

PLANNING, DESIGN and ACCESS STATEMENT to be read in conjunction with drawings submitted for:

Moonshine Meadow, Cuckfield Road, Ansty, West Sussex, RH17 5AL

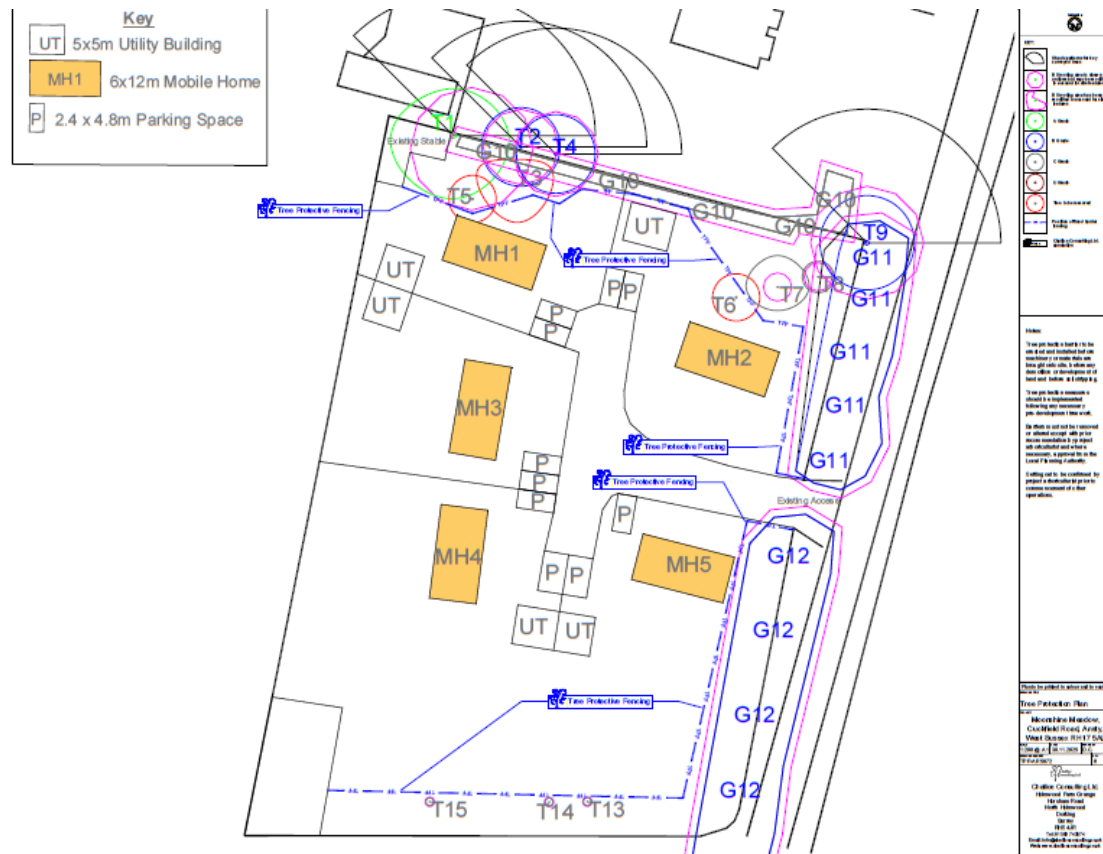
Full application for a proposed 5 pitch settled gypsy accommodation site including vehicular access permitted under DM/20/1277; revised application dealing with residual ecology and arboricultural matters further to appeal ref: APP/D3830/W/25/3362298

Executive summary

Appeal Ref: APP/D3830/W/25/3362298 Decision date: 30 June 2025
Moonshine Meadow, Cuckfield Road, Ansty, West Sussex RH17 5AL with development proposed is 5 pitch settled gypsy accommodation site including vehicular access permitted under DM/20/1277 was dismissed for the following reasons:

- **Insufficient certainty that the proposed layout would not harm trees** – Inspector summarised matter as “The effect of the proposed development on the character and appearance of the area, with particular regard to the health and longevity of trees”

COMMENT – A detailed Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement accompanies the resubmission along with the proposed site plan below satisfactorily confirming no harm to trees.



- **Insufficient certainty that the proposed development would ensure the long-term conservation status of Great Crested Newts**

COMMENT – Accompanying the application is a Certificate from Nature Space Licence confirming the site can be covered under the District Licence.

NatureSpace Great Crested Newt District Licensing Scheme

Certificate

A CERTIFICATE DOES NOT PERMIT LICENSABLE WORKS TO COMMENCE. A FORMAL AUTHORISATION FROM MID
SUSSEX DISTRICT COUNCIL TO WORK UNDER THEIR DISTRICT LICENCE MUST BE OBTAINED PRIOR TO
COMMENCEMENT.

Date of certificate issue: 6th November 2025

Development title: Moonshine Meadow

Developer name: Keith Deighton

Development location (8 figure grid reference): TQ 2871 2150

Development address: Moonshine Meadow, Cuckfield Road, Ansty, West Sussex, RH17 5AL

Planning application reference: DM/24/2175

Development plan reference: "Moonshine Meadow: Impact plan for great crested newt District
Licensing (Version 1)" dated 5th November 2025

This certificate confirms that the above development (as proposed in the assessed development proposals on plan "Moonshine Meadow: Impact plan for great crested newt District Licensing (Version 1)" dated 5th November 2025) has been evaluated by NatureSpace Partnership and (if/when planning approval has been granted) can be covered under the District Licence (WML-OR136, or a 'Further Licence').

