

Breckland Local Plan Examination

Topic Paper: Gypsies and Travellers

Breckland District Council

June 2018



Table of Contents

Introduction	3
Change in Council’s understanding of Existing Supply	3
<i>Step 1: Assessment of existing sites for expansion and intensification</i>	5
<i>Step 2: Further investigation into the possibility of allocation of land at Woodview, Attleborough..</i>	7
<i>Summary of Steps 1 and 2</i>	8
Appendix 1: Existing Supply at Docking Wood, Leys Lane, Attleborough	9
Appendix 2: Expansion and Intensification of existing sites	12
Fayrehaven Caravan Site, Halfpenney Lane, Beetley.....	12
Mill Road, Mattishall	16
Otterwood Kennels, Dereham Road, Saham Toney	21
Woodview, Leys Lane, Attleborough	25
Fireride 23, Santon Lodge, Harling Drove, Lynford.....	28

Introduction

1. At the Local Plan Examination in Public hearing on Tuesday 17th April 2018, concerning Matter 8: Provision for Gypsies, Travellers and Travelling Showpeople (Policy HOU 08), the Inspector raised concerns regarding five year supply and whether enough had been done to identify sites. The Council suggested that it produce a topic paper addressing the issue, to expand upon the four steps set out at paragraph 23 of the Council's Matter 8 Hearing Statement (CS.8). The Inspector requested that the topic paper be submitted by 29th June 2018.
2. As set out within CS.8, the GTAA shows an unmet need for 7 Gypsy and Traveller pitches within the first five years (up to 2021). Paragraph 23 of CS.8 set out the steps the Council would take to systematically assess and address the position, hand in hand with the Local Plan's criteria-based policy HOU 08. The steps set out at paragraph 23 were as follows:
 - a. Assessment of existing permitted sites for intensification or expansion and assessment of the tolerated and unauthorised sites to consider whether they could be regularised.
 - b. Further investigation of land in Attleborough proposed for a Gypsy and Traveller Site through the call for sites, which the highway authority had identified as having highways constraints.
 - c. Review of Breckland Council owned land to assess suitability for pitches.
 - d. Write to all landowners who submitted land through call for sites to consider whether they would support the use of land for Gypsy and Traveller pitches.
3. In addition to expanding upon what is meant by the four Steps set out at paragraph 23 of CS.8, and what the Council has done by reference to them to date, this topic paper also includes an update regarding supply (where there is a significant positive change to report, due to improved information now known to the Council).

Change in Council's understanding of Existing Supply

4. Through CS.8, and further during the hearing session on 17th April 2018, the Council indicated that it was unable to identify a five year supply of pitches for Gypsies and Travellers by way of existing permissions/allocations/new proposed allocations. The Council's understanding at this stage was that there were no existing planning permissions which could count towards supply. However, through the Council's ongoing work in relation to the four Steps at paragraph 23 of CS.8, in particular through the Council's work in relation to Step 2, that understanding has changed.

5. As set out under Step 2 of paragraph 23 to CS.8, a single site was promoted to the Council for Gypsy and Traveller use at Woodview, Leys Lane, Attleborough, which had not been proposed for allocation in the Local Plan due to objections from the highways authority (“the Promoted Site”). The Council is aware of two Gypsy and Traveller families living in close proximity to the Promoted Site: those living at Woodview and those living at Docking Wood (which is on adjoining land). Both families had previously sought permission for Gypsy and Traveller pitches and on 3 June 2000 planning permission was granted in respect of land at Docking Wood for 6 gypsy and traveller pitches (on application 3PL/2010/0381/F) (“the Docking Wood Permission”).
6. When the Council prepared CS.8, and at the time of the hearing session on 17th April 2018, the Council mistakenly believed that the Docking Wood Permission had lapsed. However, when the Council conducted a site visit on 24th April 2018 in relation to the Promoted Site, it became apparent from discussion with the landowner that the Docking Wood Permission had in fact been implemented. The detail is set out at Appendix 1 to this topic paper.
7. The 6 pitches permitted by the Docking Wood Permission are currently under construction. As a result, these pitches should be included as part of the five-year supply for the purposes of meeting the needs of Gypsies and Travellers in Breckland. This fulfils 6 of the 7 pitches required to meet the five year land supply need.

Consideration of five year supply against OAN in light of changed understanding

8. The additional 6 pitches from the Docking Wood Permission previously overlooked have the effect of now being included within the five year supply, therefore reducing the need to 1 pitch.
9. Notwithstanding this, the 6 pitches from the Docking Wood Permission would still not fully provide for need over the first five years of the plan, which stands at 7 pitches for Gypsies and Travellers, along with a smaller need for plots.
10. In the circumstances, the Council has undertaken further work to demonstrate the ability of the criteria based policy HOU 08 to provide for the remaining unmet need for pitches, by working through the Steps set out at paragraph 23 of CS.8.
11. The Council continues to take the view, set out in CS.8, that it is clear that a criteria-based policy is suitable to meet the need for plots for Travelling Showpeople, and there is no need to elaborate further on that point.

Step 1: Assessment of existing sites for expansion and intensification

12. In CS.8, a need for 6 pitches within the first five years was identified as arising from five sites set out at paragraph 21, along with an additional pitch as a result of new household formation (in respect of which ORS have included a single site in each of the three five year periods). Through the responses to the interviews as part of the GTAA, those who meet the definition and were considered to be in need of their own pitch either now or in the first five years expressed a wish to remain on existing sites. As CS.8 explained, the Council takes the view that it is appropriate to review the ability of these existing sites to be expanded or intensified in accordance with the provisions of Policy HOU 08, so seeking to ensure that the need is met in the most appropriate way.

