

ITEM SUBJECT OF A SITE VISIT

Item No: A1

Application Ref.	23/00696/COU
Application Type	Change of Use
Site Address	Strawberry Fields Land Off A631 Beckingham South Yorkshire
Proposal	Change of Use of Land to Residential Caravan Compliant Site for Gypsy/Traveller Use with Pony Paddock
Case Officer	Kirsty Harte
Recommendation	GTD - Grant
Web Link:	Link to Public Access Documents

THE APPLICATION

SITE CONTEXT

The site is located to the west of the village of Beckingham which lies to the opposite side of the A631. The site lies directly adjacent to the A631 and is well screened by existing hedgerows and mature trees.

Access to the site is taken from an existing, well established point which is set back off the A631. There is a second access, which is more historic than the main access.

The site has an historic use as a strawberry farm, with the area of grassland to the rear of the site being used from the growing of crops with hardstanding to the front of the site accommodating agricultural buildings and touring caravans.

PROPOSAL

Planning permission is sought for the change of use of land to residential caravan site for gypsy/traveller use with pony paddock.

The residential use proposed would comprise 2 static caravans and 2 touring caravans that would be positioned centrally within the site, to the rear of the existing agricultural building. The proposed paddock would be positioned within the field to the rear (west) of the site.

It is proposed to access the site by utilising the 2 existing points of access directly on to the A631. It is proposed that the accesses would provide an access and egress point. Access to the site is set back from the A631 due to the wide highway verge and footway.

DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town & Country Planning Act 1990 provides that the local planning authority shall have regard to the provision of the development plan, as far as material to the application, and to any other material considerations.

Other material planning considerations include the National Planning Policy Framework and guidance within the National Planning Policy Guidance.

National Planning Policy Framework 2023

The National Planning Policy Framework (NPPF) sets out the Government's approach for the planning system and how these are expected to be applied.

Paragraph 8 explains that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform an economic, social and environmental role.

Paragraph 11 explains that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up to date development plan without delay; and where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission shall be granted unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁶; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The following sections of the framework are applicable to this development:

Part 4 – Decision Making

Part 5 – Delivering a Sufficient Supply of Homes

Part 12 – Achieving Well Designed and Beautiful Places

Part 15 – Conserving and Enhancing the Natural Environment

Bassetlaw District Council – Local Development Framework

**Core Strategy & Development Management Policies Development Plan Document
(Adopted December 2011):**

- Policy CS1 - Settlement hierarchy
- Policy CS9 - All Other Settlements
- Policy DM4 - Design & character

- Policy DM6 - Gypsies, Travellers and Travelling Show People
- Policy DM9 - Delivering open space and sports facilities
- Policy DM12 - Flood risk, sewage and drainage

Bassetlaw Local Plan 2020-2038

The Council published the Inspector's Report for the Bassetlaw Local Plan 2020-2038 on the 21 February 2024. This means that the Local Plan carries significant weight in decision-making. The Local Plan is expected to be considered by Full Council later in 2024.

- Policy ST1 – Bassetlaw's Spatial Strategy
- Policy ST32 - Sites for Gypsies, Travellers
- Policy ST35 - Design Quality
- Policy ST37 - Landscape Character
- Policy ST40 - Biodiversity and Geodiversity
- Policy 48 - Protecting Amenity
- Policy ST52 - Flood Risk and Drainage

RELEVANT PLANNING HISTORY

None

RESPONSE OF STATUTORY BODIES

Nottinghamshire County Council Highways

No objections subject to conditions to secure satisfactory access arrangements.

Beckingham Parish Council

Object to the proposal on the following grounds;

- Design and visual impact on the area
- Parking/highway safety
- Traffic access
- Health and safety
- Noise, smell, pollution
- Layout and density of buildings
- Design, appearance and materials
- Rise in crime
- Ecology and environment impact
- Cumulative impact
- Flooding
- Housing demand quota exceeded

Bassetlaw District Council Environmental Health

No objections.