With regards to the other matters below it is clear that the Planning Inspector was satisfied that the Planning Balance favoured approval:

- **Whether other material considerations, including the need for and supply of pitches, outweighs any harm identified such as to justify the development.**

*49. As set out above, the GTAA calculates a need for additional pitches in the area and identifies further unquantified need from other sources. **There is a significant shortfall in the supply of deliverable pitches against the five-year requirement.** I have identified no alternative sources of supply beyond those sites with existing planning status.*

50. Within this context, the proposal would provide five pitches which would be deemed deliverable within five years, as per the PPTS' definition⁶. This

would be equivalent to 50% of the total five-year requirement, **and therefore the proposal would make a substantial contribution toward the supply of pitches.**

- **Whether the proposed development would be in a suitable location, having regard to the local development strategy;**

9. The proposed development would be located approximately 1.9km from Ansty, a small village with limited services including a petrol station with convenience store, and approximately 4.7km from the town of Burgess Hill which offers a range of services and facilities including retail, education, health, employment, and public transport links to London and Brighton. *Therefore, a good range of services are accessible within a short vehicle journey.*

68. Whilst Policy H of the PPTS indicates local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan⁸, Policy C of the PPTS⁹ supports sites in rural or semi-rural settings, provided the scale of such sites does not dominate the nearest settled community. **The site is close to existing residential development and is not remote to the extent that it would be deemed to be in open countryside away from settlements, and the scale of development would not dominate the nearest community.**

69. Whilst Cuckfield Road is a rural, C-class road, it offers connectivity to the major road network and the location would support a nomadic way of life. PPTS Policy B requires local planning authorities ensure their policies promote access to appropriate health services and ensure that children can attend school on a regular basis. **The proposal would provide a settled base thereby advancing access to vital services, such as health and education.**

70. Therefore, having regard to the policies of the Framework and PPTS, I afford only moderate weight to the proposal's conflict with MSDP Policies DP33 and DP21.

Balance of Planning statement below is a repeat of what was previously submitted.

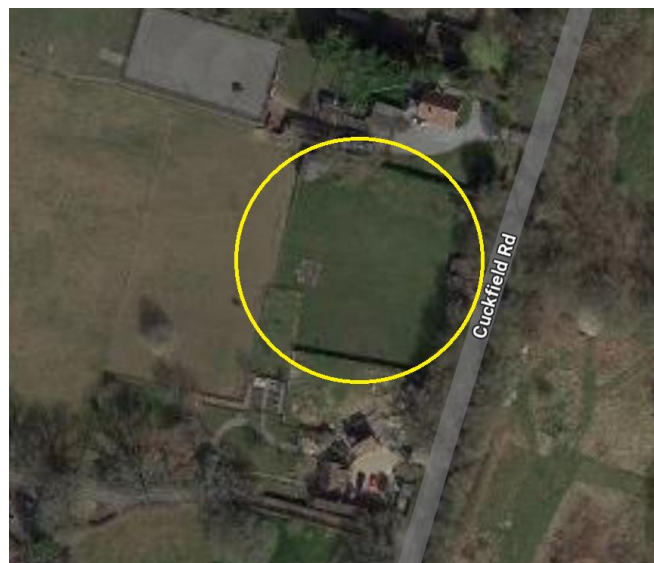
Site and Proposal:

Site is located off Cuckfield Road to the south of Ansty within countryside but no other statutory designations. The site is within a semi-rural area characterised by commercial uses, farms and individually designed dwellings.

Italicised extracts below from officer report DM/20/1277 which approved the centralised vehicular access.

*The site is an open field used as paddock approximately 0.35ha in size lying to the west of Cuckfield Road between Ansty and Hurstpierpoint. Previously accessed via the residential property to the south at Pond Lye a new opening has been created within the hedgerow which borders the land to the east to Cuckfield Road. **The land remains in use as paddock.** A ditch which runs alongside the eastern edge of the land. The site lies in a wider rural area characterised by large residential dwellings set in substantial plots with open fields between. A large number of accesses open onto the Cuckfield Road with the street scene remaining predominately rural with hedges and high trees.*

The site **circled yellow** below where the development (change of use of land) is proposed is not readily visible from public vantage points being screened by the adjoining mature boundary trees and hedging. The existing access will be used and widened if necessary.



Above and below – Existing site



The proposal is for a five-pitch site for settled gypsy accommodation. The site will include commensurate amenity areas within each pitch. Each pitch will have a permeable hardstanding area to provide space for parking (including an area for a touring caravan) and turning.

As highlighted on the proposed site plan the site will be laid out ergonomically in accordance with the extant guidance within the May 2008 CLG 'Designing Gypsy and Traveller Sites - Good Practice Guide'; the proposed development will fit in well with the surrounding sporadic development context.

Each pitch has been set out to accord with site licence conditions. **The proposed development is being advanced to assist in meeting the long outstanding unmet need for Gypsy sites within the District.**

The **traffic light highlighting** and bold type face throughout the Planning Statement emphasises the suitability of the proposal against the material planning considerations as part of the planning balance exercise.

Design and Development Objectives:

Good quality design with siting, layout, scale, form and appearance respecting the local context. The primary consideration has been to ensure the nature and extent of the proposed development are acceptable in planning terms, including any impact of the proposal on general and neighbouring amenity.