Address	Status	Pitches	Meet Planning Definition	Current Need¹	5 Year Need²	Unauthorised
				Additional Pitch Needs		
Fayrehaven Caravan Site, Beetley	Private	1	Yes	1	0	0
Summer Meadow, Mill Road, Mattishall	Private	1	Yes	0	1	0
Woodview, Leys Lane, Attleborough	Private	1	Yes	0	1	0
Fire Ride 23, Harling Drove, Lynford	Tolerated	1	Yes	2	0	0
Otterwood, Dereham Road, Saham Toney	Unauthorised (Temporary Permission)	1	Yes	0	0	1
		5	5	3	2	1

13. The following has been carried out on for each of these sites to assess their capacity for intensification/expansion:

- i. Assessment of the site against the criteria within Policy HOU 08;
- ii. Site visits by the Council's housing team to establish/discuss/explore:
 - Confirmation that, as previously advised to ORS at the time of survey, the family wishes to meet the newly arising household need on their existing site i.e. by way of site expansion;
 - Brief discussion with the family around site/land ownership and capacity to accommodate extension;

¹ From concealed or doubled-up adults in need of a pitch of their own.

² From teenage children who will be in need of a pitch of their own in the next 5 years.

- Exploration with the family of the possibility of that the site could be acknowledged in the Local Plan;
 - General discussion to establish when the family would foresee or like to bring forward a new pitch (subject to planning).
- iii. Representations from Norfolk County Council, the highways authority, to establish the ability to achieve safe access.

14. The first stage of the methodology was to assess the sites against the criteria in Policy HOU 08. The criteria can be summarised as:

- a. Suitability for residential development
- b. Ability to achieve safe access
- c. Access to services and facilities
- d. Impact upon neighbours
- e. Impact upon the landscape

15. The assessment of each of the 5 sites is included within appendix 2 of this topic paper. The summary conclusion of this assessment is set out within the following table identifying any potential additional supply:

Address	Pitch Requirement by 2021	Conclusion
Fayrehaven Caravan Site, Beetley	1	<p>There is existing land within this site which could provide an additional pitch to meet the needs of the occupants on the site. The site is considered to conform to the criteria within Policy HOU 08, as set out in Appendix 2. Furthermore, the highways Authority, through informal comments, has not raised any objection to the scheme. It is concluded that an additional pitch can be accommodated through intensification of the site.</p> <p>Additional Supply: 1 Pitch</p>
Summer Meadow, Mill Road, Mattishall	1	<p>There is existing land within this site which could provide an additional pitch to meet the needs of the occupants on the site. The site is considered to conform to the criteria within Policy HOU 08, as set out in Appendix 2. Furthermore, the Highways Authority, through informal comments, has not raised any objection to the scheme. It is concluded that an additional pitch can be accommodated through intensification of the site.</p> <p>Additional Supply: 1 Pitch</p>
Woodview, Leys Lane,	1	This site has been put forward for a wider

Attleborough		<p>allocation through the call for sites, and has not been taken forward in this regard due to highways constraints. There is an existing need for 1 additional pitch within the site, for the occupants who are currently living on the site. There is existing land within the site boundary which could accommodate an additional pitch, however the Highways Authority has objected to the development.</p> <p>No additional pitches Any increase would need to be considered through a planning application with particular regard to highways access</p>
Fire Ride 23, Harling Drove, Lynford	2	<p>The site is no longer occupied by gypsies and travellers. This has been confirmed by both the Forestry Commission and the Norfolk and Suffolk Gypsy and Traveller Liaison Officer. As the location of the gypsies and travellers is currently unknown the use of a criteria based policy to meet their needs should it occur in future is considered to be appropriate.</p> <p>Consider reduction in 5 year need by 2 pitches, as it is no longer clear that the occupants of the site are in need of pitches. This could however occur through a future GTAA.</p>
Otterwood, Dereham Road, Saham Toney	1	<p>The appeal hearing for this site concluded that it had severe highways constraints, which related to visibility splays. This situation has not altered, and as such it is not considered appropriate to allocate this site.</p> <p>No additional pitches, site to remain a temporary permission</p>

Step 2: Further investigation into the possibility of allocation of land at Woodview, Attleborough

16. Site LP[002]028 was submitted as part of a call for sites in 2014 (“the Promoted Site”). The land was not carried forward due to representations received from the Highways Authority in relation to the site access, which stated: Not suitable for allocation on its own merits. Local road network inadequate. Could be brought forward as part of a wider development with appropriate access. This response is set out within the Site Specifics Highway Authority Technical Advice (LP/V/10).

17. Further comments have been requested from the Highways Authority as part of preparing this paper. The Highways Authority has maintained its existing objection to the development of the Promoted Site. This is based on the restricted width of Leys Lane which would not allow for footpaths. On the basis of the representations received by the Highways Authority at pre-submission and subsequently reiterated through this paper the Council does not consider it appropriate to allocate the Promoted Site for a larger number of gypsy and traveller pitches.

Summary of Steps 1 and 2

18. Having regard to the results of Steps 1 and 2, it can be concluded that, through a process of expansion and intensification, 2 pitches could be provided to meet the needs of those living at Fayrehaven, Beetley and Summer Meadow, Mattishall. This assessment is undertaken by planning officers and would be subject to the formal planning process. It is not considered appropriate to allocate an additional site at Woodview, Leys Lane, Attleborough.

Conclusions

19. There is an existing supply of 6 pitches, previously overlooked, which are currently being developed and contribute to meeting the five-year supply for Gypsy and Traveller pitches identified through the GTAA.

20. In addition, the expansion/intensification of existing sites has been considered, and the Council is satisfied that this would provide 2 further pitches.

21. Taken together these provide a total supply of 8 pitches, compared to a five year need (up to 2021) of 7 pitches.

22. The supply of pitches is sufficient to meet the five year need. In the circumstances, it has not been considered necessary to undertake Steps 3 and 4 as set out within the original methodology at paragraph 23 to CS.8 at this time.

