

APPLICATION NO	PA/2023/1026
APPLICANT	Mr John Ward
DEVELOPMENT	Planning permission for the change of use of land for the stationing of caravans and the erection of a dayroom for residential purposes, laying of hardstanding and other associated works
LOCATION	Plots 3 and 4, Leys Lane, Winterton, DN15 9QT
PARISH	WINTERTON
WARD	Burton upon Stather and Winterton
CASE OFFICER	Scott Jackson
SUMMARY RECOMMENDATION	Refuse
REASONS FOR REFERENCE TO COMMITTEE	Significant public interest Member 'call in' (Cllrs Elaine Marper, Ralph Ogg and Helen Rowson – significant public interest)

POLICIES

National Planning Policy Framework:

Paragraph 4 states, 'The Framework should be read in conjunction with the Government's planning policy for traveller sites, and its planning policy for waste. When preparing plans or making decisions on applications for these types of development, regard should also be had to the policies in this Framework, where relevant.'

Paragraph 7 states, '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 needs.'

Paragraph 8 states, '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 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 wellbeing; and

- (c) 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.'

Paragraph 9 states, '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.' It also explains that the three overarching objectives are not criteria against which every decision can or should be judged.

Paragraph 10 states that at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 11 sets out the presumption in favour of sustainable development and confirms that, 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-date, granting planning 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 the Framework as a whole.

Paragraph 38 states, 'Local planning authorities should approach decisions on proposed development in a positive and creative way...Decision-makers at every level should seek to approve applications for sustainable development where possible.'

Paragraph 47 makes clear that 'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.'

Paragraph 62 states, 'Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).'

Paragraph 80 states, 'Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- (a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- (b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- (c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- (d) the development would involve the subdivision of an existing residential building; or
- (e) the design is of exceptional quality, in that it:
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.'

Paragraph 130 states, 'Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Planning policy for traveller sites (August 2015) (PPTS)

North Lincolnshire Local Plan:

DS1 General requirements

RD2 Development in the open countryside

T2 Access to development

T19 Car parking provision and standards

LC7 Landscape protection

LC12 Protection of trees, woodland and hedgerows

North Lincolnshire Core Strategy:

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS10 Gypsies, Travellers and Travelling Showpeople sites

Housing and Employment Land Allocations Development Plan Document (DPD)

New North Lincolnshire Local Plan Submission: The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS11 Development limits

T1 Promoting sustainable transport

T3 New development and transport

T4 Parking

DM1 General requirements

RD1 Supporting sustainable development in the countryside

H6 North Lincolnshire's travelling communities

CONSULTATIONS

LLFA Drainage: No objection, but recommend conditions.

PARISH/TOWN COUNCILS

Winteringham Parish Council: Objects on the following grounds:

- it sets a precedent for further plots on the same site to come forward
- the site is currently natural/partially cultivated and has biodiversity
- the site hosts hedgerows, trees and species
- barn owls and hen harriers have been spotted in the area
- no consideration for household waste collection or recycling provision
- the site on Normanby Road was purpose-built and left in a poor state
- poor road condition along Leys Lane.

Appleby Parish Council: Objects on the following grounds:

- This proposed development would put additional pressure on already overstretched infrastructure, health, education, leisure and business services in Winterton and the surrounding area.
- The nearby public highways and single-track Leys Lane are not suitable for the increased traffic volumes. Leys Lane itself is a poorly maintained single-track road.
- The agricultural land, for which the change of use is being proposed, is not suitable for residential dwellings.
- The site is rich in biodiversity and concerns have been raised that the development would adversely affect the natural environment and variety of wildlife that live on or close to the site.
- Other concerns that have been raised include whether or not the drainage systems in the immediate vicinity would cope with the extra surface water and foul waste produced, and lack of information about how domestic waste would be stored, disposed of or recycled.
- A number of residents expressed concern about the site developing from 2 caravans to multiple caravans and how this will adversely affect Winterton and its neighbouring towns and parishes.

Winterton Town Council: Objects on the following grounds:

- Leys Lane is a single-track road which is unsuitable for extra traffic
- the two roads which Leys Lane intersects are busy, fast flowing roads making them unsuitable for vehicles to access and exit
- the land is agricultural and unsuitable for dwellings
- impact on the environment, animals and birds

- it is questioned whether existing services can cope with additional demand
- little information in relation to the disposal of foul and surface water drainage disposal.