Based on the outstanding general need for pitches a personal permission is not requested; the applicant is happy to accept a standard planning condition to the effect that:

'This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

Reason: To enable the Local Planning Authority to control the use of the site.

Executive summary

Planning Policy for Traveller Sites (PPTS) The Planning Policy for Travellers Sites (PPTS) document confirms that local planning authorities should set pitch targets for Gypsies, Travellers and Travelling Showpeople (GTTS), which addresses the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities. **Specifically, local planning authorities should, in producing their Local Plan identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets. This is reiterated at paragraphs 9 and 10 of the PPTS document.**

Paragraph 24 of the PPTS relating to the determination of planning applications for traveller sites and states that local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for site;
- b) the availability (or lack) of alternative accommodation for the applicants;
- c) other personal circumstances of the applicant;
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites;
- e) that they should determine applications for sites from any travellers and not just those with local connections.

Paragraph 26 of the PPTS also notes that 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.

Planning History:

DM/22/3864 **Proposed construction of three chalet bungalow style detached dwellings with detached/ attached oak framed carports with associated parking.** Received: Tue 20 Dec 2022 | Validated: Thu 23 Mar 2023 | **Status: Pending Consideration**

DM/20/1277 **To create a crossover from the public highway to access a privately owned meadow. Construction of French drainage system, and further construction of a wooden crossover over the ditch to allow access/passage of light agricultural vehicles.** **Approved.**

Need for additional sites:

There are no vacancies at any gypsy sites within the Council's administrative area. Further it is widely understood that there is a long waiting list for any pitches both within the Council's administrative area and in the surrounding authorities.

It is a consistent theme in gypsy appeal decisions that...

*'There is a clear existing need for gypsy and traveller sites in District. The need for additional gypsy and traveller accommodation is a matter which **carries significant weight**, and the proposal represents an adequate way of responding to this need'.*

Therefore this application could help to address the existing backlog and future need for additional gypsy and traveller pitches across the district.

Based on the ongoing unmet need for gypsy pitches the presumption in favour of sustainable development would apply. Any residual marginal harm would be substantially outweighed by the planning benefits as part of the Planning Balance.

Historical background - To understand Gypsies and Travellers today, it is very important to understand their history; where they come from, their traditions, customs and beliefs and how they have been viewed and treated over the ages. Travellers are part of a tradition which we all have roots in. Humankind has only settled in permanent settlements for the last 5,000 years in Britain and maybe 8,000 years worldwide. Gypsy and Traveller heritage, is of over 100,000 years of nomadism. Within Britain the roads have thronged with travellers of various sorts over the centuries, even before Romanies arrived about 600 years ago. All types and descriptions of Travellers moved around looking for work; selling, buying, spreading the gospels. There has always probably been friction between nomads and the sedentary population - partly from competition for resources and partly from the inherent fear of the free by the settled population.

Traditionally Travellers integrated with the local rural economy via seasonal agricultural labour and also by supplying other needs of the rural population. With increasing mechanisation the need for seasonal labour slackened during the 1950's and many travellers forsook the rural for the urban and semi-urban environment.

Legislation and Guidance for Gypsies and Travellers

Decision-making for policy concerning Gypsies sits within a complex legislative and national policy framework, the following key pieces of legislation and guidance are relevant when developing policies relating to Gypsies, Travellers and Travelling Showpeople:

- » The Housing and Planning Act, 2016
- » Planning Policy for Traveller Sites (PPTS), 2015
- » National Planning Policy Framework (NPPF), 2023
- » Planning Practice Guidance (PPG), 2014

PLANNING ASSESSMENT

It is considered that the main issues in the determination of the application are the need for the proposed mobile homes, the effect of the proposal upon the character of the landscape and street scene, sustainability and the amenities of neighbouring properties.

Principle

The main aim of the National Planning Policy Framework (NPPF) is to achieve sustainable development. The document sets out three dimensions to sustainable development: economic, social and environmental. It seeks to create a high-quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being and contributes to protecting and enhancing our natural, built and historic environment. The document makes a presumption in favour of sustainable development which should be seen as a golden thread running through both plan making and decision taking.

In 2015, the government published its 'Planning Policy for Traveller Sites' (PPTS) to be read alongside the NPPF. Policy H of the guidance relates to the determination of planning applications for traveller sites. At paragraph 21, it states that applications should be assessed and determined in accordance with the presumption in favour of sustainable development.

In determining planning applications for gypsy and traveller sites paragraph 22 of the Planning Policy Guidance requires the Local Planning Authorities to consider the existing level of local provision and need.

Landscape Character

PPTS Policy 23 sets out the criteria for the consideration of both allocated and unallocated land for Gypsy and Traveller sites.

PPTS Policy 23 requires that with regards to applications for Gypsy and Traveller sites the following considerations are taken into account;

“a There must be no significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where conventional housing would not be suitable;

b. The site is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users;

c. The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal. The site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play areas;

d. The site is located in or near to existing settlements, or is part of an allocated strategic location, within reasonable distance of a range of

local services and community facilities, in particular schools and essential health services;

e. The development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.”

Design content:

The orientation and position of the proposed development has been chosen to provide the accommodation required for each family and to minimise its impact on the surrounding area.

The mobile homes will be sited over a permeable base bricked up under the perimeter to assist in insulating the mobile home. Each mobile home will retain its axles and wheels but these will be concealed by the brick surround. The low pitched roof will be of dark colouring.