Appendix 1: Existing Supply at Docking Wood, Leys Lane, Attleborough

Initial Planning Permission: 3PL/2010/0381/F – Change of use to 6 gypsy and traveller pitches each with a utility/day room building and hard standing. Approved 3rd June 2010, with a 3 year time limit.

Discharge of Conditions: 3DC/2013/0076/DOC – conditions 6 (part discharged) and 8 of application 3PL/2010/0381/F (discharged in full). The application also applied for condition 15 to be discharged, however this was an informative so not necessary to discharge.

Background

Through investigation of this site, following a recently permitted housing scheme (3PL/2017/1528/F) on adjoining land by the same land owner, a site visit was carried out by officers on 24th April to understand highways constraints within the area. As part of this site visit, the landowner was present and confirmed that he considered scheme 3PL/2010/0381/F to be a live permission,. Furthermore, he stated that it was his intention to complete the development of the site. As the site had previously been considered to have lapsed, the Council has sought further evidence to verify the landowner's assertions, including obtaining a legal opinion from the Council's solicitor.

Evidence

1. Highways

Conditions 6 and 8 of the 2010 consent were discharged under application 3DC/2013/0076/DOC on 5th August 2013. These related to highways work. Norfolk County Council confirmed that they had issued a certificate in relation to the completion of offsite highways works on 10th November 2010. This was sufficient to fully discharge condition 8. The discharge of condition consents has only been established following recent investigation of the site.

In addition to the above, photographs obtained from Google Street View shows that the access had been put in place in May 2011. This is shown in the photograph below. The access corresponds with that approved under the application. The second photograph shows the full extent of the access taken from google earth in 2018.



Figure 1 Entrance to the site obtained from google street view, dated May 2011



Figure 2 Google Earth showing the site including access road, dated 2018

2. Services

At the site visit the landowner confirmed that services (water and electricity) had been laid to the site. It was possible to observe this as part of the site visit. Blue pipes were present on the site aligned for the position of the individual pitches. The blue pipes at the front of the site may also be seen in photograph 1.

Legal Opinion

Using the evidence set out above, a legal opinion has been sought from the Council's solicitor to verify whether or not the site can be considered to have occurred in accordance with section 56 (5) of the Town and Country Planning Act 1990. The legal opinion clarified that whilst there a number of breaches of condition in respect of the development work that has already taken place on site (predominantly relating to tree protection fencing) none of these conditions are conditions precedent to which the Whitley principle (F.G. Whitley & Sons v Secretary of State for Wales (1992)) applies. Therefore the legal opinion concluded that the works were lawful and sufficient to keep the original permission 3PL/2010/0381/F alive.

Conclusion

Having regard to the above evidence and the legal opinion from the Council's solicitor it is considered that this site should not have been considered to have lapsed. Instead it should be considered to be extant and be included within supply calculations, with a total supply of 6 pitches.

Appendix 2: Expansion and Intensification of existing sites

Fayrehaven Caravan Site, Halfpenney Lane, Beetley

Site Area: 0.6 hectares

Caravan Count: January 2017 – 1 static and 7 tourers. March 2018 – 1 static and 4 tourers

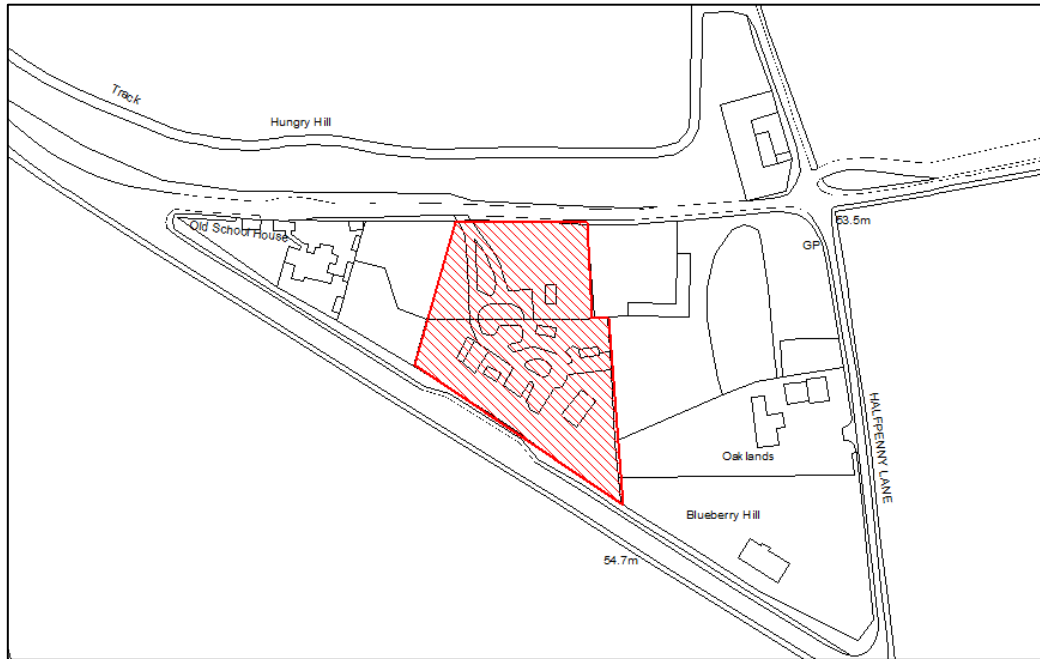


Figure 3 OS Pan of Fayrehaven



Figure 4 Aerial View of Fayrehaven

Planning History

Initial Permission **3PL/1996/0081/CU** Gypsy refuge for the standing of a maximum of six caravans (4 families)

Second permission **3PL/2002/0719/F** - Gypsy transit site for the standing of a maximum of six caravans (4 families)

Both the initial permission and the second permission include a condition which states that no one family group shall occupy the site for a period exceeding 18 months.

