

DEVELOPMENT MANAGEMENT COMMITTEE 20th FEBRUARY 2023

Case No: 21/02861/FUL

Proposal: Change of Use of Land for the creation of 6no. Gypsy/Traveller pitches comprising the siting of 1no. Mobile Home, 1 no. Touring Caravan, and formation of hardstanding area, per pitch

Location: Land West Of East View To Llala, Parkhall Road, Somersham

Applicant: Mr P Casey

Grid Ref: 536150 278933

Date of Registration: 17.02.2022

Parish: Somersham

RECOMMENDATION - APPROVE

This application is referred to the Development Management Committee (DMC) in accordance with the Council's Scheme of Delegation as Somersham Parish Council's recommendation of refusal is contrary to the Officer recommendation of approval.

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 The application site is located to the north of the settlement of Somersham, approximately 225 metres from the edge of the built-up area and is accessed via Parkhall Road and a private gated access track. Parkhall Road is unlined, has no pavement or street lighting but has broad grass verges to both sides. To the immediate north of the private access track are a group of nine residential dwellings that front Parkhall Road. The application site is located approximately 150 metres west of Parkhall Road. The site is within a countryside location. To the south-west of the site the opposite side of the access track is the existing Gypsy/Traveller site known as Rosefield. To the south-west is an arable field and dismantled former railway that is now heavily planted with trees and hedging.
- 1.2 This application proposes a Change of Use of Land for the creation of 6no. Gypsy/Traveller pitches comprising the siting of 1no. Mobile Home, 1 no. Touring Caravan, and formation of hardstanding area, per pitch.
- 1.3 The site is a 1-hectare rectangular parcel of Grade 2 Agricultural Land described as a paddock in the Application Form. Mature

trees contain the site to its northern, eastern and southern boundaries and it is relatively open to the west. At the time of the case officer's first site visit in March 2022, the site was occupied by families living in caravans with the installation of fencing subdividing pitches and hard surfacing formed by crushed materials. Permission for the change of use is therefore being sought retrospectively.

- 1.4 The site is located in Flood Zone 1 (lowest risk of flooding from river sources), is not susceptible to surface water flooding but has a high risk of groundwater flooding according to the Huntingdonshire Strategic Flood Risk Assessment 2017 maps and Environment Agency Flood Maps for Planning. There are no designated heritage assets which would be affected by the development.

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (20 July 2021) (NPPF 2021) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2021 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'
- 2.2 The NPPF 2021 sets out the Government's planning policies for (amongst other things):
- delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - achieving well-designed, beautiful and safe places;
 - conserving and enhancing the natural, built and historic environment
- 2.3 Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website [National Guidance](#)

3. PLANNING POLICIES

- 3.1 Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)
- LP1: Amount of Development
 - LP2: Strategy for Development
 - LP3: Green Infrastructure
 - LP5: Flood Risk
 - LP6: Waste Water Management
 - LP8: Key Service Centres
 - LP10: The Countryside
 - LP11: Design Context
 - LP12: Design Implementation

- LP14: Amenity
- LP15: Surface Water
- LP16: Sustainable Travel
- LP17: Parking Provision
- LP27: Gypsies, Travellers and Travelling Showpeople
- LP30: Biodiversity and Geodiversity
- LP31: Trees, Woodland, Hedges and Hedgerows

- 3.2 Supplementary Planning Documents
- Huntingdonshire Design Guide (2017)
 - Cambridgeshire, Kings Lynn & West Norfolk, Peterborough and West Suffolk Gypsy and Traveller Accommodation Assessment 2016 (GTAA 2016)
 - Huntingdonshire Townscape and Landscape Assessment SPD (2022)
 - HDC Annual Monitoring Report
 - Cambridgeshire Flood and Water SPD 2017
 - Huntingdonshire Tree Guidance Note 3
 - ECAP CCC Waste Management Design Guide (CCC SPD) 2012
 - Developer Contributions SPD (2011)

Local For full details visit the government website [Local policies](#)