PUBLICITY

A site notice has been displayed; Over 150 letters of objection have been received raising similar issues to the parish and town councils, together with the following:

- local infrastructure cannot cope
- it will exacerbate existing drainage issues
- poorly maintained road
- do not want a travelling community in the area
- potential increase in crime rates
- this is a rural area
- impact/devaluation of house prices
- the site was meant to be for allotments
- no footpaths or lighting for children and adults
- no council tax will be paid
- the application doesn't consider the needs/welfare of children
- impact on character and appearance of the countryside
- increased traffic along North Street
- need for the development has not been demonstrated
- proposed facilities/accommodation seems to be excessive and unnecessary
- outside the settlement boundary
- evidence shows that Traveller sites do not fit with harmonised living
- close to agricultural properties and farm machinery uses the local roads
- increase in crime/disorder/littering
- the site should remain in arable use
- it ruins the sense of community
- it would not contribute towards the local community

- Winterton is overburdened with housing development
- no need for a day room
- impact on local residents
- impact on public safety
- not a suitable site
- the site is at risk of flooding.

Two responses have been received in support of the application, making the following comments:

- it fulfils the obligation of North Lincolnshire Council to provide sites for Traveller communities
- misinformed public comments
- disappointed in the response from Winteringham Parish Council
- one-sided comments
- not a good example of democracy
- need provision for legal places to stop
- it is a small area of unproductive land
- no negative impact on the natural environment
- we should be supporting tolerance, diversity and inclusivity.

ASSESSMENT

Planning history

- 7/1990/0096: Retain the siting of two caravans: one for residential use and one for storage already in use in connection with an agricultural smallholding – approved 05/04/1990
- PA/2018/170: Planning permission to erect a barn with small annex – approved 09/05/2018
- PA/2003/1190: Outline planning permission for residential development – refused 13/10/2003
- PA/2016/1290: Planning permission to retain a timber cabin, two sheds and a container – approved 14/12/2016

PA/2013/1389: Planning permission to retain an existing temporary building and erect a storage building associated with the growing of Christmas trees – approved 14/02/2014

PA/2016/1295: Planning application to retain two sheds and a greenhouse for agricultural use and associated micro wind turbine – approved 14/12/2016

PA/2016/1346: Planning permission to retain a building and clad with pine, including an extension – approved 29/09/2016.

The application site consists of an area of overgrown vegetation which was previously in agricultural production and is bordered by a line of mature trees and a hedge along its western boundary and the northern boundary with Leys Lane. The site is relatively flat, rectangular in shape and extends to 1,765 square metres in area. It is outside the defined settlement boundary for Winterton, in the open countryside and in flood zone 1. The site has wooden posts demarcating it from the site to the north; these have an open wire fence at a height of approximately 1 metre between them.

Planning permission is sought to change the use of the land for the stationing of a mobile home, a touring caravan pitch and the erection of a utility/day room.

The main issues in the determination of this application are the principle of development (including impact on the character and appearance of the rural landscape and impact on residential amenity) and impact upon highway safety.

Principle

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP), the North Lincolnshire Core Strategy (NLCS) and the Housing and Employment Land Allocations Development Plan Document (HELADPD). Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF); the suite of documents comprising National Planning Practice Guidance (NPPG) and Planning Policy for Traveller Sites (PPTS).

PPTS Annex 1: Glossary provides the following definitions:

1. For the purposes of this planning policy 'Gypsies and Travellers' means: Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of Travelling Showpeople or circus people travelling together as such.
2. In determining whether persons are 'Gypsies and Travellers' for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:
 - (a) whether they previously led a nomadic habit of life
 - (b) the reasons for ceasing their nomadic habit of life

- (c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

The application, and its additional supporting statements (consisting of a planning statement and a supporting statement), show the application is made on the basis that this is a site for a Gypsy family which would inherently comply with the above definition. In the event the site is not occupied by persons meeting the definition it would become an enforcement matter. It is worth noting no representations have been received which would seem to challenge the status of the proposed site occupants.

The North Lincolnshire Local Plan is silent on the matter of applications involving the provision of accommodation for Gypsies and Travellers, the relevant policy not having been 'saved'.

Core Strategy policy CS10 identifies a demand for approximately 46 residential Gypsy and Traveller pitches between 2007 and 2016 and a further 10 transit pitches jointly across North and North East Lincolnshire within the same period. The policy goes on to list criteria that were to be used to designate such sites in the General Policies DPD, namely:

- safe and convenient vehicular and pedestrian access to the site, including public transport
- be large enough to provide adequate on-site facilities for parking, storage, play and residential amenity
- should be well located on the highway network
- be in or near to existing settlements with access to local services, including shops, schools and healthcare
- not have an adverse impact on environmental assets such as landscape, historic environment, biodiversity, open space and green infrastructure, and avoid areas shown as at risk of flooding in the Strategic Flood Risk Assessment (SFRA)
- should not be detrimental to amenities of adjacent occupiers
- must be suitable for such accommodation with a realistic likelihood that the site can come forward within the plan period.