3PL/2008/1304/O - six new semi detached bungalows with garages for elderly gypsies - **REFUSED**
Decision date - 12/11/2008

3PL/2007/1675/O - erection of 6 no. semi-detached bungalows & attached garages for elderly gypsies & travellers aged 55 & over - **WITHDRAWN** Decision date - 22/11/2007

Assessment in relation to Policy HOU08

The development of the site could occur as a result of intensification within the existing site boundary rather than expansion onto adjacent land. The following assessment considers the development of the site against criteria 1-5 of Policy HOU01.

1: Suitability for residential development

The site is located outside of the settlement boundary of Beetley, and as such the principle of new market dwellings on the site would not normally be acceptable. Having regard to the requirements

of paragraph 55 of the NPPF, the site is not considered to be in an isolated location. Furthermore there is existing residential development within the site, so as such the principle of residential development is considered to be acceptable. As an existing site, it will currently have services to the site. There is no evidence to suggest that these could not accommodate an additional pitch.

There is large parcel of land which is currently undeveloped at the front of the site which could be used to accommodate at least an additional pitch. It has an area of 0.1 of a hectare. This is considered to provide a sufficient area of land for an additional pitch without impact upon the amenity of the existing residents.

2: Ability to achieve safe access

Site is accessed via School Road which is a c-road. There is scope for improvement to the existing access point with the site boundary. Comments have been sought from Norfolk County Council as the highways authority who have provided informal officer comments stating that they consider it could achieve safe access and they would not object to the development of the site.

3: Access to services and facilities

The site is located within Beetley parish which has a wide range of services and facilities, however its location is within the hamlet of East Bilney. The site is however distant from the Beetley settlement boundary which is 1.4km away, however there is a footpath connecting the site to Beetley.

4: Impact upon neighbours

This criterion seeks to ensure neighbourliness between the current and future residents of the site and the interaction with the immediate neighbours and the wider settled community. There are existing residential properties located to the east and west of the site. As part of any planning application, consultations would be required with neighbours and the parish council.

5: Impact upon the landscape

The criterion seeks to ensure that the development does not lead to an adverse impact on the character and appearance of the surrounding landscape. There are existing hedgerows and boundary which screen the site from view. Additional pitches within the site are unlikely to impact upon the landscape.

Site Visit

In addition to the assessment of the site against the criteria contained within Policy HOU08, as part of the site visit discussions occurred with the site occupants. Residents of the site confirmed (as set out within the GTAA) that their intention was to meet need arising from the site within the site boundary. Further to this, they clarified that there was sufficient capacity within their existing permissions to meet this need.

Planning Balance and Conclusion

This site relates to the intensification of an existing gypsy and traveller site, and would meet the existing need of occupants on the site. The intensification of development on this would conform to criteria 3 of part 1 of the policy. Through the Gypsy and Traveller Accommodation Needs Assessment (GTANA) the sites have been assessed, and the consultants have confirmed that the occupants meet the definition of gypsy and travellers as set out within the national Planning Policy for Travellers. Development of the site would therefore help to meet the needs of Gypsy and Travellers within the district and this should therefore be given significant weight in any determination.

The site is distant from services and facilities, which does need to be taken into consideration as part of any planning application, however it is connected to Beetley village through a footpath. The land to the front of the site is currently undeveloped. This equates to approximately 0.12 hectares

It is considered that this site would satisfy the criteria set out within Policy HOU08 of the Local Plan and would be able to be intensified to provide an additional pitch to meet the needs of the occupants of the site as set out within the GTAA.

Mill Road, Mattishall

Rose Orchard, Willow Paddock, Willow End and Clover Paddock appear to form a single larger site accessed via Mill Road in Mattishall.

Site Area: 1.41 hectares

Caravan Count: January 2017 – 5 static caravans and 9 mobile caravans. March 2018 – 3 statics and 10 tourers

