

APPENDIX (TO WORKING PAPER 1)

Planning Policy comments: DC/14/2162/FUL & DC/14/238/FUL

To: Development Control
From: Planning Policy
Date: 18th May 2015
Ref: DC/14/2162/FUL & DC/14/238/FUL

Location: Elms Road, Red Lodge, Suffolk.

Proposal: (i) DC/14/2162/FUL: Change of use of land to a residential use for three gypsy families including 3 mobile homes and 6 no. amenity buildings.
(ii) DC/14/2384/FUL: Change of use of land to a residential caravan park for 4 related gypsy families, including 4 mobile homes, 6 caravans and 4 day rooms.

These applications have to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. At present the Development Plan comprises:

- Forest Heath Core Strategy (May 2010).
- Remaining saved policies in the Forest Heath Local Plan (1995).
- The Joint Development Management Policies Local Plan Document (Feb 2015).

The following policies within the above documents are of particular note in the consideration of these applications:

Core Strategy

- CS3: Landscape Character and the Historic Environment.
- CS5: Design Quality and Local Distinctiveness.
- CS8: Provision for Gypsy and Travellers.
- CS10: Sustainable Rural Communities

Joint Development Management Policies Document

It is anticipated that the Joint Development Management Policies will be adopted in February 2015. As the plan is likely to be in place at the time this application is considered, policies are being afforded significant weight in this response. The policy particularly relevant to the proposals is;

- DM1: Presumption in Favour of Sustainable Development.
- DM2: Creating Places – Development Principles and Local Distinctiveness.
- DM13: Landscape Features.
- DM14: Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards.

National Policy

The following Central Government planning guidance is a material consideration when making planning decisions:

- The National Planning Policy Framework (2012)
- Planning policy for Traveller Sites (2012)

Central Government undertook consultation in respect of changes to national planning policy and Planning Policy for Traveller Sites with the intention of strengthening policy in these areas. The consultation ended on 23 November 2014 and analysis of the feedback is currently taking place. Therefore the current (2012) national policy position should be considered and applied in respect of this application.

The need for additional Gypsy and Traveller accommodation.

The most up to date evidence in terms of future requirements is the Gypsy and Traveller Accommodation Needs Assessment (GTNA) published in October 2011, with an update published in April 2012. This assessment shows a need for 9 additional pitches in Forest Heath for the period 2011 – 2016.

A review of the Traveller Needs Assessment will commence in 2015 by Cambridgeshire County Council, the results of which will form an updated evidence base for the council.

The difference between a required 'theoretical' need in an evidence base for a Local Plan document, as opposed to an immediate 'actual' need which presents itself in the form of family requiring a gypsy/traveller site should be noted as should the support for the proposals and recognition of a need by West Suffolk Strategic Housing.

The principle of the development

This application presents two key issues for consideration in relation to the principle of development.

1. Whether the application meets the requirements set out in the national Planning Policy for Traveller sites.
2. Whether the application meets the requirements set out in local Policy, in particular policies CS8 of the Core Strategy and policy DM13 in the Joint Development Management Policies document.

These issues are considered below in turn;

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1. National Guidance

- One of the main intentions of the national guidance Planning policy for Traveller Sites – is to;

'(3) 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.'

Within the guidance, 'gypsies and travellers' means '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 or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.'

- In relation to plan making, the guidance is clear in Policy B that;

'(10) Criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward.'

Policy CS8 of the adopted Core Strategy is the criteria based policy to be used in the assessment of this application.

- In relation to sites in rural areas and the countryside, the guidance states in Policy C that;

(12) When assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.

Policy C is considered within Policy CS8 of the adopted Core Strategy (criteria c).

- Policy H* sets out information on determining planning applications for traveller sites and sets out the issues, amongst other relevant matters, to be considered;

*'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*

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- 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'

These issues are considered in turn below;

- a) **'need'** – As stated above, the Gypsy and Traveller Accommodation Needs Assessment (GTNA) update April 2012 shows an unmet need for 9 additional pitches in Forest Heath for the period 2011 – 2016.
- b) **'availability'** – Planning policy is not aware of any alternative available sites. No sites have been submitted via the Site Specific Allocations Local Plan preparation process.
- c) **'personal circumstances of the applicant'** – both applicants state the need for a settled site to provide access to healthcare and education services.
- d) **'locally specific criteria'** – 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) **'determine application for any travellers – not just those with local connections'** – This guidance is being followed in the determination of this application.

2. Local Planning Policy

Core Strategy

Policy CS3 of the Core Strategy requires developments to protect and seek to enhance local landscapes character. These issues are considered later in this response in relation to Policy DM13 of the Joint Development Management Policies Document.

Policy CS10 sets out the circumstances where residential development will be permitted in villages and small settlements not identified for growth in the Core Strategy. Criteria (d) allows for proposals for gypsy and travellers which complies with Policy CS8.