It goes on to state that these criteria are also to be used to assess planning applications in advance of the adoption of the Housing and Employment Land Allocations DPD (HELADPD), and that previously developed land, derelict land and land on the edge of urban areas will be considered before any rural sites as with all other types of accommodation.

The General Policies DPD has not been produced and the HELADPD does not provide a Gypsy and Traveller accommodation policy as was anticipated in policy CS10. There is no monitoring evidence or five-year supply evidence regarding whether the 46 pitches were delivered within the plan period or to date. The proposal is to be considered under the criteria in policy CS10.

Policy T2 of the North Lincolnshire Local Plan states that all development should be served by a satisfactory access. Policy T19 is concerned with parking provision as well as general highway safety. Access would be onto a national speed limit (60mph) road which is straight and relatively flat road in this location with good visibility; however, it is a narrow section of public highway (single-track) with no passing places and in poor condition. It forms a

secondary link road between North Street (B1207) and Ermine Street and has relatively low traffic volumes. There is no room for a vehicle towing a caravan or a light goods vehicle to pull off the highway without overhanging the carriageway and obstructing the public highway. There is no pedestrian footway from the site entrance to the nearest section of highway footpath located 640 metres to the west; in addition, Leys Lane is unlit. The nearest public transport facilities are bus stops on North Street (B1207) approximately 700 metres to the north-west; this is via the 625 metre section of public highway along Leys Lane with no highway footpath, which is unlit. It is accepted that cycling would be an option; however, again, this would be via an unlit, narrow section of public highway (Leys Lane) which is single width with no passing places. In conclusion, it is not considered that safe pedestrian access to the site can be achieved, and any development would be reliant on the use of the car to access local services/amenities and sustainable modes of travel.

The site is located 680 metres to the east of the Winterton settlement boundary. Winterton has a wide range of services and facilities which include both a primary and secondary school, doctor's surgery, petrol filling station, three convenience stores, a post office, two public houses, shops, a village hall, youth centre, hot food takeaways and hairdresser's. Winterton is ranked 6th out of 76 settlements in the North Lincolnshire Settlement Survey 2018 (2019 Revision). The settlements have been scored based on the services and facilities available within each settlement boundary, and a rank attributed based on the overall outcome. Its facilities and services are very good with seven out of seven key facilities and services present. The distances to these services and facilities from the application site are noted as follows:

- Winterton Community Academy (Secondary School) – 0.8 miles or 1,287 metres
- Winterton Junior School – 1 mile or 1,609 metres
- Winterton Infant School – 1.1 miles or 1,770 metres
- Tesco Express – 1.2 miles or 1,931 metres
- Coop Foodstore – 1.2 miles or 1,931 metres (1.3 miles or 2,092 metres by car)
- George Hogg Public House – 1.2 miles or 1,931 metres
- Doctor's surgery – 1.7 miles or 2,735 metres.

Based on the above distances it is considered the prospect of site residents using a non-motorised form of transport to access these local services and amenities is not realistic, particularly given Leys Lane is narrow, without highway footpaths and is unlit. The supporting statement provided by the applicant's agent states the distance to local services supports the assertion the application site is a sustainable location.

The site is in the open countryside, outside the defined settlement boundary for Winterton and policy CS10 requires the site to 'be in or near to existing settlements'. The site is not within Winterton and, whilst it is relatively close to the defined settlement boundary (a distance of 680 metres), it is considered to be located away from services and amenities (including shops, schools and healthcare), where there is a lack of built form (mainly consisting of farmsteads and the occasional bungalow) and no means of pedestrian access (a highway footpath). As such it is not considered to be 'in or near' an existing settlement.

Policy CS10 requires previously developed land, derelict land and land on the edge of urban areas to be considered before any rural sites, as with all other types of accommodation. This policy is consistent with the locational criteria set out in PPTS which advises that 'authorities should very strictly limit new Traveller site development in open countryside that is away from existing settlements or areas allocated for development'. Despite the content of the supporting statement from the applicant, the local planning authority is of the opinion that this site is located away from existing settlements and does not constitute previously developed land as it is an agricultural smallholding.

The site is reasonably well screened by existing trees and hedges along its respective outer boundaries and further plans to introduce landscaping within the site would help screen the proposed caravan and day room, and glimpsed views of the site and its buildings would only be available from the site access along Leys Lane to the north and through seasonal losses in vegetation cover. The plans show the provision of a day room, an area for a touring caravan pitch and for the provision of a mobile home. The level of amenity/service provision and external area is considered to meet the needs of a Traveller and their family in this case.