The hardstanding and access shall be constructed in a permeable 20mm pea shingle road planings material over a hardcore base.

Amount:

The proposed footprint of the mobile homes are anticipated to be units measuring c.12 x 6m. In any event they will remain within the dimensions for a caravan under the Caravan Act 1960 (as amended); *i.e. Length – 20 metres (65.616 feet), Width – 6.8 metres (22.309 feet), Internal Height – 3.05 metres (10.006 feet)*

Layout:

As shown on the block plan - the location of the mobile homes has been chosen to make the most efficient use of the land available along with meeting the necessary 6m separation distance and the need to leave 2m to boundaries.

Scale and context:

The height of the mobile homes will be less than the height of buildings on adjoining sites. The mobile homes and proposed development will be set away from the highway boundary.

The size and scale of the proposed development will respond well to the existing sporadic pattern of development in the area and therefore will not have a detrimental effect on the area or adjacent properties. It is not considered that the development will have a detrimental effect on the adjacent area or harm any long distance views.

Any anticipated associated use / enjoyment of land surrounding the proposed development and curtilage would similarly not materially harm the character and amenities of the area. The neighbouring properties will not be affected by the proposed development. The proposed development will not cause overshadowing or overlooking. No external lighting shall be installed on the site unless it is sensor-controlled security lighting. Reason: In the interests of visual amenity.

Sustainability of the site:

The thread of achieving sustainable development runs through the Framework. As indicated in the Framework, sustainable development has economic, social and environmental roles and this is taken through into the PPTS.

To meet all the wider roles of sustainability identified in the Framework, the PPTS advises that policies should ensure that peaceful and integrated co-existence with the local community is promoted. Policies should ensure access to appropriate health facilities and provide for children to have the opportunity to attend school regularly. A settled base would reduce the need for long-distance travelling and possible associated environmental damage through unauthorised camps. Plan-making should reflect the extent to which traditional lifestyles, whereby some gypsies live and work in the same location, can contribute to sustainability by omitting many travel to work journeys. The paragraph goes on to indicate that sites should not be in areas at high risk of flooding, including functional floodplains given the particular vulnerability of caravans.

The site would be sustainable for the proposed use and would be sustainable in terms of the full implications of the Framework paragraphs 18-219. **In the wider interpretation taken through from the Framework into the Plan-making section of the PPTS, the site would also meet all of the sustainability objectives.**

In terms of the narrower considerations of sustainability covering access to transport links and facilities, the site is in a sustainable location being well related to bus stops; railway stations, convenience stores, schools and medical facilities further away. The distances to facilities are not excessive.

The following extracts from the Appeal Ref: APP/Z3825/W/20/3265226 (included in full as a background document) Decision date: 30 May 2022 are a relevant material consideration and can be analogously applied to the proposed development.

Hillybarn Farmhouse, The Mount, Ifield, Crawley RH11 0LF - Full application for a proposed **two pitch** settled Gypsy accommodation site.

Character and appearance

21. The site forms the corner of a larger field with trees and bushes on the roadside and southern boundaries. It lies in the Upper Mole Farmlands landscape character area as defined in the Horsham District Landscape Character Assessment 2003. **The identified key characteristics for this area include pasture land with small to medium and irregular fields, divided by thick hedgerow and occasional blocks of woodland.** The settlement pattern is dispersed and located along lanes.

22. The provision of mobile homes, the utility buildings, hardstanding as well as associated parking and paraphernalia would plainly give the appeal site a more developed and domestic character and would reduce its openness. **However, in terms of land coverage, the 2 pitches would be modest and of a comparable size to the Hillybarn Farm complex and other nearby properties. As such, the scale of the site would be in keeping with other developments in the locality.**

23. Also, nearby houses tend to have smaller outbuildings and so as a group with different elements the development would not be uncharacteristic. The mobile homes would be different in style and appearance to the local houses but it is not unusual to see caravans in the countryside. Indeed, on my visit I saw from the site a nearby caravan at Hillybarn Farmhouse. The proposed utility buildings would be small and of simple form and so they would reflect the appearance of the field shelter on the site as well as other local outbuildings.

24. Access drives, parking and associated paraphernalia are seen at other local residential properties and so such features on the site would not be entirely at odds with the area's character. In the dark, existing properties already provide sources of artificial light and so lighting as part of the development would not be particularly uncharacteristic.

26. Where seen from the road, the caravans, utility buildings, parking and paraphernalia would partly obstruct vistas of the wider countryside and so would undermine the pastoral nature of the area. However, the development would be set back and so it would not be prominent. Its positioning would allow scope for additional planting to the front of the site, which could be reasonably secured by condition. This would help reinforce the vegetated nature of the lane and so positively enhance the local environment in line with the identified key characteristics of the area. I would not allow the appeal simply on the basis that the development could be concealed but additional planting would reduce its visual impact from the road.

Suitability of location

14. The site is in the countryside and away from the boundary for Rusper, the closest defined village within the Horsham district boundary. Policy 2 of the HDPF looks to focus development in and around settlements while HDPF policy 26 only permits development in the countryside that is essential and meets one of four criteria. None of these are relevant and so the appeal development would not accord with HDPF policy 26.

15. At the same time, HDPF policy 23 sets out criteria to be considered in the specific assessment of Gypsy and Traveller accommodation proposals. This policy is permissive of sites near to, and not just within, settlements. This is consistent with the PPTS which does not preclude sites in the countryside.

16. Crawley lies outside the Horsham district boundary but its edge is 2.2km along roads to the south and 3.2km to the east.