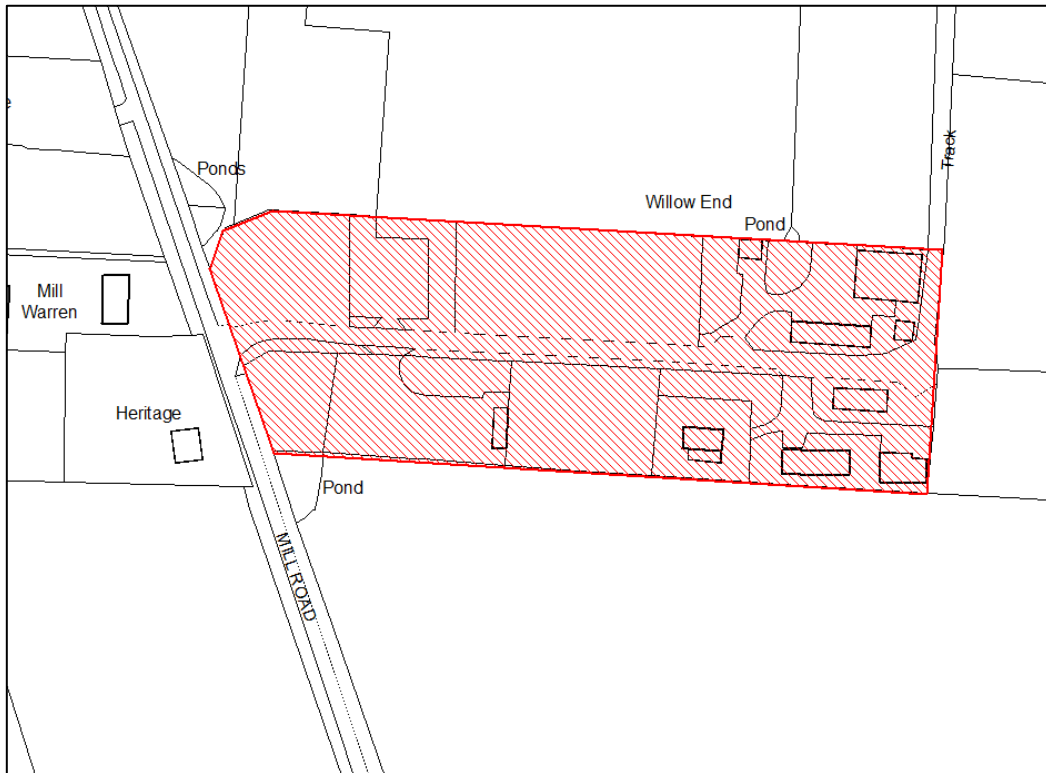


Figure 5 OS Plan of Gypsy and Traveller Site At Mill Road

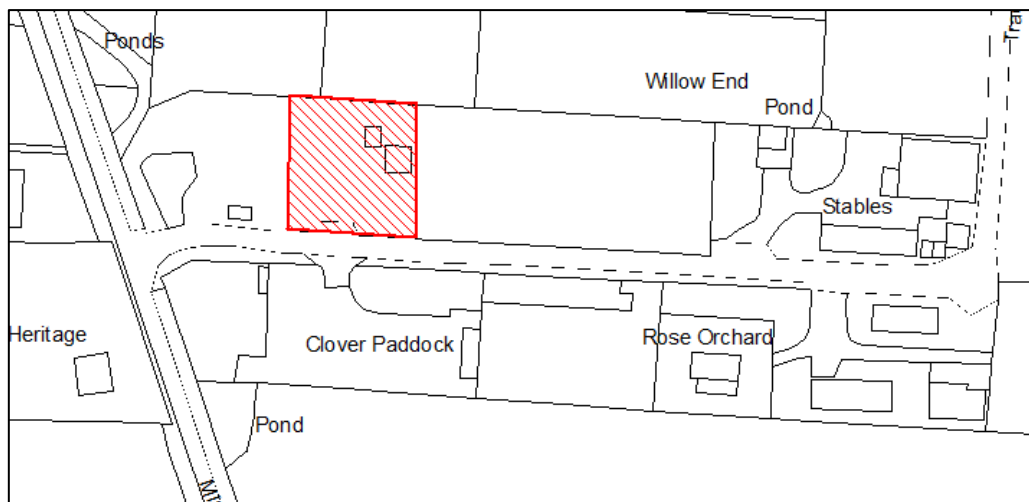


Figure 6 Summer Meadow



Figure 7 Aerial View of Gypsy and Traveller Site at Mill Road

Planning History

Initial permission on the site related to Rose Orchard **3PL/1997/0438/F** - Siting of mobile home for agricultural use. Subsequent to this permission the following extensions to the site have occurred:

Extension Willow Paddock – 3PL/2002/05177/F – Mobile home (retrospective)

3PL/2006/1526/F – Siting of mobile home (renewal) – **TEMPORARY PERMISSION** Expires 30/11/09

3PL/2012/1004/F – C/U site from agricultural to residential, erect 1 static caravan and retention of 1 touring caravan – **ALLOWED - PERMANENT**

Extension Willow End – 3PL2010/0223/F - retention of mobile unit for 1 travellers family permanent residential occupation & caravan for family room - **PERMISSION GRANTED** Decision date - 05/08/2010

Extension Clover Paddock 3PL/2012/0080/F - retention of 1 static home, 2 touring caravans, laundry room 2 sheds, fenced, access/splays parking, c/u ag land to res - **PERMISSION GRANTED** - Decision date - 11/06/2012

Assessment in relation to Policy HOU08

The development of the site could occur as a result of intensification within the existing site boundary rather than expansion onto adjacent land. The following assessment considers the development of the site against criteria 1-5 of Policy HOU01.

1: Suitability for residential development

The site is located outside of the settlement boundary of Mattishall, and as such the principle of new market dwellings on the site would not normally be acceptable. Development of this site would represent an intensification of an existing site, and as such the principle of residential development within this area of Mill Road has previously been deemed to be acceptable. Summer Meadow currently includes a static caravan and a day room and is serviced. There is land available at the front of the site to accommodate an additional pitch without impacting upon the amenity of the existing occupiers.

2: Ability to achieve safe access

Site is accessed via Mill Road. The most recent highways comments in relation to the site are from planning application 3PL/2012/1004/F. At this time the highways authority raised concerns around the width of the carriageway, which in the immediate vicinity of the site is 3m. They requested a condition be added to the planning permission for a passing place. The application was determined at appeal, and the Inspector stated:

Mill Road is a narrow, single track rural lane without footways which leads from Mattishall village to the A47. The site access lies within a fairly straight section of road which is subject

to a 60mph speed limit. As the junction is only some 150m from the edge of the village and the 30mph limit, it is likely that vehicle speeds are somewhat less than 60mph.

I am not persuaded, therefore, that either the small number of additional vehicle movements generated by this proposal, estimated by the Highways Authority at some 8-10 per day and most likely to be between the site and the village, or cumulatively with the existing sites, would amount to a significantly material increase in traffic using Mill Road. The scale of the proposed development would not justify the Highways Authority's suggested condition requiring localised carriageway widening for a passing area. The Framework confirms that development should only be prevented on transport grounds where the residual cumulative impacts of development are severe. The site would, therefore, have safe highway access, in accordance with CS policy CP 2.

(APP/F2605/A/13/2198064)

As part of this assessment, Norfolk County Council as the highways authority have provided an informal opinion on this and have stated that they would not object an additional pitch being provided within this site.

3: Access to services and facilities

The site is located within Mattishall, which is a Local Service Centre village. Mattishall has a good level of services and facilities including a doctors, primary school, shops and post office. There is also an hourly bus service to Dereham and Norwich. The majority of the services and facilities are located within 1km of the site. As part of the 2012 appeal on the site, the Inspector concluded that this was a reasonable distance to access services and facilities.