Whilst landscaping is required to obscure views of the site in the interest of protecting the character and appearance of the open countryside, it is noted that paragraph 26(d) advises against deliberately isolating the occupiers of the site from the rest of the community. It is noted that this specifically relates to hard landscaping. But the intention of this policy is still relevant. The additional landscaping required to protect the character and appearance of the area would also potentially give the appearance of isolating the occupiers of the site. Therefore, whilst it may be possible to condition significant landscaping on site, this could then render the scheme unacceptable in other aspects.

Policy LC7 (Landscape Protection) states, 'Where development is permitted within rural settlements or within the open countryside, special attention will be given to the protection of the scenic quality and distinctive local character of the landscape. Development which does not respect the character of the local landscape will not be permitted.' The site has existing landscaping, as noted in the paragraph above in this report. The site is not of heritage interest nor are there any heritage assets near the site.

The site is, and was prior to development, of low biodiversity value as it was a grass field forming part of a smallholding or allotment, and the peripheral vegetation (which may be of some ecological value for nesting birds and as bat commuting corridors) is shown as being retained on the plans. The site is in flood zone 1 (low risk) which means the proposal avoids areas shown as at risk of flooding in the Strategic Flood Risk Assessment (SFRA). Policy DS14 states, 'The council will require satisfactory provision to be made for the disposal of foul and surface water from new development, either by agreeing details before planning permission is granted, or by imposing conditions on a planning permission.' It is proposed foul drainage would be to package treatment plant, but no further details are provided. Final details can be secured by condition. The use of permeable paving (a layer of gravel on a sub-base of clean hardcore and a base course of crushed aggregate) for the caravan pitches, parking and turning area would intercept rain where it falls, with water passing through the surface voided hardcore. Roof water flow from the caravans and day room/amenity block is considered inconsequential within this site context and does not require further consideration. The lack of objection from the LLFA is noted.

Policy DS1 is partly concerned with impacts upon residential amenity. It states, '...No unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.' The

site is approximately 62 metres from the front elevation of the nearest residential property to the north-east (known as 2 Leys Lane). The nature of the proposed use in itself, coupled with this separation distance, does not give rise to harm to residential amenity.

The proposal is considered to conflict with Core Strategy policy CS10 in that it fails to provide safe and convenient vehicular and pedestrian access to the site, including public transport, and is not in or near to existing settlements with access to local services, including shops, schools and healthcare. The proposed development, when taking into account the level of accommodation proposed, is not considered to place undue pressure on the local infrastructure.

The Gypsy and Traveller Accommodation Assessment' dated October 2021 (GTAA) is relevant. This identifies, in Appendix D, a total of 34 authorised and 8 unauthorised pitches within North Lincolnshire; and a need for 17 pitches between 2021–2038 and, for up to 4 pitches for Gypsies whose Gypsy status is currently unknown.

The National Planning Practice Guidance (NPPG) and the Planning Policy for Traveller Sites (PPTS) is relevant. Paragraph 24 of the PPTS states:

- '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.'

The North Lincolnshire Gypsy and Traveller Accommodation Assessment (October 2021) identifies that North Lincolnshire needs to find provision for 17 permanent residential pitches and 0 transit pitches between 2021 and 2038. The GTAA identifies a need for 8 permanent residential pitches between the first five years of the plan. Currently North Lincolnshire has two locations (Brigg and Kirton in Lindsey) providing permitted permanent Gypsy and Travellers facilities, all of which are privately owned.

The council has not allocated any Gypsy and Traveller sites in any adopted or draft local plan.

To ensure delivery the council, in its draft local plan, has to set out a criteria-based policy and work with the market to bring forward sites to meet the identified needs within the plan period. This has shown there is a need of 8 pitches for the first five years.

To meet the requirements of national policy as stated, North Lincolnshire Council's local plan must identify a supply of deliverable sites or sites to meet the housing needs for Gypsy and Travellers within the first five years (2021 to 2026); this equates to 8 pitches and takes account of the unauthorised, tolerated pitches. The NPPF also requires the local plan to identify developable sites or broad locations for years 6 to 10. This requirement has therefore

not been met as the council has not allocated any Gypsy and Traveller sites in the new local plan (which is due to be submitted before the end of this year). In the absence of the council not identifying a five-year supply of pitches and there being an unmet need in the area, the tilted balance in paragraph 11d) of the NPPF is engaged.

Whilst the council may not be able to demonstrate a five-year supply of Gypsy and Traveller sites at this time, this does not automatically result in the requirement to give planning permission without consideration of other matters but to apply a tilted balance. Whilst the need for the Gypsy and Traveller sites may hold a greater weight in the planning balance, the planning balance must be applied, nonetheless.

Planning applications in this area have consistently been considered to fall within the open countryside. Core Strategy policies CS1, CS2 and CS3, policy RD2 of the local plan and the development limit defined in the HELADPD combine to restrict development in the countryside to that which is essential to its functioning and does not name Gypsy and Traveller sites as being a development type that may be acceptable in such locations. There is conflict with the development plan in this regard.