4. PLANNING HISTORY

- 4.1 No planning history for the application site. Individual parcels of land on the adjacent Rosefield Gypsy/Traveller site have been granted planning permissions in recent years:
- 4.2 17/01626/FUL - Change of use of the land to two residential pitches, one for Gypsies and Travellers who meet the planning definition, the other for a mix of Gypsies and Travellers who meet the planning definition and Romany Gypsies who do not, with the siting of six caravans of which no more than four would be static caravans, and the construction of two amenity blocks.
Permission granted 8th June 2018
- 4.3 18/01312/FUL - Change of use of the land to residential with the siting of three caravans of which no more than one would be static caravans, and the construction of an amenity block.
Permission granted 20th August 2019
- 4.4 20/00608/FUL - Change of use of the land to Gypsy and Traveller residential with the establishment of two residential pitches, each with the siting of two caravans of which no more than one can be static caravans and the construction of an amenity building.
Permission granted 17th July 2020

- 4.5 21/01491/FUL (same application site as 20/00608/FUL) - Use of the land for Gypsy and Traveller residential with the establishment of three residential pitches
Permission granted 13th December 2021
- 4.6 An application has also been submitted (22/00518/FUL) for “Change of use of land for the stationing of four mobile homes (static caravans) and eight touring caravans, to include establishment of hardstanding and fences on a temporary or permanent basis (partly retrospective)” on land to the rear (south) of the existing Rosefield site.
At the time of writing this application is pending consideration.

5. CONSULTATIONS

- 5.1 **Somersham Parish Council – Objection:** Councillors agreed to object to this application on the basis of over development of the site. The land has already undergone extensive work and is already in occupation without the necessary planning permissions and approval. Further, hardcore has been imported which is likely to have required a permit in the first instance to move to the site. In addition the council object to the access track being included within this planning application as the track should be available for access/egress for all users for this location.
- 5.2 **Cambridgeshire County Council Highways – No objection subject to conditions:** I note this application is in a similar location to a previous application (18/01312/FUL and 20/00608/FUL) to which the Highway Authority had no objection to. I therefore would request the same conditions as previously requested, so as the private track where it adjoins the public highway should be upgraded to that of a shared nature. Recommended conditions relate to:
- Access shall be a minimum width of 5m for 10m from the highway.
 - The access shall be constructed to CCC construction specification.
- 5.3 **HDC Environmental Health – Neither objecting or supporting:** I note Section 13 of the application form states that the applicants will be using a cess pit for foul sewage. A cess pit is a watertight holding tank and (depending on size) will need regular emptying, especially if it will be serving 6 households. Building Regulations have various requirements for this type of system, including ensuring there is sufficient capacity to store foul water until emptying. There are more modern methods available and the Building Regulations state ‘where no other option is feasible a cesspool may be acceptable’. I would therefore recommend that both Building Control and the Environment Agency are consulted to ensure the proposals are appropriate with regard to foul sewage disposal.

If it is intended that a different system will be utilised, the Environment Agency's (EA's) Binding rules (available at: <https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-a-surface-water>) may need to be adhered to, and we would want to know the location and noise level of any potential aeration pumps.

I have no other issues to raise, however if permission is granted the applicant will need to apply to Huntingdonshire District Council for a caravan site license, to which conditions will be attached. For more information regarding this please contact envhealth@huntingdonshire.gov.uk

5.4 **Environment Agency – No comment:** See standing advice.

5.5 **HDC Building Control:** No comments received.

5.6 **HDC Landscape:** No comments received.

6. REPRESENTATIONS

6.1 1 neighbour representation has been received neither objecting to nor supporting the application.

6.2 East View, Parkhall Road, Somersham: I am a little concerned with the collection of rubbish. Reading the application, there does not appear to be any arrangement for its collection. I noticed a pile of waste bags at the end of the access road a few weeks ago. Although now removed I would hate to see this as a regular feature.

7. ASSESSMENT

7.1 The main matter to consider in assessing this application is whether there is any conflict with Development Plan policies. If there is any conflict, whether the application can be considered to be in accordance with the Development Plan when taken as a whole. If the application is not in accordance with the Development Plan, whether there are any material considerations, including the NPPF (2021), which indicate that planning permission should be granted. With this in mind, the report addresses the principal, important and controversial issues which are in this case:

- The Principle of Development
- Impact upon the Character and Appearance of the Area
- Residential Amenity
- Flood Risk and Drainage
- Highway Safety, Access, and Parking Provision
- Biodiversity