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Policy CS10 and CS8 do not preclude development in the countryside provided the proposal meets the stated criteria and would not result in unacceptable harm.

Policy CS8 of the Core Strategy addresses the accommodation needs of gypsies and travellers and sets out criteria for the assessment of suitable sites.

Each point is considered in turn below;

a) Accessibility to local services, communities and facilities by a variety of means, to meet current long term needs.

The site is approx. 350m to the North West of Red Lodge, a Key Service centre which has a range of facilities and services. These are accessible by foot and bicycle via a footbridge over the A11 via Bridge end Rd and Heath Farm Road or car via Ems Rd, B1085 and Newmarket Road.

b) Adequate access, parking and manoeuvring for vehicles.

The comments of Suffolk County Council as Highways Authority should be noted.

c) Appropriate in scale to the nearest settled community.

The applications are for 3 and 4 gypsy families respectively on a total site area of some 3.5 ha. Red Lodge by contrast covers some 210 ha and a population of approx. 3800 in the 2011 census. Bridge End Road contains some 6 – 8 dwellings set in large plots and a vehicle dismantlers. The scale of the proposals is not considered to be excessive.

d) Impact on the landscape, environment and biodiversity.

The Ecology, Tree and Landscape Officer will provide a full response on the potential impact on landscape, environment and biodiversity. Impact on the landscape is considered below.

e) Impact on and from neighbouring residential, employment, commercial and utilities development.

The nearest residential and commercial properties are to the south of the site along Bridge End Road. The proposed plots are separated from the nearest housing to the south by a landscaped belt. The impact should be considered by the case officer.

f) Consistent with other policies in the development plan.

Relevant policies are listed above and considered in this report.

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Proposals should also be considered to these additional criteria:

1. Proposal meets identified needs, including the mixture of types of accommodation and tenures.

The Gypsy and Traveller Accommodation Needs Assessment (GTNA) update April 2012 shows an unmet need for 9 additional pitches in Forest Heath for the period 2011 – 2016.

2. Pitch sizes that facilitate good quality living accommodation without overcrowding or unnecessary sprawl.

The proposed pitches appear adequate and to not lead to overcrowding or unnecessary sprawl.

3. Good design and layout including, the adequacy of facilities, services and amenities, the utility of outside space for leisure, recreation and for any essential employment related activities.

The layout of the proposed plots is acceptable in terms of the quality of life of any residents.

4. Mitigation of the impact of visual amenity

DC/14/2162/FUL: The site is on relatively flat land separated from Elms Road by the raised capped area of the former landfill site. Landscaping is proposed to the south of the plot separating the proposal from the nearest residential properties and in addition further landscaping is proposed around the other sides of the proposal to the countryside. It is not considered that the proposal would cause an unacceptable impact on visual amenity.

DC/14/2384/FUL: The proposed development is elevated above the surrounding landscape as elements are sited on the edge of the capped area of former landfill site, and although landscaping is proposed, the development would be very prominent, especially in views to the site across the open countryside to the West and North.

Joint Development Management Policies document

Policy DM13 – Landscape Features is particularly relevant to these applications.

The policy requires all development proposals to demonstrate that; *'their location, scale, design and materials will protect, and where possible enhance the character of the landscape, including the setting of settlements, the significance of gaps between them and the nocturnal character of the landscape....Where this is not possible development will not be permitted.'*

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DC/14/2162/FUL: The proposed layout of the site respects the form of the current development in the area by occupying a long plot fronting Bridge End Road in the SE and extending towards the track to the NW. As stated in relation to CS8 (4) above it is considered the proposal can be accommodated in this position without causing unacceptable harm to the character of the surrounding landscape.

DC/14/2384/FUL: The proposal would create a linear form of development in a raised position running parallel to the track to the NW of Bridge End Road which will be visually intrusive in the landscape.

Conclusions

When considering the application against national and local development policy the starting point must be whether there is a need for sites. The Gypsy and Traveller Accommodation Needs Assessment (GTNA) update April 2012 shows an unmet need for 9 additional pitches in Forest Heath for the period 2011 – 2016. Any proposal must also be acceptable in terms of local planning policy.

DC/14/2162/FUL: The proposal is considered acceptable in relation to national planning policy and locally specified criteria – No policy objection.

DC/14/2384/FUL: It is considered that the location of the site would cause unacceptable harm in terms of landscape character and is therefore contrary to policies CS3, CS8 and CS10 of the Core Strategy and DM1, DM2 and DM13 of the Joint Development Management Local Plan Document. The wider need for gypsy and traveller sites in the district is outweighed by the harm that the introduction of 4 mobile homes, 6 caravans and 4 day rooms will cause to the character and appearance of the countryside in this location. It is suggested that permission is refused.