In this regard, when the tilted balance is engaged and the benefits of the scheme put forward by the applicant are taken into account, the local planning authority is of the opinion the application proposals do not constitute sustainable development and thus the application is considered contrary to policies CS1, CS2, CS3 and CS10 (bullet points 1 and 4 in that a safe and convenient pedestrian access to the site cannot be achieved and the site is not in or near to existing settlements with access to local services, including shops, schools and healthcare) of the adopted Core Strategy, and RD2 and guidance in the PPTS which states local planning authorities should strictly limit new Traveller site development in open countryside that is away from existing settlements.

Highway safety

Due to the location of the site outside the defined settlement boundary for Winterton, there is a need to consider whether the use of the land and its position in this rural location is acceptable from a highway and pedestrian safety perspective. The site is afforded good visibility along a straight section of public highway that connects Ermine Street to North Street, and there is sufficient space within the site to provide off-street parking for a minimum of two vehicles, together with space to accommodate a touring caravan and a mobile home. Whilst no comments have been received from Highways, it is considered the existing vehicular access (which gives access to multiple plots on the site) could be utilised for access and egress purposes. There may be instances where access to the site will be required for larger vehicles such as a vehicle towing a touring caravan; this could obstruct the carriageway along Leys Lane but this will be short-term and relatively infrequent.

The main issue is the lack of connectivity to the settlement of Winterton due to the absence of a highway footpath along Leys Lane, which is unlit. There is no alternative pedestrian access to Winterton by way of a public footpath and as such it is considered the proposed development does not promote sustainable modes of travel; and the location of the site along this rural lane is not conducive to promoting safe and secure travel for pedestrians.

Conclusion

The application has been submitted on the basis it is for a Gypsy family. Planning policy conflict arises because the proposed development does not have a safe and convenient

pedestrian access to the site, including by public transport; it is not located in or near to an existing settlement with access to local services, including shops, schools and healthcare; and is in open countryside, away from existing settlements, where local planning authorities should strictly limit new Traveller site development. This conflicts with the PPTS and Core Strategy policy CS10. The proposal is not named as a type of acceptable development in the countryside contrary to policies CS2, CS3 and RD2 and the development proposals do not constitute sustainable development. This is the case in this instance and this weighs against the proposal when the tilted balance is engaged. In conclusion, it is considered the balance of harm and benefits falls in favour of planning permission being refused.

RECOMMENDATION Refuse permission for the following reasons:

1.

The proposed development is in the open countryside, away from a settlement, in an unsustainable location. In addition, the site does not provide for a safe and convenient pedestrian access to the site, is not located in or near an existing settlement with access to local services, including shops, schools and healthcare, and the local planning authority should strictly limit new Traveller site development in open countryside that is away from existing settlements. The proposal is contrary to policies CS1, CS2, CS3 and CS10 of the Core Strategy, policy RD2 of the North Lincolnshire Local Plan, and the Planning Policy for Traveller Sites (PPTS).

Informatives

1.

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

2.