The Principle of Development

- 7.2 The application site is located in the countryside and therefore must be assessed against Policy LP10 of the Local Plan which states that *“Development in the countryside will be restricted to the limited and specific opportunities as provided for in other policies of this plan and that all development in the countryside must:*
- a. seek to use land of lower agricultural value in preference to land of higher agricultural value:*
 - i. avoiding the irreversible loss of the best and most versatile agricultural land (Grade 1 to 3a) where possible, and*
 - ii. avoiding Grade 1 agricultural land unless there are exceptional circumstances where the benefits of the proposal significantly outweigh the loss of land;*
 - b. recognise the intrinsic character and beauty of the countryside; and*
 - c. not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others.”*
- 7.3 With regard to part a, the proposal would result in the loss of approximately 1ha of Grade 2 Agricultural Land. This loss would conflict with Policy LP10 to a degree. However, 1ha loss would not be significant in terms of the availability of best and most versatile land across the district and would not have a detrimental impact upon current food or crop production. Further, it is recognised that the application site adjoins the gardens of several residential properties to the east and is located adjacent to several occupied Gypsy and Traveller pitches to the south such that a residential use as proposed would likely be more compatible with the adjacent existing land uses.
- 7.4 In terms of parts b and c, these matters are assessed in detail further below in ‘Principle of Development’ section of report against Policy LP27. Overall, subject to conditions, the proposal is considered to recognise the intrinsic character and beauty of the countryside and would not give rise to noise, odour, obtrusive light or other impacts that would adversely affect the use and enjoyment of the countryside by others

Gypsy and Traveller Status

- 7.5 A preliminary consideration is whether planning policies relating to gypsies and travellers are relevant in the consideration of this application.
- 7.6 Annex 1 of the national Planning Policy for Traveller Sites (PPTS) document includes a number of definitions for the purposes of this planning policy including the terms ‘gypsies and travellers’, ‘travelling showpeople’, ‘travellers’, ‘pitch’ and ‘plot’. The definition of a Gypsy/Traveller was amended in 2015 and

reads: *For the purposes of this planning policy 'gypsies and traveller' 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 dependant's 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.*

- 7.7 During the determination period of the application, the Court of Appeal Judgement *Lisa Smith v SSLUHC [2022] EWCA Civ 1391* was issued which found the 2015 definition of Gypsies and Travellers in Annex 1 of the PPTS to be discriminatory to those that ceased to travel due to health or disability and was therefore unlawful. The definition of a Gypsy/Traveller should therefore be *persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*
- 7.8 Paragraph 2 of Annex 1 lists the following issues that should be considered in determining whether persons are "gypsies and travellers" for the purposes of this planning policy:
- 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.
- 7.9 The accompanying Personal Circumstance & Gypsy Status Statement submitted with the application describes the background of the families which make up the applicant group. The information includes details of their nomadic lifestyle, and it is noted that each pitch includes space for a touring caravan which meets with the stated intention to continue to travel in the future. The Personal Circumstance & Gypsy Status Statement also sets out the need, across all of the families that form the applicant group, for children to be in education, and the need for one member of the applicant group to regularly access to healthcare services to manage a chronic illness.
- 7.10 The test of the evidence is the balance of probabilities: that is, whether something is more likely than not. Having regard to the submitted Personal Circumstance & Gypsy Status Statement, it considered that the families who will be occupying the pitches fulfil the definition of gypsies and travellers.
- 7.11 When assessing the location of the site against the built-up areas definition and the tables on pages 53 to 55 of the Local Plan to 2036, the site lies outside the built-up area of Somersham, which is a Key Service Centre, the site is therefore considered to be within the countryside.

- 7.12 Local Plan policy LP27 relates to Gypsies, Travellers and Travelling Showpeople and its purpose, as stated in paragraph 7.33 of the Local Plan, is to enable the appropriate provision of sites to meet the specific needs of such groups. It states that new traveller sites outside of the built-up area will be supported in sustainable locations where they respect the scale of the nearest settled community and will be very strictly limited in open countryside that is away from existing settlements.
- 7.13 The Council will therefore support a proposal which contributes to the delivery of Gypsy and Traveller pitches where it satisfies each of criteria a) to j) of the policy.