Councillor Sanger

Object to the proposal on the following grounds;

- There has never been a planning application on the site so how is this a change of use?
- The site hasn't previously contained buildings
- Concerns regarding highway safety as the A631 is a busy dual carriageway which is used by fast moving traffic
- The site is positioned outside the village envelope
- The site is not connected to mains electricity, water or sewerage
- There has been enough development in Beckingham and the site is not suitable for habitation

Members of the Public

203 letters of objection have been received from members of the public. The following issues were raised;

- Harmful to the Green Belt
- Highway safety
- Excess waste
- Overrun schools, services and facilities
- Increased noise
- Residential amenity
- Impact on housing prices
- Housing quota exceeded
- Correct connection to electricity and water is uncertain

The material planning considerations within these objections will be addressed within the main body of this report.

CONSIDERATION OF PLANNING ISSUES

PRINCIPLE

National Planning Policy Context

Planning Policy for Traveller Sites (PPTS) (March 2015) para. 25 states 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.

In terms of decision-making, PPTS Policy H requires applications to be considered in accordance with the NPPF's presumption in favour of sustainable development and sets out other relevant matters when considering planning applications for traveller sites:

- i). the existing level of local provision and need for sites;
- ii). the availability (or lack) of alternative accommodation for the applicants;
- iii). other personal circumstances of the applicant;
- iv). 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 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; and
- vi). that they should determine application for sites from any travellers and not just those with local connections.

The PPTS goes on to state that when considering applications, local planning authorities should attach weight to the following matters:

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

With regard to plan-making, the PPTS is aligned with the NPPF recommends that local planning authorities should set pitch provisions for gypsies and travellers. Furthermore, local plans should identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites, and a supply of developable sites or broad locations for growth, for years six to ten and where possible, for years 11-15.

Local Planning Policy Context

Core Strategy Policy CS1 sets out the settlement hierarchy for Bassetlaw and establishes the locations for future housing and employment growth. As noted above, the nearest settlements of Beckingham (Policy CS9) is regarded as unsustainable locations for growth.

Bassetlaw's own policy for determining such applications is Policy DM6: Gypsies, Travellers and Travelling Showpeople. In the event that pitch requirements cannot be met within or on the edge of settlements with ready access to services and facilities, rural and semi-rural locations may be appropriate where there is reasonable access to services and facilities. All sites will need to demonstrate that:

- i. the scale and design of the site is appropriate to its surrounding location and makes efficient use of land;
- ii. there is adequate space for parking, turning, servicing and waste collection/recycling on site;

- iii. appropriate landscaping and boundary treatments will be provided to give privacy and to enhance the local environment;
- iv. there is safe vehicular access to the public highway; v. the site will be properly serviced by utilities such as water and sewerage; and
- vi. the site is not located in an area at high risk of flooding and is not significantly contaminated.

Furthermore, applications for new sites must demonstrate that:

- the intended occupants meet the definition of gypsies and travellers or the definition of travelling showpeople; and
- there is a need for additional pitches in the area proposed and there are no alternative sites available in the District.

The Draft Bassetlaw Local Plan

The Draft Bassetlaw Local Plan now carries significant weight in decision-making and contains policy ST32: Sites for Gypsies and Travellers. Paragraph 173 of Inspectors Report on the Examination of the Bassetlaw Local Plan states the Plan allocates sufficient pitches to meet the need for the 10–year period 2019/20 to 2028/29.

The policy states:

1. The permanent accommodation needs of the District’s Gypsy and Traveller community will be met through the provision for 49 permanent pitches by 2037-2038, with approximately 27 permanent pitches to be delivered by 2028-2029, through a combination of:

a) The establishment or re-establishment of pitches within an existing authorised Gypsy and Traveller site and/or the extension and/or intensification of existing authorised Gypsy and Traveller sites at:

- i. GT001: Land at Hayton (for 10 additional pitches);
- ii. GT002: Land at Treswell (for 10 additional pitches);
- iii. GT003: Land at Daneshill (for 6 additional pitches)

b) the formalisation of sites in use by the Gypsy and Traveller community at:

- i. GT004: Land at East Drayton (for 1 additional pitch)
- ii. GT005: Land at North Blyth (for 4 additional pitches)

2. Proposals for new Gypsy and Traveller sites and/or the extension, and/or intensification of existing authorised Gypsy and Traveller sites to address needs beyond 2028-2029 should:

- a) be located outside high flood risk areas as defined by national policy;
- b) in the case of an extension, be small scale, intensify the use of an existing authorised, well managed site and/or make effective use of brownfield land, where possible;

- c) provide satisfactory access to a range of services such as health and education provision;
- d) be of a scale that is appropriate to local character, its local services and infrastructure and would not dominate the nearest settled community;
- e) have suitable, safe and convenient access to the highway network;
- f) have the ability to connect to all necessary utilities on the site including mains water, electricity supply, drainage, sanitation and provision for the screened storage and collection of refuse, including recyclable materials;
- g) have the ability to be well integrated into the local townscape or landscape, have no unacceptable impact on biodiversity and/or heritage assets and use boundary treatments and screening materials which are sympathetic to the existing urban or rural form;
- h) ensure the amenity of the Gypsy and Traveller community and the settled community is managed appropriately in accordance with Policy 48; and
- i) ensure that there is sufficient space for the planned number of pitches, outdoor space, day rooms, parking and the safe movement of personal and commercial vehicles.

Policy ST32 is considered to be the most up-to-date policy by which to consider this application against. Whilst it has been confirmed that Bassetlaw Local Plan allocates sufficient pitches to meet the need for the 10–year period 2019/20 to 2028/29, Policy ST32 does allow for additional sites to be granted permission. Therefore, subject to compliance with the criteria set out in the Policy, it is considered that the proposed use is acceptable in principle.

Compliance with Policy ST32

An assessment of the compliance of the proposal with the criteria set out within Policy ST32 is set out below;

- a) be located outside high flood risk areas as defined by national policy;

The site lies within Flood Zone 1, land at the lowest risk of flooding. This will also be assessed within the flood Risk section of this report.

- b) in the case of an extension, be small scale, intensify the use of an existing authorised, well managed site and/or make effective use of brownfield land, where possible;

Given this proposal is not for an extension to an existing site it is not considered that this criteria is applicable in the consideration of this application.

- c) provide satisfactory access to a range of services such as health and education provision;

Beckingham is identified as a Rural Service Centre by Policy CS8 of the Bassetlaw Local Development Framework and a Small Rural Settlement by Policy ST1 of the Draft Local Plan which states the evidence finds that the sustainable growth of the Small Rural Settlements would also help to sustain these villages. Beckingham does have a school and village shop / Post Office meaning future occupants would benefit from access to a limited range of services.

- d) be of a scale that is appropriate to local character, its local services and infrastructure and would not dominate the nearest settled community;

Compliance with this criteria will be assessed within the Impact on Character and Appearance section of the report.

e) have suitable, safe and convenient access to the highway network;

Compliance with this criteria will be assessed within the Highways Impact section of the report.

f) have the ability to connect to all necessary utilities on the site including mains water, electricity supply, drainage, sanitation and provision for the screened storage and collection of refuse, including recyclable materials;

The applicant has stated that foul water will be disposed of by the mains drainage system and the existing agricultural building includes a kitchen with electricity and water, therefore the necessary utilities are already available at the site. Whilst no details have been provided in respect of waste storage and collection, it is considered that these can be secured through the imposition of a suitably worded condition.

g) have the ability to be well integrated into the local townscape or landscape, have no unacceptable impact on biodiversity and/or heritage assets and use boundary treatments and screening materials which are sympathetic to the existing urban or rural form;

This criteria will be assessed within the Impact on Character and Appearance section of this report.

h) ensure the amenity of the Gypsy and Traveller community and the settled community is managed appropriately in accordance with Policy 48; and

The impact upon residential amenity of both the existing nearby occupiers to the site and the future occupiers of the site will be assessed within the Residential Amenity Section of this report.

i) ensure that there is sufficient space for the planned number of pitches, outdoor space, day rooms, parking and the safe movement of personal and commercial vehicles.

This criteria will be assessed with the Residential Amenity section of this report.