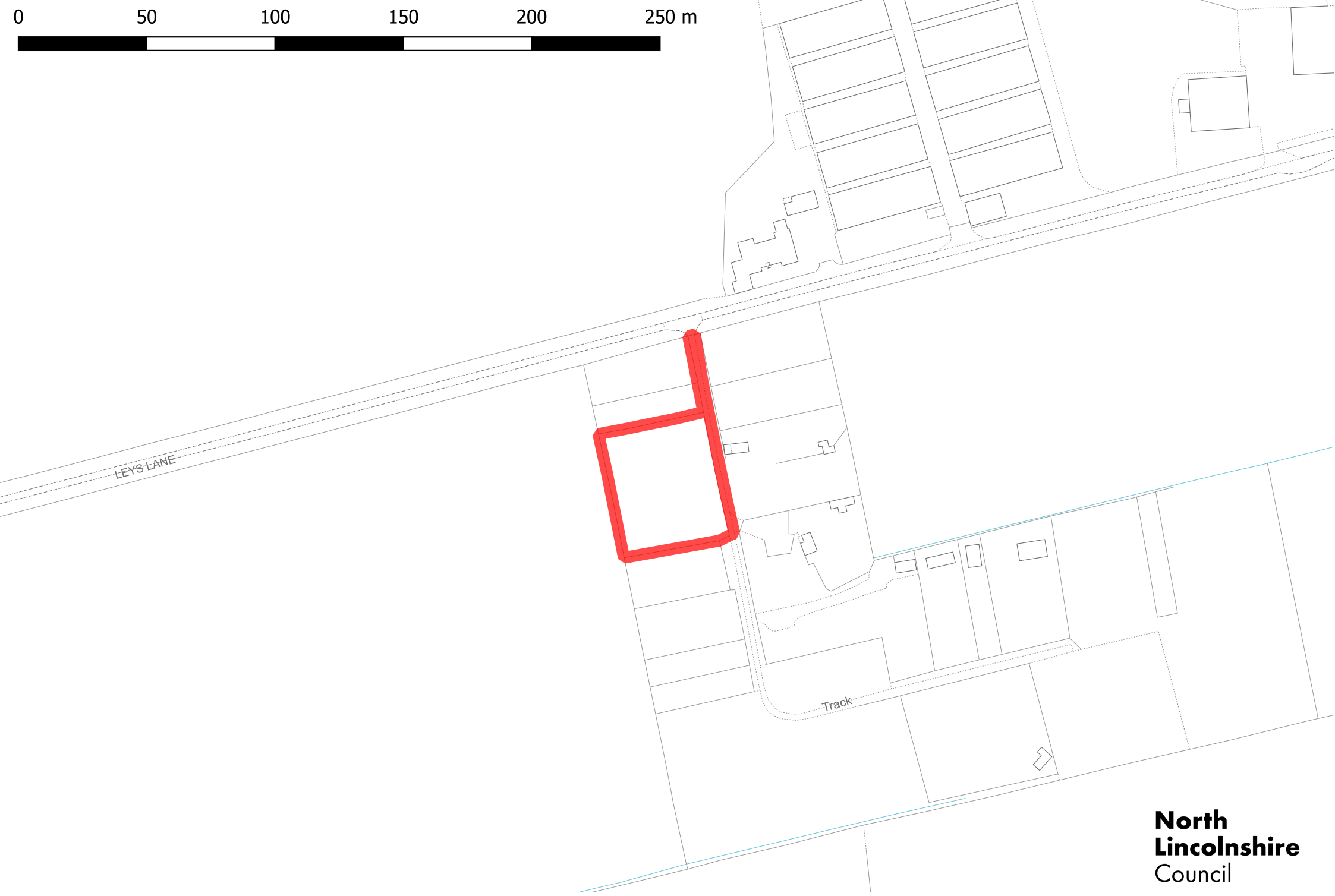
Human Rights Act 1998

It is considered that a decision made in accordance with this recommendation would not result in any breach of convention Rights.

3.

Equality Act 2010

It is considered that a decision made in accordance with this recommendation would not result in any breach of Rights under the Equality Act and fulfils the council's duties and obligations accordingly.