Need for Gypsy and Traveller sites

- 7.14 The local Plan to 2036 does not specifically allocate any sites for gypsies, travellers or showpeople.
- 7.15 As stated above, the site is not located within the built-up area of Somersham, and therefore in planning policy terms it is in the open countryside where planning policies for the countryside apply. The Planning Policy for Traveller Sites (PPTS) published in August 2015 is not opposed in principle to traveller sites being located in the countryside, so long as they are not within Green Belt land. Huntingdonshire does not have any areas of Green Belt. Stipulations in the PPTS include: -
- * 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 undue pressure on the local infrastructure'.
- 7.16 Paragraph 4 of the NPPF (2021) states that it should be read in conjunction with the Government's Planning Policy for Traveller Sites and that decisions on traveller sites should also have regard to the Framework so far as relevant. The Planning Policy for Traveller Sites (PPTS) sets out the Government's overarching aim 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. The PPTS includes policies on plan-making and on decision-taking. Paragraph 23 of the PPTS states that local planning authorities should determine applications in accordance with the presumption in favour of sustainable development and the policies in the NPPF and PPTS.
- 7.17 Paragraph 24 of the PPTS states that when considering planning applications local planning authorities (LPAs) should consider the following:

- 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) 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, and
- e) That LPAs should determine applications for sites from any travellers and not just those with local connections.

7.18 Paragraph 26 of the PPTS requires weight to be attached to factors such as:

- a) Effective reuse of brownfield land, untidy or derelict land;
- b) Sites which positively enhance the environment for example by soft planting;
- c) Promoting opportunities for healthy lifestyles, such as provision of adequate landscaping and play areas for children
- d) Not over enclosing or isolating a site with hard landscaping, walls and fences.

7.19 The criteria and means by which new traveller development is to be controlled is set out in further policies within the PPTS and in local policies which closely reflect the NPPF policies, and these are considered below.

7.20 Under the PPTS Policy B, planning authorities should, amongst other things, set pitch targets for gypsies and travellers which address likely needs in their area, working collaboratively with neighbouring local planning authorities. In producing their local plans, planning authorities should, amongst other things:

- a) identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets;
- b) identify a supply of specific, developable sites or broad locations for growth, for years six to ten 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;
- d) relate the number of pitches to the circumstances of the specific size or location of the site and the surrounding population's size and density;
- e) protect local amenity and environment.

7.21 Paragraph 11 of The PPTS (2015) sets out that 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.

- 7.22 Paragraph 13 of the PPTS (2015) requires LPAs to ensure that traveller sites are sustainable economically, socially and environmentally and includes the criteria that should be used in the setting of LPA policies.
- 7.23 Policy H, paragraph 22 of the PPTS (2015) notes that planning law requires applications for planning permission to be determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise.

As such the following factors are considered:

- 7.24 **(a) The existing level of provision and need for traveller pitches:**
- 7.25 For the purposes of plan preparation, paragraph 9 of PPTS advises local planning authorities that they should set pitch targets which address the likely permanent and transit site accommodation needs of Travellers in their area, working collaboratively with neighbouring local planning authorities. Policy H, para 27 of the PPTS, states that the absence of a 5-year supply of deliverable sites should be a significant material consideration in any subsequent planning application when considering applications for the grant of temporary planning permission.
- 7.26 Policy LP27 of the Huntingdonshire Local Plan to 2036 refers to The Cambridgeshire, Kings Lynn & West Norfolk, Peterborough and West Suffolk Gypsy and Traveller Accommodation Assessment 2016 (GTAA 2016), which identified a need within Huntingdonshire for an additional 9 permanent residential Gypsy and Traveller pitches between 2016 and 2036, of which 5 were needed between 2016 and 2021. It was also identified that a further need of between 0-19 additional pitches may be required from existing households, although this did not form part of the GTAA process - although if the national average of 10% were to be applied this could be as few as 2 additional pitches.
- 7.27 It was identified that a total of 29 Gypsy and Traveller households did not meet the new definition as they were not able to provide information that they travel away from their usual place of residence for the purpose of work, or that they have ceased to travel temporarily due to children in education, ill health or old age. Some did travel for cultural reasons to visit fairs, relatives or friends, and others had ceased to travel permanently – these households did not meet the new definition.