SUSTAINABILITY OF THE DEVELOPMENT

Paragraph 8 of the NPPF sets out three dimensions for sustainable development, economic, social and environmental:

“an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future

generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

In reaching a decision on this case, the NPPF at paragraph 9 makes it clear that the objectives referred to above should play an active role in guiding development towards sustainable solutions and are not criteria against which every planning application should be judged against.

IMPACT ON THE CHARACTER AND APPEARANCE

The Bassetlaw Local Development Framework contains policy DM4 which states that new development should respect its wider surroundings in relation to historic development patterns and forms and landscape character. Similar advice is contained in paragraph 180 of the National Planning Policy Framework, which states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

Policy ST32 of the Draft Bassetlaw Local Plan states Proposals for new Gypsy and Traveller sites and/or the extension, and/or intensification of existing authorised Gypsy and Traveller sites to address needs beyond 2028-2029 should have the ability to be well integrated into the local townscape or landscape, have no unacceptable impact on biodiversity and/or heritage assets and use boundary treatments and screening materials which are sympathetic to the existing urban or rural form.

Policy ST35 states that all development must be of a high quality design and Policy ST37 states proposals that contribute to the nature and quality of Bassetlaw's landscapes will be supported where it can be demonstrated that: a) it protects and where possible enhances the distinctive qualities of the relevant landscape character policy zone, as identified in the Bassetlaw Landscape Character Assessment 2009 by conserving, restoring, reinforcing or creating relevant landscape forms and features

In addition policy DM9 of the Bassetlaw Local Plan states that new development proposals in and adjoining the countryside will be expected to be designed so as to be sensitive to their landscape setting.

The site lies within Mid-Nottinghamshire Farmlands Landscape Policy Zone 03: Beckingham where the landscape condition is very good. There is a coherent pattern of elements with few detracting features including the A161/A620/A631 and several oil wells. Overall this results in a visually unified area.

In terms of landscape actions it is recommended that development;

- Conserves historic field pattern by containing new development within historic enclosed boundaries, maintain existing hedgerows, restore and reinforce poor hedgerow boundaries where necessary
- Conserves hedgerow planting along roadsides, seek to reinforce and enhance as appropriate
- Conserve the open rural character of the landscape by concentrating new development of appropriate design and scale around the existing settlements of Beckingham, Saundby and North Wheatley.

The application site currently forms part of an agricultural field which has mature hedgerows located on all boundaries. Therefore, the site in question is largely hidden by mature hedgerows on the boundaries of the site, it is considered that the creation of pitches and caravans would not therefore appear unduly obtrusive or prominent in the landscape. The site lies directly to the west of the built form of Beckingham and given the site is well screened by existing hedgerows and mature trees it is considered that the proposed development would comply with the recommendations of the Bassetlaw Landscape Character Assessment.

Furthermore, the siting of 2 static caravans and touring caravans is considered to have a very limited visual impact due to their scale and the site does already accommodate an agricultural building and 2 touring caravans with the applicant stating 'The site has been purchased by the applicant due to it having an historical agricultural use along with the locating of at least 2 caravans by the previous owner for over 10 years. One of these units is still occupied regularly by a third party who continues to occupy with the permission of the current owner.'

It is therefore considered that the proposal would not represent a visually obtrusive form of development that would result in any demonstrable harm to the character of the surrounding area or the wider landscape character, particularly when compared to the existing development on the site and its historic use.

It is recommended however, that should permission be granted, a condition should be imposed requiring the retention of these boundary hedges.

Accordingly it is considered that the development as proposed would comply with the provisions of the policies outlined above.

RESIDENTIAL AMENITY

Policy DM4 of the Core Strategy requires that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. This is also reflected in paragraph 135 criterion f) of the NPPF which states that development should create a high standard of amenity for existing and future users.

Paragraph 191 of the NPPF seeks to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. This includes an assessment of noise and light impact.

Policy ST32 of the Draft Bassetlaw Local Plan states Proposals for new Gypsy and Traveller sites and/or the extension, and/or intensification of existing authorised Gypsy and Traveller sites to address needs beyond 2028-2029 should ensure the amenity of the Gypsy and Traveller community and the settled community is managed appropriately in accordance with Policy 48.

