Core Principals of the NPPF.

4. The erection of permanent day rooms, the installation of hardstanding and fencing, the siting of mobile homes and vehicles and introduction of domestic paraphernalia onto this undeveloped parcel of land would adversely impact the immediate landscape to the detriment of the character and appearance of the area, contrary to policies DM2 and DM13 of the Joint Development Management Policies Document 2015, Policy CS3 of the Forest Heath Core Strategy 2010 and the environmental objectives of the NPPF.

5. Access to the site is via an unlit and unmade track and residents of the site would be reliant on the private car to access day to day services and facilities, contrary to environmental sustainability objectives of the National Planning Policy Framework and policies DM1 and DM2 of the

Joint Development Management Policies Document 2015.

**Documents:**
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OBOUKJPD02M00