- 7.28 Therefore, within paragraph 7.70, the GTAA recognised that further information may be made available at a later date to the Council that will allow for the new definition to be applied to the 'unknown' households, and the overall level of need could rise by up to 7 pitches on unauthorised sites and up to 12 pitches from new household formation.
- 7.29 Within the April 2019 appeal decision APP/H0520/W/18/3196305, it was concluded that despite the Council's position in terms of being able to demonstrate that they had met the baseline need for 9 pitches in terms of the 5-year supply being met for Gypsy and Traveller sites, it is still recognised that there is still an unmet need for the 'unknown' households which may be for the 19 pitches identified, or a greater level than anticipated.
- 7.30 The Council's Annual Monitoring Report (AMR) Part 1 (Housing Supply) published 24th October 2022 states that between the base date of the GTAA at 1 February 2016 and 31 March 2022, 43 pitches were granted permission across 12 sites. The AMR states that as of 31st March 2022 there were 9 planning applications under consideration for Gypsy and Traveller pitches totalling 16 pitches across 9 sites although the AMR doesn't take into account this application which was valid and pending consideration from 17th February 2022. Therefore, the total of applications under consideration as of 31st March was for 22 pitches across 10 sites. At the time of writing all of those applications under consideration as of 31st March 2022 are still pending consideration.
- 7.31 The HDC Planning Policy Team have confirmed that the GTAA 2016 is now dated as a source of evidence and the numbers in it should not be treated in any way as a ceiling. Work to replace his document is currently underway in accordance with the requirement for a periodical review in section 8 of the Housing Act 1985. Therefore, the target in the GTAA is not considered to be a ceiling, and applications which meet the criteria of Policy LP27 would be considered on their merits.
- 7.32 This view has been supported by the recent appeal decision ref: APP/V01510/W/19/3243732 (Mr James Douglas against the decision of East Cambridgeshire District Council) decision date 11st August 2022. Within the allowed appeal decision, it is noted that the appellant challenged the findings of the GTAA and provided reasons why they considered there to have been a significant underestimation of need. These reasons included inaccuracies in recording the number of households in the district with planning permission at the base date, the belief that households were not accurately identified that were doubled up, concealed or over-crowded, and a failure to establish an accurate number of gypsies living in brick & mortar houses who would instead prefer to be resident in mobile homes. The appeal

decision states that the Council's witness, when faced with these assertions, did not convincingly counter the claims due to a lack of empirical evidence and detail available. The Inspector therefore considered that there is strong likelihood that the GTAA has underestimated the local need for new sites. The Inspector concluded that the absence of a 5-year supply of sites and an apparent unmet need for gypsy & traveller sites are matters which are afforded considerable weight.

7.33 It should also be noted that the GTAA 2016 was based on the PPTS 2015 definition of Gypsy/Travellers discriminatory since found to be discriminatory and unlawful. Therefore, there is likely additional need for those who were excluded from the GTAA 2016 process based on the 2015 definition.

7.34 **b) the availability (or lack) of alternative accommodation for the applicants:**

7.35 Based on the status of the GTAA 2016 and absence of allocated sites for Gypsies and Travellers within the Local Plan together with the amount of retrospective planning applications granted permission and pending consideration since the publication of the GTAA 2016, it is considered that there is a shortage of Gypsy and Traveller sites in Huntingdonshire, and therefore there is still an unmet need within the district. In this instance the accompanying Personal Circumstance & Gypsy Status document describes why the occupiers of the 6 pitches have, prior to becoming aware of the site and occupying it following a group purchase, struggled to find a suitable permanent base and have largely led a roadside existence, and in some cases have been on waiting lists for Council pitches without success.

7.36 **c) other personal circumstances of the applicant:**

7.37 The accompanying Personal Circumstance & Gypsy Status document sets out that each of the families occupying the proposed pitches have children who are currently in full time education or young children who will soon be enrolling in full time education. One applicant has a medical issue requiring regular access to refrigerated medication which needs constant management.

7.38 **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, should be used to assess applications that may come forward on unallocated sites:**

7.39 The criteria within policy LP27 is therefore relevant and is discussed within material considerations below.

7.40 **e) that they should determine applications for sites from any travellers and not just those with local connections.**

7.41 In this instance, these are applicants who originate from the region and also applicants who have continuously travelled across the country before becoming aware of the site. The applicants appear to fulfil the definition of Gypsy and Travellers. Policy LP27 of Huntingdonshire's Local Plan to 2036 is therefore relevant and the application will be assessed with regard to any travellers not just those with local connections.