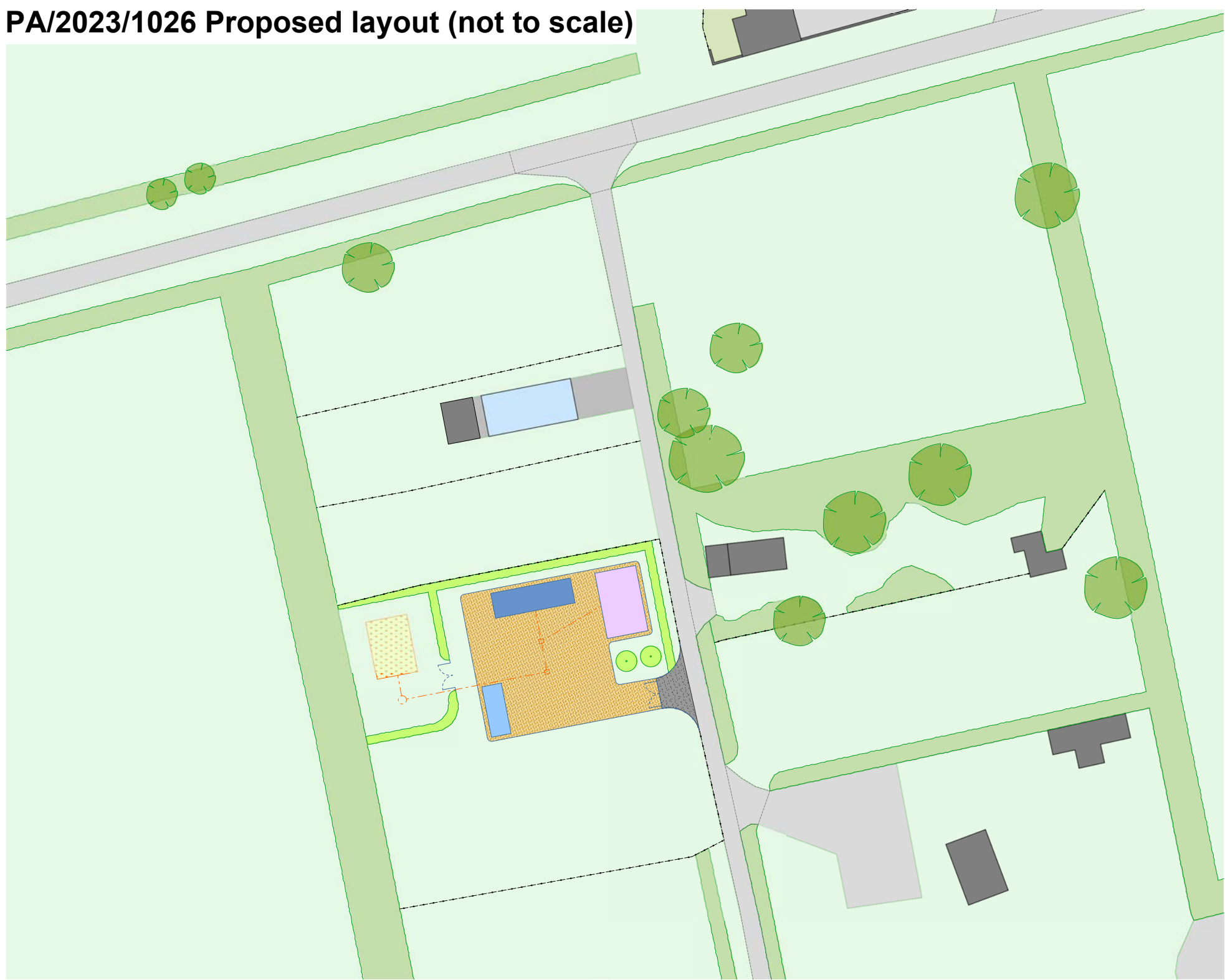


**North
Lincolnshire
Council**

PA/2023/1026

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PA/2023/1026 Proposed layout (not to scale)



- ### Site Plan Key/Legend
- Residential gardens
 - Grassed area
 - Existing buildings/structures
 - Existing caravan
 - Existing hardstanding
 - Existing hedgerow
 - Existing trees
 - Existing Watercourse
 - Existing post & rail timber fence
 - Existing close boarded timber fence
 - Existing gate
 - Proposed mobile home
 - Proposed touring caravan
 - Proposed utility/day room
 - Proposed loose bound permeable hardstanding
 - Proposed tarmac/asphalt surface
 - Proposed native hedge & tree planting
 - Proposed soakaway
 - Proposed foul drainage
 - Proposed package treatment plant
 - Proposed inspection chamber
 - Proposed trees

Issue ID	Initial Transmittal	Issue Name	Current Revision	Initials	Date
P01			P01	EG	18/05/2023

Do not scale from this drawing except for planning application purposes. The contractor is to check all site dimensions, levels and sewer inverts before works commence. This drawing must be checked and not against any structural or specialist consultant drawings. The contractor is to comply in all respects with the current Building Regulations and BS Codes of Practice whether or not specifically stated on these drawings. This drawing is not intended to show details of foundations, ground conditions or ground contaminants and confirmation and/or investigation is to be carried out by suitable experts. This drawing and the building work/designs depicted are the copyright of Green Planning Studio Ltd and are not to be reproduced in any form or by any means without the written consent of Green Planning Studio Ltd.
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Green Planning Studio

Client
John Ward

Project
23_1277 Plot 3 & 4 Leys Lane - Land Use

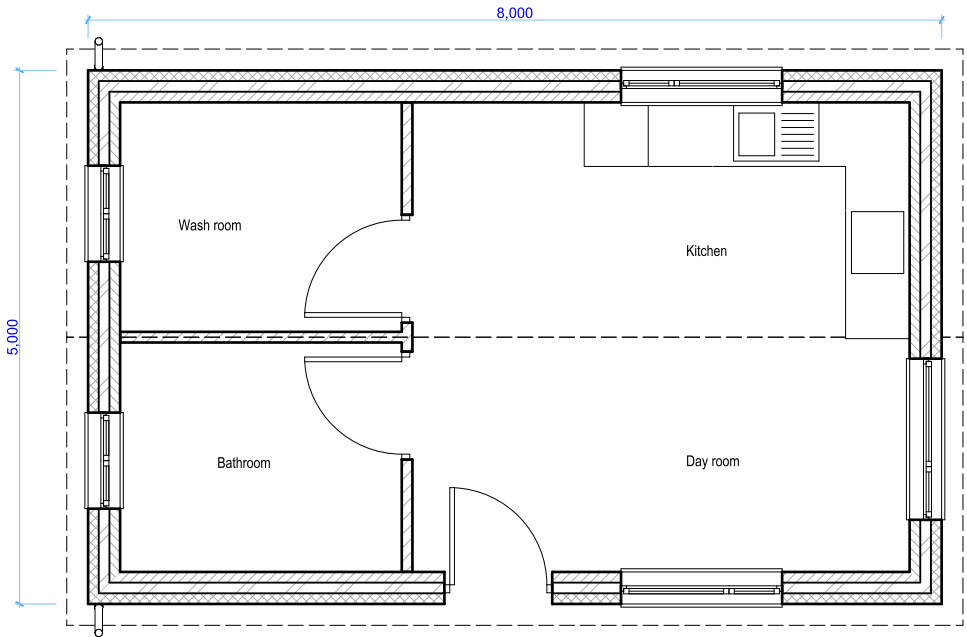
Plots 3 & 4,
Leys Lane,
Wimborne,
South Dorset,
DN15 9QT

