

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6th December 2006

AUTHOR/S: Executive Director / Head of Planning Services

S/2102/06/CC - WILLINGHAM

Variation of Condition 2 of Planning Permission S/1437/89 to allow Alternative Layout and Alternative Number of Pitches at Site Willingham Travellers Site, Meadow Road for Cambridgeshire County Council

Recommendation: No Objection

Date for Response: 10th December 2006

This Consultation has been reported to the Planning Committee for consideration because of current concerns being expressed by Willingham Parish Council towards traveller-related proposals in its Parish.

Site and Proposal

1. This is an application for deemed planning permission that has been submitted by Cambridgeshire County Council to itself for determination under Regulation 3 of the Town and Country Planning General Regulations. The comments of this Council are sought as a consultee.
2. The proposal relates to part of a site with extant deemed planning permission for a 15-pitch long-stay travellers site. The site, which is now vacant and in a state of dereliction, is located approximately 1 kilometre to the east of the village along Meadow Road. This is a single-track metalled road with occasional passing spaces.
3. The entrance to the site is at present sealed off by a 1.5m-high earth bund. Engineering works are proposed to open up this entrance area of the site, covering an area of 70 m x 30m approximately, so as to provide space for one gypsy caravan to be accommodated. Bunding is to be re-sited along the boundaries of this area, and additional landscaping planted. The dilapidated single-storey buildings on the remainder of the traveller's site are to be demolished in the interests of public safety. Vehicular access is to be retained to the grazing area to the south for agricultural vehicles.
4. The facility is to be operated as an Emergency Stopping Place, as described in the statement at [Appendix 1](#).
5. The County Council has stated that, if the family need elapses and they are not occupying the local byways, then a decision as to re-instating the bunds will be made between the Local Authorities and the local residents and parishioners nearer the time when the situation can be assessed. If the site is not to be used, it will be fully protected with bunds as they are presently, i.e. blocking use of the entire area.

Personal Circumstances

6. Although the County Council is seeking a consent that runs with the land, the proposal has come forward in response to the needs of a particular travelling family.

The family in question would be recognised under the Race Relations (Amended) Act 2000 as being of Gypsy Traveller status. The family may also be referred to as Romany Gypsy in ethnic monitoring processes. Visiting family members are frequently present at but do not live on site.

7. This is a transient family in which members do travel seasonally. They are finding that they have fewer and fewer unauthorised locations to resort to during term time in the local area.
8. The head of the family has worked for local parishioners during the 1960s. He has been in the area all his child and adult life. His parents had been residing in the area for 35 years before the current head of the family was born. Local Authorities and other Traveller families know the family to be local. The family is both local, and has local roots going back generations. Their history is well known.

Planning History

9. Deemed planning permission was granted by the County Council on 12th January 1990 for the establishment of a 15-pitch long-stay travellers site (**S/1437/89**). The permission included amenity blocks, wardens office and sewage treatment plant. Condition 2 of the consent required the submission for approval of a variety of detailed matters, including the location of the 15 pitches. Consent for these matters was issued subsequently.

Planning Policy

10. The relevant Development Plan comprises the approved Cambridgeshire & Peterborough Structure Plan 2003 and the adopted South Cambridgeshire Local Plan 2004.
11. **Policy P5/4** of the Structure Plan says that local plans should make provision to meet the locally assessed need for housing specific groups including Gypsies and Travellers.
12. **Policy P1/2** says, inter alia, that development will be restricted in the countryside unless the proposals can be demonstrated to be essential in a particular rural location.
13. **Policy 7/4** says that development must relate sensitively to the local environment and contribute to the sense of place, identity and diversity of the distinct landscape character areas.
14. **Policy SE8** of the Local Plan says that there will be a general presumption in favour of residential development within village frameworks and that residential development outside these frameworks will not be permitted.
15. **Policy EN1** relates to Landscape Character Areas, and in respect of this site, it is concerned with respecting, retaining and wherever possible, enhancing the Fens Landscape Character & Natural Area.
16. **Policy HG23** is a specific policy concerned with caravan sites for Gypsies and Travelling show-people. It indicates that proposals for caravans for Gypsies will only be considered when the need for a site is shown to be essential to enable the applicants to exercise a travelling lifestyle for the purpose of making and seeking their

livelihood. Where the need is proven 9 criteria have to be met if planning permission is to be granted for such sites. The criteria in summary are as follows:

- (1) The site is reasonably located for schools, shops and other local services.
- (2) The site would have minimal impact on the amenities of existing local residents and adjoining land uses; concentration of sites will be avoided.
- (3) The site would not, either on its own, or cumulatively, have a significant adverse effect on the rural character and appearance, or the amenities of the surrounding area.
- (4) The site can be satisfactorily assimilated into its surroundings by existing or proposed landscaping; an approved landscaping scheme will be required.
- (5) The use of the site would not give rise to unacceptable parking, highway access or service provision problems.
- (6) The site would not adversely affect any buildings of historic or archaeological importance, or sites of wildlife or nature conservation value.
- (7) Where planning permission is allowed, built forms of development will not be permitted except for utility outhouses. Small stables will be considered on their merits depending upon need and the nature of the site.
- (8) The site has adequate infrastructural connections to local services including water supply.
- (9) The use would not detract from convenient, safe and enjoyable use of a public right of way.

17. Also relevant is **Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites and PPG3 Housing**. Circular 1/2006 confirms that the Government is committed to ensuring that members of the Gypsy and Traveller communities should have the same rights and responsibilities as every other citizen and provides updated guidance on the planning aspects of finding sites for Gypsies and Travellers and how local authorities and Gypsies and Travellers can work together to achieve that aim. The policies in this Circular apply throughout England.

18. Advice on the use of temporary permissions is contained in paragraphs 108 – 113 of **Circular 11/95, *The Use of Conditions in Planning Permission***. Paragraph 110 advises that a temporary permission may be justified where it is expected that the planning circumstances will change in a particular way at the end of the period of the temporary permission. Where there is unmet need but no available alternative Gypsy and Traveller site provision in an area but there is a reasonable expectation that new sites are likely to become available at the end of that period in the area which will meet that need, local planning authorities should give consideration to granting a temporary permission. Such circumstances may arise, for example, in a case where a local planning authority is preparing its site allocations DPD. In such circumstances, local planning authorities are expected to give substantial weight to the unmet need in considering whether a temporary planning permission is justified.

Gypsy and Traveller Development Plan Document

19. Consultants CDN Planning began working on this project in April 2006. The first draft Issues and Options 1 was available for public consultation until 24 November 2006. This initial Issues and Options stage is looking at criteria for site location. A second Issues and Options report will be prepared following representations on the first, and this will specifically identify potential sites within South Cambs for Gypsy/Traveller

sites using the criteria already agreed. At this stage we expect the second Issues and Options report to be consulted on in Summer 2007.

Consultations

20. Consultations for this application are being carried out by the County Planning Authority. In response to other planning applications, Willingham Parish Council has indicated its concern about all traveller-related proposals in its Parish at the present time.

Representations

21. Any representations are required to be sent to the County Planning Authority.

Planning Comments

22. The previous use of the site for the accommodation of gypsies ceased some time ago. However the use has not been abandoned in planning legal terms and it could be resumed under planning permission S/1437/89 at any time without planning permission until such time as another superseded that planning permission. Taking this into account, I believe the Council cannot reasonably object to the use of part of the site for residential purposes by Travellers.
23. The site has a degree of screening on its external boundaries, but this could be strengthened. The formation of additional earth bunding will also add to the screening of the site. I consider that, subject to additional landscape planting, the details of the proposed engineering works and changes to the planting on the front of the site are acceptable.

Recommendation

24. That no objections be raised to the proposal, subject to additional landscape planting being carried out.

Background Papers: the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Circular 01/2006
- Cambridge Sub-Region Traveller Needs Assessment 2006
- Gypsy and Traveller Development Plan Document.
- Planning Files ref: S/2102/06/CC, S/1473/89.

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