4: Impact upon neighbours

This criterion seeks to ensure neighbourliness between the current and future residents of the site and the interaction with the immediate neighbours and the wider settled community. There are existing residential properties located adjacent to the access of the site. As part of any planning application, consultations would be required with neighbours and the parish council.

5: Impact upon the landscape

The criterion seeks to ensure that the development does not lead to an adverse impact on the character and appearance of the surrounding landscape. There are existing hedgerows and boundary screening to the north and south of the site which help to screen the site. As part of the 2012 appeal the Inspector noted that the existing sites are not clearly seen from the roads or access. Whilst the intensification of the site may have some impact upon the wider landscape this is considered to be limited.

Site Visit

An initial site visit was carried out on 24th April, however the occupants of the site were not present. The site visit did however show that there would be sufficient space within the existing site

boundary for an additional touring caravan. The site visit also confirmed that within the wider site, there were undeveloped parcels of land which could accommodate further pitches

A second site visit was carried out on 2nd May at 9.34am and during which it was possible to speak to the site occupants, Mr Johnson and his teenage son. Mr Johnson confirmed that position remains the same as identified through the GTAA i.e. that at some point in the near future his son (16/17years old) would require his own accommodation but that would be met on site. He wants his children to remain with them on site.

Planning Balance and Conclusion

This site relates to the intensification of an existing gypsy and traveller site, and could meet the needs arising from teenage children who are in need of their own pitch with the site. The intensification of development on this would conform to criteria 3 of part 1 of the policy. Through the Gypsy and Traveller Accommodation Needs Assessment (GTANA) the sites have been assessed, and the consultants have confirmed that the occupants meet the definition of gypsy and travellers as set out within the national Planning Policy for Travellers. Development of the site would therefore help to meet the needs of Gypsy and Travellers within the district and this should therefore be given significant weight in any determination.

The site is well related to existing services and facilities within Mattishall. Development of the site is also unlikely to have a significant impact on the wider landscape.

The occupiers have stated that they wish to remain on site at Summer Meadow. It is considered that there is sufficient room within the Summer Meadow site which would meet these needs.

In addition to the above, there are currently two undeveloped parcels of land located centrally within the site, which are not owned by the occupiers of Summer Meadow. The northern parcel of land extends to approximately 0.23 hectares, whilst the southern parcel is smaller and is approximately 0.13 hectares. Subject to further comments from the highways authority and consultation with neighbours, the intensification of this site with additional pitches is likely to be acceptable in planning terms.