Drawing Title Proposed Site Plan		
Scale @A1 1:200	Date 18/05/2023	Drawn EG
Case No 23_1277		Status Initial Status
Dwg No 003		Rev P01
ISO 19650 No: 23_1277-GPS-ZZ-GF-DR-A-003		

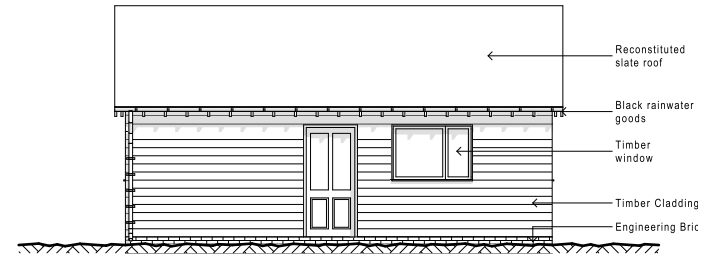
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RIBA
Chartered Practitioner

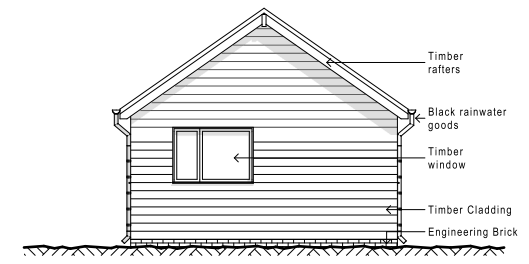
PA/2023/1026 Proposed elevations (not to scale)



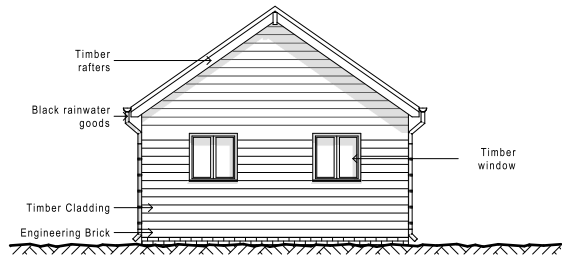
1:50 Utility/Day Room - Indicative internal layout



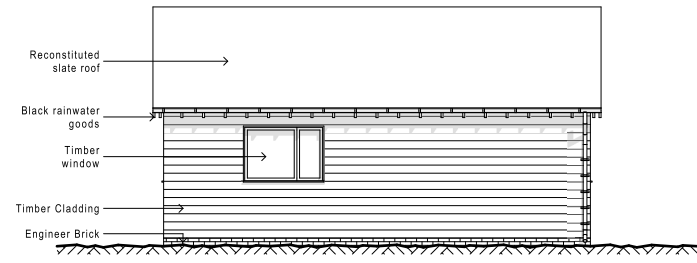
1:100 South Elevation



1:100 East Elevation



1:100 West Elevation



1:100 North Elevation

Issue ID	Issue Name	Current Revision	Initials	Date
PO1	Initial Transmittal	PO1	EG	18/05/2023

Do not scale from this drawing except for planning application purposes. The contractor is to check all site dimensions, levels and sewer inverts before works commence. This drawing must be checked and read against any structural or specialist consultant drawings. The contractor is to comply in all respects with the current Building Regulations and BS Codes of Practice whether or not specifically called on these drawings. This drawing is not intended to show details of foundations, ground conditions or ground contaminants and confirmation and/or investigation is to be carried out by suitable experts. This drawing and the building work/design specified are the copyright of Green Planning Studio Ltd and are not to be reproduced in any form or by any means without the written consent of Green Planning Studio Ltd.
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Client
John Ward
Project
23_1277 Plot 3 & 4 Leys Lane - Land Use
Plots 3 & 4,
Leys Lane,
Winterston,
Southwicks,
DN15 9QT

Drawing Title		Proposed Dayroom - Plans and Elevations	
Scale (A3)	Date	Drawn	EG
1:50, 1:100	18/05/2023		
Case No	Status	Initial	Status
23_1277			
Dwg No	Rev	Rev	Rev
005			PO1