As such, it is the nearest settlement to the site. **These fairly short distances** would allow a quick and easy drive from the development to a sizeable town where there are health, education and employment services.

17. HDPF policy 23 does not provide a definition for the term “near to existing settlements”. However, there is no explicit requirement that Gypsy and Traveller accommodation should be within reasonable walking distance of a town or village, despite the policy requirement for a convenient pedestrian access. Also, the policy and the PPTS do not preclude Gypsy and Traveller sites where occupiers would be highly reliant upon the car for access to services. In light of the short driving distances to Crawley, it is reasonable to find that the development would be near to an existing settlement and so it would comply with HDPF policy 23 in this respect.

18. Residents of the site are unlikely to walk to facilities given the separation distances. Also, only a limited bus service travels along Ifield Wood to Horsham and so it is unlikely to provide a realistic travel option for most trips. The development would be within a reasonable cycling distance of Crawley although this would be an unattractive choice of transport for many journeys, particularly during inclement weather.

As such, it is likely that occupants of the development would be highly reliant on the private car.

19. Nevertheless, paragraph 105 of the Framework recognises the opportunity to use sustainable modes of transport varies between urban and rural areas. It is to be expected that occupants of Gypsy and Traveller sites would have less opportunity to travel by foot, cycle or public transport as they are allowed outside settlements under HDPF policy 23 and the PPTS. In light

of the policy context, the short car journeys to Crawley adds in favour of the development.

20. Having regard to all factors together, I conclude the site would be a suitable location for the development. **It would not accord with HDPF policies 2 and 26 but it would be near to Crawley and so permissible under HDPF policy 23. Most trips to and from the development would be made by private vehicle but journeys to essential facilities would be short. In light of the provisions of the Framework and PPTS, the accessibility of services from the development would be acceptable.**

Impact on Neighbouring Properties

With regard to the impact of the proposed development on neighbouring occupiers, in each instance it is considered that due to this distance and the existing boundary planting together with the additional planting proposed by the applicant that the proposed mobile homes would not result in harm to the amenities of neighbouring occupiers. The applicant is also willing to supplement the existing landscaping to further screen the development, and a condition to this effect is agreeable.

Policy considerations:

It is considered that the application will need to be assessed against the following policies. The proposed development suitably meets the requirements of each of the policies. The **traffic light highlighting** and bold type face throughout the Planning Statement emphasises the suitability of the proposal against the material planning considerations as part of the planning balance exercise.

In terms of the need for an overall planning balance, particularly given the multitude of applicable considerations in this instance, it is respectfully and forcefully made out that the proposed development suitably meets and creates positive outcomes against the requirements of each of the policies.

Mid Sussex Development Plan policies (adopted March 2018)

It is considered that the application will need to be assessed against the following local policies. Similarly, the proposed development suitably meets the requirements of each of the policies.

The District Plan is the main planning document used by the Council when considering planning applications. It includes the strategy, proposed level of development and a number of planning policies.

Policy DP33 of the Plan regards Gypsy and Traveller developments, and states that, New Gypsy, Traveller and Travelling Showpeople sites, and extensions to existing sites, including transit sites, will be permitted provided:

- The site or extension satisfies a clearly defined need, as evidenced by the Mid Sussex Gypsy and Traveller Accommodation Assessment or the best available evidence;
- The site is reasonably accessible to schools, shops, health and other local services and community facilities;
- The development is appropriately located and designed to/ or capable of being designed to ensure good quality living accommodation for residents and that the local environment (noise and air quality) of the site would not have a detrimental impact on the health and well-being of the Travellers;
- The sites are compatible with neighbouring land uses, and minimise impact on adjacent uses and built form and landscape character;
- In rural and semi-rural areas sites should not dominate the nearest settled community;
- Any site within the 7km zone of influence around Ashdown Forest will require an appropriate assessment under the Habitats Regulations to be undertaken and appropriate mitigation provided as required (Policy DP17: Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC) refers); - **Not applicable**
- In the case of proposals within the High Weald AONB, Policy DP16: High Weald Area of Outstanding Natural Beauty will apply. **Not applicable**

The determination of planning applications for new sites or extensions to sites providing accommodation for settled Gypsy and Traveller and Travelling Showpeople use will be considered under the relevant District Plan policies. It is considered this is the most relevant policy to be considered.

DP12 Protection and enhancement of Countryside
 DP26 Character and design
 DP37 Trees, Woodland and Hedgerows
 DP41 Flood risk and Drainage

Unmet Need and 5-Year supply

The most recent GTAA for Mid Sussex District Council was published in April 2022, and set out that within the District area which lies outside of the South Downs National Park, **there were 5 Gypsy or Traveller households identified in Mid Sussex (excluding SDNP) that met the planning definition; 4 undetermined households that may meet the planning definition; and 22 households that did not meet the planning definition. The report identified that there is a need for 2 pitches for households that met the planning definition. A need for at least 2 pitches for undetermined households, and up to 12 pitches for non-nomadic households.**

It is noted that the latest GTAA pre-dates the **Lisa Smith v SSLUHC [2022] EWCA Civ 1391** judgement (copy included as a background document). **The judgement has changed the definition of gypsies to include those that have ceased to travel.**

In short this typically adds 66% to unmet need figures.