Otterwood Kennels, Dereham Road, Saham Toney

Site Area: 1.68 hectares

Caravan Count: January 2017 – 1 caravan. March 2018 – 1 park home and 3 tourers

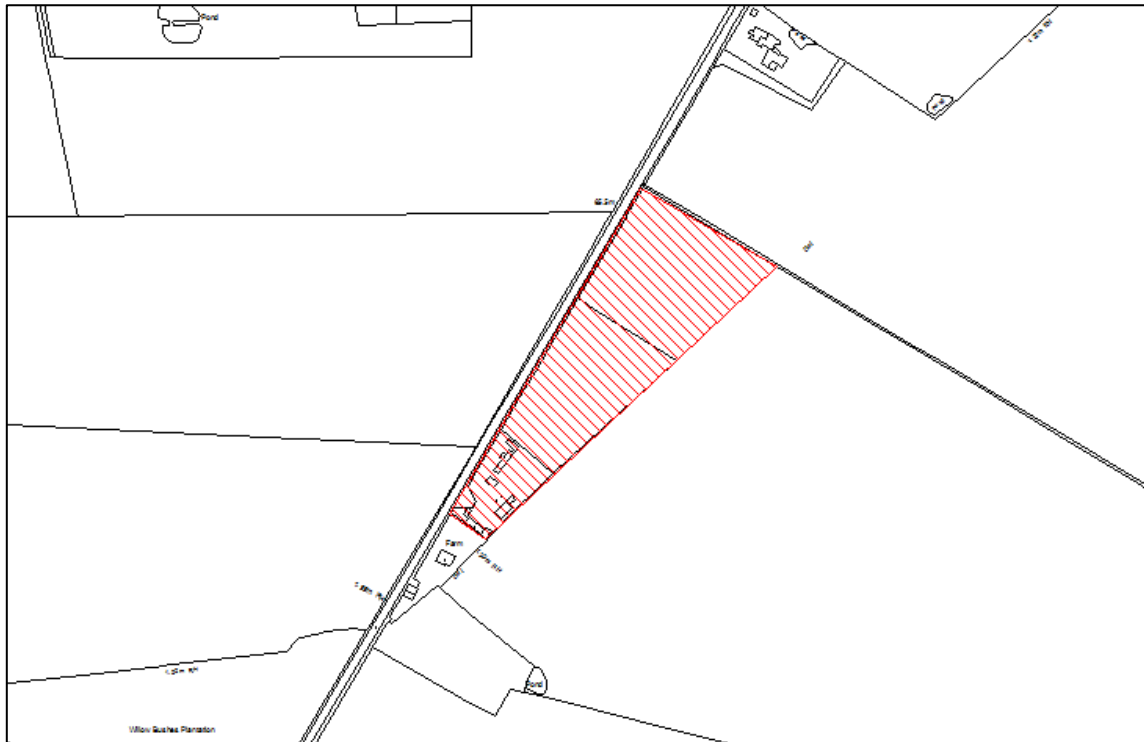


Figure 8 OS Plan of Otterwood Kennels

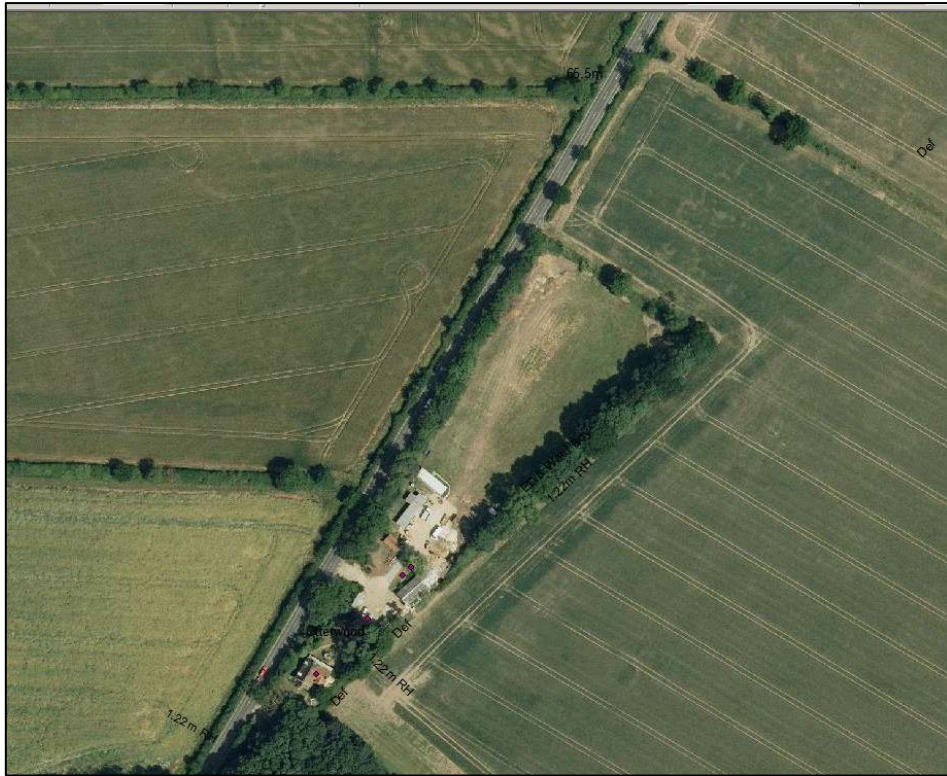


Figure 9 Aerial View of Otterwood Kennels

Planning History

3PL/2014/0892/F – Use of the land for the stationing of caravans for residential purposes for 1 no gypsy pitch together with the formation of additional hard standing and utility dayrooms ancillary to that use – **ALLOWED** temporary permission for 2 years. Permission expires 27th April 2019.

Assessment in relation to Policy HOU08

The development of the site could occur as a result of intensification within the existing site boundary rather than expansion onto adjacent land. The following assessment considers the development of the site against criteria 1-5 of Policy HOU01.

1: Suitability for residential development

The site is currently subject to a temporary planning permission for a gypsy and traveller pitch. To the south of the site is a detached residential dwellings, and there are other sporadic residential dwellings within the vicinity. The site is considered to represent an isolated location in the context of paragraph 55 of the NPPF.

2: Ability to achieve safe access

The ability to achieve safe highways access to the site, formed a key element of the appeal. Access to the site is from the A1075 which is defined as a key rural route. Through the appeal the access was considered to be substandard. The following is an extract from the appeal decision:

Department for Transport publication Design Manual for Roads and Bridges includes the following parameters the desirable 'X' set-back is 9.0 m that can be relaxed to 4.5 m for a

lightly trafficked simple junction. In exceptionally difficult circumstances, this can further be reduced 2.4 m. The desirable Y-distance should be 215 m, or 160 m one-step below the desirable. There is evidence of overtaking manoeuvres at speed in proximity to the existing access, because of the major road's alignment along this section. The full overtaking sight distance for speeds of 100 kph (63 mph) is 580 m. The problem here is that the available 'Y' splay is only 23 m in the northeast direction and 16 m southwest direction at 2.4 m.

As part of this assessment it is not considered that there have been improvements in the ability to achieve safe access beyond which was already known through the appeal.

3: Access to services and facilities

The site is located 3.3 and 4.3 kilometres from Shipdham and Watton respectively. Shipdham is a local service centre village, whilst Watton is a market town. Neither of these settlements are within walking or cycling distance of the site. Having regard to this, future residents of the site would be reliant on private car for access to services.

4: Impact upon neighbours

As set out under point 3, the site is remotely located. It is adjacent to a single detached residential dwelling, however development of this site is unlikely to have an impact on neighbours.

5: Impact upon the landscape

The site is screened from the surrounding landscape by hedgerows. There are no environmental designations either on the site or in close proximity of the site. Having regard to this it is not considered that it would impact upon the landscape.

Site Visit

A site visit was carried out on 2nd May 2018. Only a female present on site in one touring caravan. The female wouldn't open the door or the blind which was pulled down on the window. Spoke through a slightly open window. She advised to revisit on Friday as it's her father that we need to speak to as she doesn't usually stop there. She wouldn't provide any other information.

Planning Balance and Conclusion

This site is considered for regularisation, as it currently only has a temporary planning permission which expires in 2019. Through the Gypsy and Traveller Accommodation Assessment (GTAA) the sites have been assessed, and the consultants have confirmed that the occupants meet the definition of gypsy and travellers as set out within the national Planning Policy for Travellers. Development of the site would therefore help to meet the needs of Gypsy and Travellers within the district and this should therefore be given significant weight in any determination.

The site is distant from services and facilities, which does need to be taken into consideration as part of any planning application. Further to this, it is not considered that it is currently possible to achieve safe highways access to the site, due to its position on a 'A' road. It is on this basis, alongside its

distance from services and facilities which means that it is not considered appropriate for regularisation at this current time.

Woodview, Leys Lane, Attleborough

Site Area: 0.43 hectares

Caravan Count: January 2017 3 caravans. March 2018 – 3 static caravans



Figure 10 OS Plan of Woodview



Figure 11 Aerial View of Woodview

Planning History

Initial planning permission granted following the quashing of an enforcement notice. Permission granted for 3 static caravans and 2 touring caravans.