Sustainability in terms of Policy LP27 of Huntingdonshire's Local Plan to 2036:

7.42 Policy LP27 of the Local Plan to 2036 sets out a range of criteria to be satisfied. These are set out below, and the scheme is subsequently assessed against the provisions of each of these criteria:

7.43 *a. The location is within 1.5 miles of a primary school and 2 miles of a GP surgery* – the proposal accords with this requirement. The site is 0.5 mile from Somersham Primary School and less than a mile from Somersham health centre. However, the policy also indicates distances from amenities i.e. schools, should be used as a guide rather than a fixed limit, and that account will also be taken of qualitative aspects, and in particular the nature of the route to the nearest primary school, including the presence or lack of pavements and/or cycle paths.

7.44 It is acknowledged that there is no pedestrian footpath along this part of Parkhall Road, and no lighting. The applicants would therefore likely be reliant on the use of a motor car to transport to the school or doctors. However, the trips by car are expected to be short journeys only in order to access the local surgery, schools and other shops and facilities. The village of Somersham is also within cycling distance so that older children and adults would be able to access facilities by bicycle, and not just by car. The benefits to the families would include a stable home base where the family members would benefit from access to health care and educational facilities in a reasonably sustainable location having moved from a primarily roadside existence. Therefore, on balance, the location of the site is considered acceptable against this criterion.

7.45 *b. The character and appearance of the wider landscape would not be significantly harmed* – the site is well screened by existing trees to the northern, southern and eastern boundaries. The application is accompanied by an Arboricultural Impact Assessment which assesses the impact of the proposed hardstanding within the root protection areas of retained tree groups. The report considers the impacts to the retained tree groups can be mitigated to an acceptable degree through 3D

cellular confinement system within the root protection areas. Full details of which can be secured by condition.

- 7.46 A Tree Protection Plan also accompanies the application which provides assurance that the trees will be protected from damage during construction of the hardstanding areas near the boundaries. The proposed site plan features indicative low hedging and 1.2m post and rail fencing separating the pitches with planting to western boundary which is predominately open at present. While the extent of hardstanding proposed is noted, the site does not have significant prominence in the public realm due to its containment from existing trees and set back behind the long residential gardens of properties fronting Parkhall Road. An appropriate scheme of soft landscaping could reinforce and enhance the existing soft enclosed appearance of the site and mitigate the visual impact of hard surfacing within it, while providing biodiversity benefits. The submitted Arboricultural Impact Assessment was undertaken when the site had already been occupied and crushed materials had been laid to form temporary hard surfacing. As the permanent hardstanding works are yet to be implemented, the proposed tree protection measures and 3D confinement system should still be implemented during works for permanent hardstanding. Subject to conditions securing compliance with the proposed tree protection plan, full details of the 3D cellular confinement system prior to the installation of hardstanding within the root protection areas of trees, and a detailed landscaping scheme, the proposal would not have a detrimental effect on the character and appearance of the wider landscape and would recognise the intrinsic character and beauty of the countryside.
- 7.47 *c. The location and scale of sites does not dominate the nearest settled community, when the proposal is considered collectively with other nearby traveller sites - LP27, criterion c)* is based on the national Planning Policy for Traveller Sites (2015) paragraphs 14 and 25. Paragraph 25 states that: "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." No definition is provided of what should be considered the 'nearest settled community'. In terms of criterion c), Somersham has a population of approximately 3,780 and a dwelling stock of around 1,650. The 2011 Census showed around 0.12% of the usually resident population of Huntingdonshire identified as being gypsies and travellers, significantly lower than the 0.22% average of the GTAA 2016 study area.
- 7.48 Other Gypsy and Traveller sites around Somersham are the adjoining pitches at Rosefield located off the same access road, 3 pitches at Hilltop Orchard approximately 1.5 kms south west of the village and 3 pitches at Legacy Park approximately 2 kms east of Somersham. At Rosefield adjacent to the application site

there are 7 permanent Gypsy and Traveller pitches with planning permission and 4 pitches subject to planning application 22/00518/FUL which was made on a part-retrospective basis and is currently pending consideration. At Hilltop Orchard there are 4 pitches with permanent planning permission and 3 pitches subject to planning application 22/01658/FUL which was made on a retrospective basis and is currently pending consideration. At Legacy Park there are 4 pitches with permanent planning permission and 4 pitches subject to planning application 18/00840/FUL which is currently pending consideration.