Policy 48 (Protecting Amenity) of the Bassetlaw Local Plan states that proposals for development should be designed and constructed to avoid and minimise impacts on the amenity of existing and future users, individually and cumulative within the development and close to it. Proposals will be expected to:

- a) Not have a significant adverse effect on the living conditions of existing and new residents and future occupiers of the proposed development through loss privacy, excessive overshadowing or overbearing impact.

As previously described, the proposed static and touring caravans would be of a modest scale and would be well screened by the existing hedgerows and trees. As the nearest dwellings to the proposed site are located over 40m to the opposite side of the A631 dual carriageway from the application site, it is considered that the siting of caravans on the site would have no adverse impact on the residential amenity of these dwellings by reason of overlooking, overshadowing or consequential loss of privacy.

Whilst it is accepted that the development would result in a small increase in vehicular movements to and from the site, it is not considered that that it would result in unacceptable levels of noise and disturbance for existing residents, particularly given the modest amount of vehicular movement that would be generated by the proposal and the separation of existing residents from the site by the A631.

The submitted Proposed Site Plan shows 2 static caravans positioned within a generous plot with the paddock area positioned to the west. The development proposed is considered to offer a generous amount of amenity space to be enjoyed by future occupiers.

Accordingly it is considered that if permitted the development would comply with the provisions of the policies and guidance outlined above.

HIGHWAYS IMPACT

Paragraph 114 of the NPPF states that schemes can be supported where they provide safe and suitable access for all. Paragraph 115 of the NPPF makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 96 of the NPPF states that all development should aim to achieve healthy, inclusive and safe places which encourage social interaction, are safe and accessible and enable and support healthy lifestyles. Paragraph 114 of the NPPF requires schemes to provide safe and suitable access for all users as well as looking at appropriate opportunities to promote sustainable transport modes.

Paragraph 116b of the NPPF requires schemes to address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

Policy ST32 of the Draft Bassetlaw Local Plan states Proposals for new Gypsy and Traveller sites and/or the extension, and/or intensification of existing authorised Gypsy and Traveller sites to address needs beyond 2028-2029 should have suitable, safe and convenient access to the highway network

This requirement is also contained in policy DM4 of the Council's Core Strategy and similar advice is also contained within the emerging local plan policies Policy ST35 (Design Quality) and Policy ST55 (Promoting Sustainable Transport and Active travel)

Policy ST35 (Design Quality) of the emerging local plan states that all development must be of a high-quality design and integrate well into the surrounding area, ensuring safe convenient movement of all highway users, Policy ST55 (Promoting Sustainable Transport and Active travel) of the emerging local plan states that development that contributes towards a sustainable, safe, active transport network and offers a range of public transport and active travel choices will be supported.

The submitted application states that the site has a historical agricultural use along with the siting of at least 2 caravans by the previous owner for over 10 years with one of those units being regularly occupied.

Nottinghamshire County Council as the Highway Authority have confirmed that it is content that the development would occupy land that has had a previous use and that access to the land from the A631 is still visible albeit unmaintained.

On 'A' and 'B' roads, when considering new development or development that would increase traffic and/or require new junctions, the County Council's policy is to require proposals to show an overall net benefit over an existing situation. On high-speed rural roads, there is a propensity for high severity accidents. It is considered that this application presents an opportunity to secure improved access arrangements and to control the quantum of development. On balance, it is considered that this would be an improvement over the existing situation which is much more uncertain.

The site currently has the benefit of one formal access from the A631 adjacent the south-eastern boundary. The initial surface is in a poor state of repair from the edge of the carriageway to a point where it disappears into highway verge. There are a set of gates adjacent the north-western boundary. However, the kerbs at that location are not dropped to facilitate access at that point, so it appears that no access required from that point when the bypass was constructed.

The Proposed Site Plan includes separate in and out access arrangements roughly in the position of the formal access and gates respectively. The Highway Authority have recommended that the exit should be angled to mirror the entrance to direct motorists to turn left to reduce the possibility of drivers exiting the site and turning right into oncoming traffic on the dual carriageway. Furthermore, the radius on the south-eastern side of the exit must be removed to make the right turn as difficult as possible.