3PL/2010/1231/F - change of use of land for siting of 9 caravans & 4 touring caravans, replace 3 static & 2 tourers assoc. work - **REFUSED** Decision date - 08/04/2011

3PL/2011/0419/F - change of use of land for siting of 6 static caravans & 2 tourers, erection of general purpose building & assoc. work - **REFUSED** Decision date - 27/01/2012

Assessment in relation to Policy HOU08

The development of the site could occur as a result of intensification within the existing site boundary rather than expansion onto adjacent land. The following assessment considers the development of the site against criteria 1-5 of Policy HOU01.

1: Suitability for residential development

The site is located outside Attleborough's settlement boundary, and as such the principle of new market dwellings on the site would not normally be acceptable. The site is not isolated and once developed would be bordered to the south and west by the Attleborough sustainable urban extension. The site is located within flood zone 1 and there are no designated sites either environmental or historic within close proximity of the site.

The site currently includes residential development and as such the principle has been considered acceptable within this area. There is sufficient remaining land available within the site to accommodate an additional pitch without impacting upon the amenity of the existing occupiers.

2: Ability to achieve safe access

Site is accessed via Leys Lane which is an unclassified road. As part of an ongoing application on an adjoining site, the highways authority has provided representations which would be relevant to this site. Localised carriageway widening has been carried out in connection with the business use opposite this site. They have raised concerns regarding the adequacy of Leys Lane to serve residential development of this scale.

Leys Lane is an unlit, unclassified highway, (Unc 33126), which has an average carriageway width of 3.5m and 5.5m where localised widening has been carried out. There is no footway provision from the site to the town centre and there is the potential for conflict between pedestrians and vehicles.

3: Access to services and facilities

The site is located within Attleborough parish. Whilst this site is distant from the town centre, it does offer better access to services and facilities than a number of other sites. Access to facilities would be via Leys Lane which does not include footway provision.

4: Impact upon neighbours

This criterion seeks to ensure neighbourliness between the current and future residents of the site and the interaction with the immediate neighbours and the wider settled community. There are existing residential properties located to the east and west of the site. As part of any planning application, consultations would be required with neighbours and the parish council.

5: Impact upon the landscape

The site is currently partially developed with the bungalow, static caravans and touring caravans on site. There are a range of uses on land surrounding the site, including industrial uses to the south of the site. Land to the north is greenfield and contains a number of trees, this land did have a previous permission for a gypsy and traveller site.

Site Visit

Site visit carried out on 24th April 2018, however no one was present. A second site visit was carried out on 2nd May 2018 at 11.39am at this time the site was locked up and no one present. Officers returned at 12.20pm to try again but site still locked and no one present.

Planning Balance and Conclusion

This site relates to the intensification of an existing gypsy and traveller site, and would meet the existing need of occupants on the site. The intensification of development on this would conform to criteria 3 of part 1 of the policy. Through the Gypsy and Traveller Accommodation Needs Assessment (GTANA) the sites have been assessed, and the consultants have confirmed that the occupants meet the definition of gypsy and travellers as set out within the national Planning Policy for Travellers. Development of the site would therefore help to meet the needs of Gypsy and Travellers within the district and this should therefore be given significant weight in any determination.

There is undeveloped land within the site boundary which could accommodate additional pitches to meet the needs of the site occupants. Norfolk County Council as the highways authority have maintained their objection to the development of this site on the basis that there are no footpaths. This does need to be balance against the fact that the site is not in an isolated location and there is existing residential development within close proximity of the site. Further more it is not necessarily considered that the addition of 1 further pitch would lead to severe harm to the highway network.

Fireride 23, Santon Lodge, Harling Drove, Lynford

Site Area: 0.96 hectares

Traveller Count: January 2017 – no caravans present. File note suggests site no longer in use.

Planning History

There is no planning history in relation to the site.

The Gypsy and Traveller Accommodation Assessment included this as a tolerate site which was in need of two further pitches.

Site Visit

A site visit was carried on 2nd May at 1pm. At this site visit it was not possible to establish the exact location of the site, the visit suggested that the site occupants had moved away. From the visit it was possible to view areas where it was likely that had been occupied, however this was now not the case. This correlates with the findings of the 2017 Traveller Count when there was no one on the site.. The occupant of the dwelling Santon Lodge confirmed that Gypsies and Travellers had been living at Fireride 23 within three separate encampments however the occupants had moved away. The occupant advised that in the areas in which they were stationed large tree logs have been put down to prevent further access and some earth mounds have been created along openings. There is clear evidence of this along Fire Ride 23, photographs taken during the site visit are included below. Santon Lodge is the only dwelling located along Harling Drove, and therefore the occupant is likely to be aware of other residents living on Harling Drove.



Figure 12 Site Clearing within Fire Ride 23



Figure 13 Logs preventing access to camp within Fire Ride 23

Planning Balance and Conclusion

The GTAA was completed in 2016, with the site visits for this study occurring in June 2016. Having regards to the findings of the site visit 2018, where it was clear that the site was no longer occupied by Gypsies or Travellers, it is not therefore considered appropriate to expand or intensify this site.

The Forestry Commission who manage Thetford Forest, where this site was located, have confirmed that the family have moved on. This has also been confirmed by the Norfolk and Suffolk Gypsy and Traveller Liaison Officer. At the present time it is unclear as to where they have moved to. This information correlates with the responses that ORS (as the consultant who undertook the GTAA) have provided from the site surveys. The 4 households stated the following intentions: Not sure how long will be allowed to stay here, waiting for a council property in Cambridge, when moved on by the authorities, waiting for a council house.

Having regard to the above information a criteria based policy is considered to be the suitable mechanism to meet the requirement of these occupants. Furthermore, as the location of the occupants of this site is currently unknown, it is not possible to establish whether they remain in need of pitches. Consideration is also needed as to whether they should still be included within the five year requirement as set out in the GTAA, however this could be included as part of a future GTAA.