National Guidance

Planning policy for traveller sites (PPTS) - August 2015

The proposed development, against the backdrop of a longstanding unmet need for additional sites, can only be seen to create positive favourable outcomes against the planning criteria within the Department for Communities and Local Government document , **"Planning policy for traveller sites" August 2015** – See extracts below – **Traffic light highlighting** and bold added with reference to the suitability of the proposed development.

3. The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

4. To help achieve this, Government's aims in respect of traveller sites are:
a. that local planning authorities should make their own assessment of need for the purposes of planning

- b. to ensure that local planning authorities, **working collaboratively**, develop fair and effective strategies to meet need through the identification of land for sites
- c. to encourage local planning authorities to plan for sites **over a reasonable timescale**
- d. that plan-making and decision-taking should protect Green Belt from inappropriate development
- e. **to promote more private traveller site provision** while recognising that there will always be those travellers who cannot provide their own sites
- f. that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective
- g. **for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies**
- h. **to increase the number of traveller sites in appropriate locations with planning permission**, to address under provision and maintain an appropriate level of supply
- i. to reduce tensions between settled and traveller communities in plan-making and planning decisions
- j. to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- k. for local planning authorities to have due regard to the protection of local amenity and local environment

Using evidence

Policy A: Using evidence to plan positively and manage development

7. In assembling the evidence base necessary to support their planning approach, local planning authorities should:
- a) pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves, their representative bodies and local support groups)
 - b) co-operate with travellers, their representative bodies and local support groups; other local authorities and relevant interest groups to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs of their areas over the lifespan of their development plan, **working collaboratively with neighbouring local planning authorities**
 - c) use **a robust evidence base** to establish accommodation needs to inform the preparation of local plans and make planning decisions.

Plan-making

Policy B: Planning for traveller sites

8. Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. To this end, they should be consistent with the policies in the National Planning Policy Framework,

including the presumption in favour of sustainable development and the application of specific policies in the Framework, and this planning policy for traveller sites.

9. Local planning authorities should set pitch targets for gypsies and travellers as defined in Annex 1 and plot targets for travelling showpeople as defined in Annex 1 which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities.

10. Local planning authorities should, in producing their Local Plan:

- a) identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets
- b) identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15
- c) consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, **particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries)**
- d) relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population's size and density
- e) protect local amenity and environment.

*NB - To be considered **deliverable**, sites should be available now, offer a suitable location for development, and be achievable with a realistic prospect that development will be delivered on the site within five years. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within 5 years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.*

To be considered **developable**, sites should be in a suitable location for traveller site development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged

11. Criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward. Criteria based policies should be fair and should facilitate the traditional and nomadic life of travellers while respecting the interests of the settled community.

12. In exceptional cases, where a local planning authority is burdened by a large-scale unauthorised site that has significantly increased their need, and their area is subject to strict and special planning constraints, then there is no assumption that the local planning authority is required to plan to meet their traveller site needs in full.

13. Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies:

- a) promote peaceful and integrated co-existence between the site and the local community
- b) promote, in collaboration with commissioners of health services, access to appropriate health services
- c) ensure that children can attend school on a regular basis
- d) provide a settled base that reduces both the need for long-distance travelling and possible environmental damage caused by unauthorised encampment
- e) provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development
- f) avoid placing undue pressure on local infrastructure and services
- g) do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans
- h) reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability.

Policy C: Sites in rural areas and the countryside

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

Policy D: Rural exception sites

15. If there is a lack of affordable land to meet local traveller needs, local planning authorities in rural areas, where viable and practical, should consider allocating and releasing sites solely for affordable traveller sites. This may include using a rural exception site policy for traveller sites that should also be used to manage applications. A rural exception site policy enables small sites to be used, specifically for affordable traveller sites, in small rural communities, that would not normally be used for traveller sites. Rural exception sites should only be used for affordable traveller sites in perpetuity. A rural exception site policy should seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection, whilst also ensuring that rural areas continue to develop as sustainable, mixed, inclusive communities

Policy F: Mixed planning use traveller sites

18. Local planning authorities should consider, wherever possible, including traveller sites suitable for mixed residential and business uses, having regard to the safety and amenity of the occupants and neighbouring residents. Local planning authorities should consider the scope for identifying separate sites for residential and for business purposes in close proximity to one another if mixed sites are not practical.

Decision-taking

Policy H: Determining planning applications for traveller sites

22. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

23. Applications should be assessed and determined in accordance with the **presumption in favour of sustainable development** and the application of specific policies in the National Planning Policy Framework and this planning policy for traveller sites.

24. Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) **the existing level of local provision and need for sites**
- b) **the availability (or lack) of alternative accommodation for the applicants**
- c) **other personal circumstances of the applicant**
- d) **that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites**
- e) that they should determine applications for sites from any travellers and not just those with local connections **However, as paragraph 16 makes clear, subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.**

25. Local planning authorities should very 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.

26. 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

27. If a local planning authority cannot demonstrate an up-to-date 5 year

supply of deliverable sites, this should be a **significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission**⁹. *The exception is where the proposal is on land designated as Green Belt; sites protected under the Birds and Habitats Directives and / or sites designated as Sites of Special Scientific Interest; Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park (or the Broads).*

28. Local planning authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including:

- a) limiting which parts of a site may be used for any business operations, in order to minimise the visual impact and limit the effect of noise
- b) specifying the number of days the site can be occupied by more than the allowed number of caravans (which permits visitors and allows attendance at family or community events)
- c) limiting the maximum number of days for which caravans might be permitted to stay on a transit site.