In terms of the overall community of Somersham, the 15 existing and permitted Gypsy and Traveller pitches together with the 6 proposed under this application, would equate to 21 pitches and 1.27% of the dwellings in the parish. This is higher than the average Gypsy and Traveller representation across the district. However, seven of the pitches are at least 1.5kms distant from the main settled community; the Rosefield pitches and those proposed through this application are the only pitches in close proximity to the main settled community in Somersham and would not dominate it.

7.49 A group of 9 dwellings is situated to the east of the site, also within the open countryside. The houses have large gardens which separate the application site from the houses by around 100 metres for the most part with the exception of the adjacent barn converted under permitted development rights. Paragraph 7.41 of the Local Plan states that it is anticipated the new sites will be small family sized sites of up to 4 pitches and recognises that up to 8 pitches may be appropriate depending on local circumstances. At 6 pitches on approximately 1ha of land the proposal is low density in itself and comprises less than the upper suggestion of 8 pitches. When considered collectively with the pitches already established at Rosefield, it is recognised that this development would create more permanent Gypsy/Traveller pitches than the number of houses in the immediate locality to the east of the site. However, the Gypsy/Traveller sites would retain significant visual separation from the small group of dwellings and such separation would minimise amenity impacts. Further, in this instance, the scale of the development in proximity to everyday services and facilities within the Key Service of Somersham is not considered to place undue pressure on the local infrastructure. It is therefore considered that the proposal is acceptable against this criterion.

7.50 *d. The proposed boundary treatment provides a good balance between minimising the development's impact on surrounding countryside and its integration into the local community* – The boundary trees to the northern, eastern and southern boundaries of the site minimise the visual impact of the development and the caravans and structures that are proposed but does not represent a barrier between the site and the local community. The boundary treatments proposed within the site including 1.2m

post and rail fencing with low hedging would be appropriate to this countryside location. Full details of the outer boundary treatments and landscaping can be secured by condition and would not preclude integration into the local community. The balance referred to in criterion d) can therefore be achieved.

- 7.51 *e. There will not be a significant adverse effect on the amenity of nearby residents or the effective operation of adjoining uses -*
The application site is located at significant distance from the main living areas of the adjacent residential dwellings to the east and would not have an unneighbourly relationship with the existing Gypsy and Traveller pitches such that there would be no significant impacts on the amenity of nearby residents or the effective operation of adjoining uses through noise, disturbance, obtrusive light, dust, odour, pollution and loss of privacy in accordance with criterion e and Policy LP14 of the Local Plan. One representation has been received with regard to the collection of refuse waste. The applicant has stated they would prefer for this to be done as per the settled population but do not have refuse containers on site due to a lack of planning permission in place and the Council refusing to supply these. The applicant has stated they are willing to agree to a condition for details to be agreed for bin stores within each pitch and a collection day point for the site as a whole.
- 7.52 The Environmental Health team raise the issue of potential noise from alternative means of foul drainage other than the proposed cesspit. The applicant has stated the use of cesspits is not uncommon for Gypsy & Traveller sites, as they are equipped with alarms and emptied on a monthly/bi-monthly basis. They are also fairly temporary in nature, so typically reflect the potential of a time limited consent being granted. It is for these reasons, coupled with lack of clarity over whether a mains connection could be achieved, that the applicant proposes to install the system as opposed to seeking mains drainage connections. It has been suggested by the applicant that the concerns of noise from alternative means of foul drainage can be controlled by condition, and subject to the type of permission which is granted by the committee, if any, then an appropriate solution could be found. The condition suggested by the applicant would require that no other method of drainage be used without the written approval of the local planning authority.
- 7.53 *f. The site provides a high level of residential amenity for the proposed residents, for example in relation to protection from noise and provision of play facilities –* Gypsy and Traveller sites tend to be self-sufficient sites. Children would play within the relatively large pitch areas without the need to be located near to formal recreation facilities. Meadowlands Park is located less than 500 metres from the application site. Given the countryside location of the site, it is considered that the proposal would result in a high standard of residential amenity for future occupiers.