Vehicles will egress that site and turn left on to the A631 in a northerly direction. Due to the straight alignment of the carriageway and the wide highway verge, visibility for vehicles egressing the site is considered to be acceptable.

Nottinghamshire County Council Highways have not raised any objections to the proposal subject to the imposition of conditions; limiting the number of caravans on the site, requiring further details to ensure the site access is developed and retained in a suitable form, to prevent mud and debris being deposited on the highway during the construction phase, limiting the use of the paddock to being ancillary to the residential use of the site and to ensure gates are hung so as not to open outwards.

It is therefore considered that, subject to the imposition of conditions as requested by the Highway Authority, the development would benefit from a safe and suitable access and would not be detrimental to highway safety. It is therefore considered that the proposal is in accordance with the above-mentioned policies in terms of highways considerations.

FLOODING/DRAINAGE

The NPPF at paragraph 165 makes it clear that development in areas at risk of flooding should be avoided by directing development away from the areas at the highest risk. Paragraph 173 of the NPPF requires that proposals do not increase flood risk elsewhere and should be developed in line with a site specific flood risk assessment which incorporates a Sustainable Urban Drainage solution. Similar advice is contained within Policy ST52 (Flood Risk and Drainage) of the emerging local plan.

The site lies within Flood Zone 1 which has the lowest probability of flooding from rivers and the sea. It is considered that the appropriate means of foul and surface water disposal can be secured by condition should planning permission be granted. This would ensure that flood risk is not increased elsewhere and that foul water would be appropriately disposed of.

Therefore subject to an appropriately worded condition, it is considered that the development would comply with the provisions of the policies outlined above.

ECOLOGICAL IMPACTS

The content of paragraph 186 of the NPPF is applicable as it states that in dealing with planning applications, councils must consider the harm of a scheme on biodiversity. It states that the following principles should be applied (in summary):

- a) If significant harm cannot be avoided adequately mitigated or compensated for permission should be refused.
- b) Development within or outside a SSSI which is likely to have an adverse impact on it should not normally be permitted. The only exception is where the benefits of location outweigh its impact
- c) Development resulting in the loss or deterioration of irreplaceable habitats should be refused, unless there are exceptional reasons or compensation.
- d) Development whose primary objective is to conserve or enhance biodiversity should be supported. Opportunities to improve biodiversity in and around developments

should be integrated as part of their design especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Policy DM9 of the Core Strategy is consistent with the above and adds that development proposals will be expected to take opportunities to restore or enhance habitats and species' populations and to demonstrate that they will not adversely affect or result in the loss of features of recognised importance.

Policy ST32 of the Draft Bassetlaw Local Plan states Proposals for new Gypsy and Traveller sites and/or the extension, and/or intensification of existing authorised Gypsy and Traveller sites to address needs beyond 2028-2029 should have no unacceptable impact on biodiversity. Policy ST40 aims to protect and enhance the biodiversity and geodiversity of Bassetlaw.

The Environment Act 2021 is set to introduce requirements to achieve a 10% gain to biodiversity in planning decisions which has become a legal requirement for non-major developments from 2 April 2024. However, as this application was submitted prior to this date the development is exempt from this requirement. As such, the current position is that there should be no net loss in biodiversity.

The site already features some development and the applicant has stated that there has been regular occupation of a domestic caravan on the site. The caravans proposed would be sited on the existing hard-surfaced area to the front of the site, no further hard surfacing is proposed by this application. The rear of the site is currently grassed and shall remain as such for use as a paddock and amenity area for the use of future residents. The existing hedgerows are to be retained and it is considered that the imposition of a condition requiring the submission of a scheme of ecological enhancement within the site would ensure compliance with the policies detailed above.

CONCLUSION

The published Inspector's Report on the Examination of the Bassetlaw Local Plan states the Plan allocates sufficient pitches to meet the need for sites for gypsies and travellers for the 10-year period 2019/20 to 2028/29.

The Council published the Inspector's Report for the Bassetlaw Local Plan 2020-2038 on the 21 February 2024, resulting in the Draft Local Plan carrying significant weight in decision-making. Policy ST32: Sites for Gypsies and Travellers is considered to be the most up-to-date policy by which to consider the principle of this proposal against. Whilst it has been confirmed that Bassetlaw Local Plan allocates sufficient pitches to meet the need for identified 10 year period, Policy ST32 does allow for additional sites to be granted permission, subject to compliance with the criteria set out in the Policy.