National Planning Policy Framework 2023

Achieving sustainable development

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs⁴. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection⁵.

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) 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;
- b) 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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health,

social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

The presumption in favour of sustainable development

11. Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission 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 proposed; 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.

Decision-making

38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure

developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Delivering a sufficient supply of homes

60. To support the Government's objective of **significantly boosting the supply of homes**, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Promoting sustainable transport

109. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. **However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.**

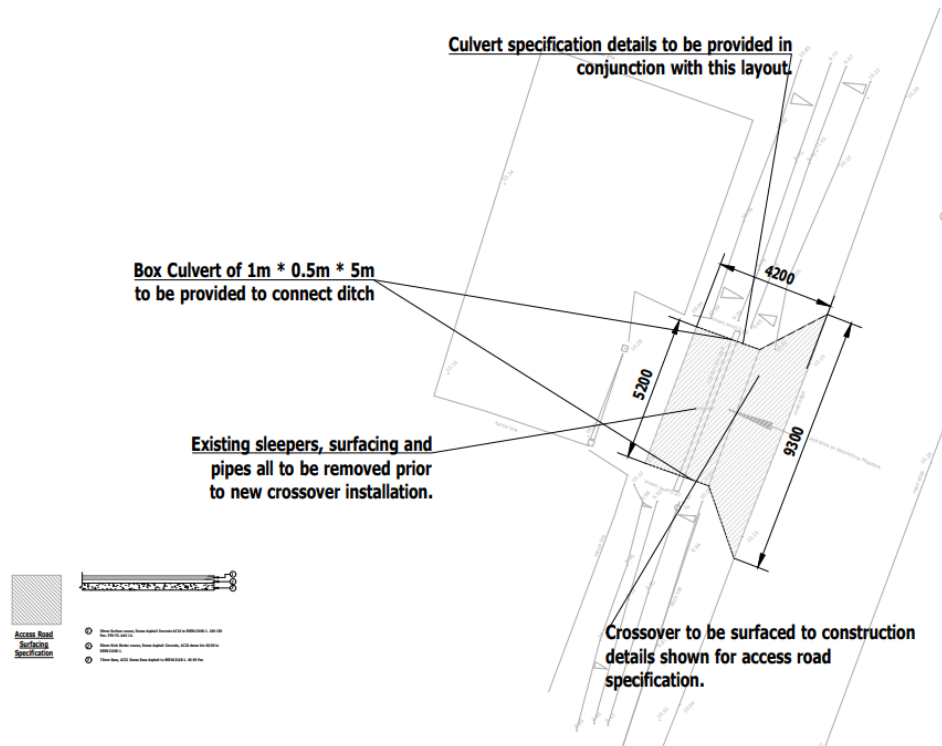
115. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Making effective use of land

123. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Access and parking:

Access to the site will be in accordance with the plans below approved under DM/20/1277.



Visibility from the site meets the required standards and is sufficient to serve the vehicle movements related to the proposed development.

Sufficient parking and servicing area is proposed within the site.

Landscaping:

The site has very good landscaping to its boundaries. The granting of consent would facilitate consideration as to the improvement of landscaping and addition of native planting which will enhance biodiversity and ecology.

If required additional proposed native hedging and understorey planting around the site boundaries could comprise a double staggered row mix of:

Hawthorn - *Crataegus monogyna* (25%) / Field maple - *Acer campestre* (25%)
 / Blackthorn - *Prunus spinosa* (25%) / Common hazel - *Corylus avellana* (25%)

Planting density will be 5 per linear metre (understorey planting 1/sq.m). Hedging will be planted as bare root plants at 60-80cm planting height sp as to achieve the effect in the images below.



Existing boundary trees and hedging will be maintained. No trenching is required within 5m of any trees. Ground levels will not be required to be raised within 5m of any trees.

Infrastructure:

Adequate services and infrastructure already exist / are capable of being provided and public resources will not be required to improve services.

Foul Sewage – A detailed drainage layout will be designed in due course, for the proposed utility blocks and mobile homes. All drainage will be new and sized and laid in full accordance with the building regulations.

A Matrix sewage treatment tank or similar is proposed with capacity proportionate to the number of occupants. The tanks are modern, sealed systems and will be emptied by way of a regular service contract.

The images below are of the suggested sewage treatment tank. The installation of the sewage treatment tanks would be the responsibility of the pitch holder and will be of suitable capacity.



The “**Matrix**” treatment plant is of unitank design and incorporates Primary Settlement (PST) Biological Treatment (Biozone), and Final Settlement (FST)

within the same structure, allowing delivery to site as a complete unit to provide for a simple and straightforward installation. The Treatment plant has been designed to optimize the aesthetic qualities of the final installation by ensuring that there is minimum visual impact. The **"Matrix"** process is designed in accordance with the requirements of BS 6297.

The primary settlement tank is a two stage tank designed to maximize the removal of gross and suspended solids prior to transfer of the settled effluent to the biozone for treatment. The primary settlement tank also incorporates for a sludge storage volume (based on full load) depending on the desludge periods as identified for individual applications.