It is considered that the site would be a sustainable location for the type and scale of the development proposed and the proposal would have an acceptable impact in terms of landscape character, highway safety, residential amenity, flood risk and ecology.

For the reasons outlined above, it is therefore considered that the proposed development would comply with the guidance contained within Planning Policy for Traveller Sites 2015, the provisions of policies DM4, DM6, DM9 and DM12 of the Bassetlaw Local Development Framework, Policies ST32, ST35, ST37, ST40, 48 and ST52 of the Draft Bassetlaw Local Plan and parts 12 and 15 of the NPPF.

It is therefore recommended that planning permission is granted subject to the conditions detailed below.

RECOMMENDATION:

Grant subject to conditions

CONDITIONS/REASONS:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be in accordance with the following approved plans:

- Existing Site Plan, Drawing No. DNST 001, received 2nd June 2023
- Proposed Site Plan, Drawing No. DNST 003, received 2nd June 2023
- Design and Access Statement by Mark Simmonds Planning Services, received 2nd June 2023

Reason: For the avoidance of any doubt.

3. No more than 4 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended (of which no more than 2 shall be static caravans) shall be stationed on the application site at any one time.

Reason: To ensure no more than the number of units originally intended on the site are permitted, in the interests of highway safety.

4. The site shall not be occupied by any persons other than Gypsies and Travellers, defined 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 or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Reason: To ensure the development takes the form envisaged by the Local Planning Authority to meet the needs of the gypsy and travelling community.

4. Prior to the first occupation of the site full details of the manner in which foul sewage and surface water are to be disposed of from the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the occupation of the site first commences.

Reason: To ensure that the site is drained in a satisfactory manner.

5. Prior to the first occupation of the site a scheme of ecological enhancement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and shall be retained for the lifetime of the development.

Reason: In the interests of ecology and biodiversity.

6. Prior to the site being first brought into use the access and egress arrangements shall be surfaced in a bound material (not loose gravel) for a minimum distance of 6.0m into the site from the highway boundary and which shall be drained to prevent the unregulated discharge of surface water onto the public highway.

Reason: To ensure appropriate access and parking arrangements are available, to reduce the possibility of deleterious material being deposited on the public highway (loose stones etc), to minimise the chance of highway flooding and severe icing, and in the interest of highway safety.

7. No development shall take place until such time as details of the proposed site access arrangements have been submitted to and have been approved by the Local Planning Authority that include the construction specification, measures to deter exiting right turning vehicles, left turn only signage, provision for the continued use of the footway crossed by the access arrangements, the closure and removal of redundant vehicular verge and footway crossing arrangements and verge and footway reinstatement, and the closure of the gap in the central reservation nearest to the site, and which shall be in place prior to the first delivery of a static caravan or the first occupation of a touring caravan on site.

Reason: To minimise the likelihood of motorists turning right out of the site into the opposing stream of traffic, to prevent u-turning on the dual carriageway, and in the general interest of highway safety.

8. All vehicles preparing to leave the site during the construction period shall have their wheels thoroughly washed should they be displaying signs of mud or debris and a mechanically propelled road sweeper shall be employed should mud or debris be transported onto the public highway immediately following each occurrence until such time as all mud and debris has been removed.

Reason: To minimise the exportation of mud and debris onto the public highway and to ensure that this is appropriately dealt with in the interest of highway safety

9. The pony paddock and any buildings to remain on site shall be used solely for equine and/or domestic purposes ancillary to the static and touring caravan pitches hereby approved and at no point shall be used as residential accommodation or for commercial purposes.

Reason: To ensure the proposed access arrangements are appropriate for the intended use in the interest of highway safety.

10. Any gates shall be hung so not to open outwards if otherwise capable of extending beyond the site boundary towards the carriageway.

Reason: To ensure a car towing a caravan can clear the public highway without obstruction in the interest of the free flow of traffic and in the interest of highway safety.