The biological treatment phase utilizes BAF technology (biological aerated filter) which incorporates two proven principles of biological process in the form of a fixed film reactor for process stability and a suspended floc dispersed growth system for high transfer rates and operational control, to ensure a stable treatment process which is largely unaffected by shock loads. The process incorporates a submerged, high rate, plastic media on which a fixed film of biomass is grown. This film takes nutrition from the incoming settled effluent and is provided with oxygen by means of a small blower unit which aerates the media through HDPE membrane diffusers to provide fine bubble aeration. The action of the fine bubble aeration is carefully controlled to provide optimum oxygen transfer rates and to provide a scouring action to slough off excess biomass to keep the thickness of the fixed biological film at optimum levels, thereby preventing the production of anaerobic bacteria and ensuring maximum process efficiency. The fact that the media remains submerged allows for an element of suspended floc dispersed growth which basically means that there will be biomass which is "unfixed" to the media but achieves treatment through suspended aeration.

The biozone incorporates a two stage process as standard that allows for constant mixing of incoming settled effluent to provide optimum treatment stability and to avoid any "short-circuiting." The use of a two stage biozone ensures a high degree of process efficiency to not only reduce B.O.D. levels to that required, but will also achieve reductions in ammoniacal nitrogen in excess of standard requirements. The final settlement tank is designed in accordance with the requirements of BS 6297 to ensure relevant surface areas and rise rates are achieved to provide maximum settlement of any suspended solids prior to discharge.

The "Matrix" system also incorporates continuous and automatically timed humus sludge return systems to return humus sludge from both the final settlement tank and each biozone, back to the primary settlement tank. Additionally this system also provides for continuous recycling of treated effluent back to the P.S.T. to not only provide dilution of incoming settled effluent but to also ensure continuous flow during periods of low or no flow, thereby keeping the biomass in prime condition. To maximize efficiency and to minimize maintenance requirements and potential problems, there are NO mechanical or moving parts contained within the treatment plant.

Surface water disposal details.

The site preparation and finished development would not present any increased risk from flooding or water pollution. Water butts would be proposed to down pipes to facilitate rain water recycling for landscaping.

The development in question does not involve the construction of soakaways. Rather, surface water drainage utilises the existing properties of rainfall infiltration through the moderate permeability ground. The proposed development would not significantly change the existing infiltration mechanism. The proposal will not increase flood risk in the 1% climate change event, either through uncontrolled increase in surface run-off or by increasing the risk of groundwater flooding.

The existing drainage ditches in the vicinity of the site and there is limited overland surface flow of surface water from the site with the great majority of surface water soaking into the ground. There are no nearby water features that would be contaminated by runoff.

Surface water from proposed development can be reduced by the use of water butts attached to the drainage down pipes. Should it be found to be necessary a sustainable drainage system, designed by experts, will be incorporated.

Water and electricity utilities (gas is via Calor gas bottles) are available to the site and connection is practicable. All services are believed to be capable of sustaining the load of the proposed development.

All services will be connected in accordance with the relevant undertaker's requirements and existing equipment limitations. All will be sited to as to facilitate maintenance and inspection.

Summary and Conclusion:

In terms of the need for an overall planning balance, **particularly given the multitude of applicable considerations in this instance**, it is respectfully and forcefully made out that the proposed development suitably meets and creates positive outcomes against the requirements of each of the policies.

The proposed development has been carefully considered to relate sympathetically to its natural and built surroundings.

The proposed development will be set well away from the highway boundary. The associated uses of land surrounding the proposed development would not materially harm the character and amenities of the area and will not conflict with the openness of the site, the countryside and the purposes of including land within it. The proposed use and the form, bulk and general design of the proposed development are in keeping with their surroundings.

The application suitably considers Local and National planning policies and guidance. There is a need to look at the applicable planning policies sensibly with respect to the site. The Council has no sites to meet the unmet demand that are deliverable now; **the proposed site is deliverable now.**

The proposal involves a small-scale site, it is considered that the site is capable of peaceful and integrated co-existence with the local community. The proposals comply with the wider considerations of sustainability, and represent sustainable forms of gypsy site development. As such it is considered that the application is in compliance with the relevant policies in the Development Plan and is consistent with the NPPF and CLG guidance on Traveller sites.

The site provides for a local need and on the basis of our assessment the proposed permanent Gypsy and Traveller site:

- would not detract significantly from the appearance and openness of the countryside; would not cause unacceptable levels of noise, effluent discharge or damage to designated sites;
- promotes peaceful and integrated co-existence between the site and the local community;
- promotes access to appropriate health services for the family;
- ensures that children can attend school on a regular basis;
- provides a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment
- provides for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development
- avoids placing undue pressure on local infrastructure and services
- is not located at a site at risk of flooding
- avoids prominent locations and blends into the landscape;

- would not generate volumes of traffic that would prejudice highway safety or cause significant harm to the environmental character of country roads.
- is well-related in terms of its location, size and colour to existing buildings
- would not adversely affect the amenities of any nearby residential properties.

Both the general need for gypsy sites for whom there is currently no suitable available alternative accommodation, carry significant weight. Personal circumstances of intended occupiers would no doubt provide further weight in support of the proposals. Taken together, the general and personal need for accommodation provide the compelling circumstances required to justify development. Any marginal harm arising from the proposals is clearly outweighed by other material considerations. A personal condition restricting occupancy is unnecessary.

Given the limited progress made to date by the Council in facilitating the provision of other gypsy sites and the lack of information available, it is not considered that there is a realistic expectation that sites would be available in the immediate future. For the reasons given above, and having regard to all matters raised it is concluded that the application should be permitted.

Thank you in advance of your balanced consideration of the proposed application.

In advance of any decision on the application, please maintain a dialogue with myself and the applicants if you have any questions, concerns or matters that require further elaboration.