- 7.54 *g. The health and safety of occupants is not put at risk, including through unsafe access to sites, poor air quality, contamination or unacceptable flood risk* - The site is located in flood zone 1 and at a low risk of flooding. The access is considered safe subject to improvements requested by the Highway Authority which can be secured by condition. Within their consultation response, HDC Environmental Health have raised no concerns regarding contamination. Therefore, it is not considered that the health and safety of occupants is put at risk.
- 7.55 *h. There is adequate space for operational needs, including the parking and turning of vehicles* - The proposed plans demonstrate there is adequate space for vehicles to park, and enter and leave in a forward gear.
- 7.56 *i. There are appropriate management arrangements in place, where the site may have multiple owners or tenants or be used for transit purposes* - The site is owned by the applicant group who are part of a wider close family unit.
- 7.57 *j. The site can be safely and adequately serviced by infrastructure* – The adjoining site is served by mains water and mains electricity, and as such it is considered feasible for the proposed development to also be served by these utilities. Small package sewage treatment plants are the preferred means of waste disposal when connection to mains drainage is not possible or impractical.
- 7.58 Overall, while the proposed development does not meet with any of the specific opportunities for development in the countryside as set out in Paragraph 4.110 of the Local Plan, it is considered that the proposal is acceptable against the primary aims and objectives of Policy LP10 and accords with the Local Plan's Gypsy, Travellers and Travelling Showpeople Policy LP27. Therefore, the site is considered to be in a sustainable location for the scale and nature of the development proposed. Having regard to the NPPF, the PPTS and Policy LP27 of the Huntingdonshire Local Plan to 2036, as well as the personal circumstances of the applicants and shortage of alternative Gypsy and Traveller pitches in the district, the principle of the development is considered acceptable, subject to all other material planning considerations, which are discussed below.

Impact upon the Character and Appearance of the Area

- 7.59 Policies LP11 and LP12 of the Local Plan and the Huntingdonshire Design Guide SPD (2017) set out key principles of good design to support proposals that respond positively to their context, integrate successfully with the surrounding built form and create well designed and sustainable developments

that are functional to meet the needs of present and future occupiers.

- 7.60 The site is well screened when approached from Somersham to the south along Parkhall Road. When approaching from the north the site is also well screened by trees and hedgerows and the existing houses that front on to Parkhall Road. The caravans and hardstanding would erode the pre-existing verdant character of the site. However, given the effective screening, the overall impact when viewed from any publicly accessible location is considered to be minimal in nature.
- 7.61 The further soft landscaping proposed would further minimise the impact of the additional caravans and hardstanding on the site. This would allow the site to be considered visually acceptable within the surrounding area, as its visual impact outside the site would be very limited. Details of soft landscaping and boundary treatments can be secured by condition.
- 7.62 Elevations have not been provided to show the appearance of the mobile homes and caravans, but these are subject to change. The caravans would remain within the legal definitions regarding the maximum size of caravans. There is no requirement, therefore, for the plans and elevations of mobile homes and caravans, which are to be located on the site, to be provided as they are considered mobile structures.
- 7.63 Subject to the imposition of conditions relating to landscaping, the application would meet the requirements of policies LP10, LP11, LP12 and criteria b) and d) of Policy LP27 of The Huntingdonshire Local Plan to 2036.

Residential Amenity

- 7.64 Policy LP14 of the Local Plan states, *“A proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.”*
- 7.65 As discussed above in paragraph 7.49, the scale of the proposed development in relation to the separation distance to the adjacent residential properties would not give rise to any significant amenity impacts. In addition, occupiers of the application site would benefit from a high standard of amenity with relatively spacious pitches.
- 7.66 Conditions can be imposed to address the raised concerns of refuse waste disposal and potential noise associated with foul drainage. Overall, it is considered that the proposed development would provide a high standard of amenity for future occupiers and maintain a high standard of amenity for users and

occupiers of neighbouring land and buildings in accordance with Policy LP14 of the Local Plan and the NPPF 2021 in this regard.

Flood Risk and Drainage

- 7.67 The site is located in an area at the lowest identified risk of flooding from river sources and surface water. The site is shown within the Huntingdonshire Strategic Flood Risk Assessment (SFRA) 2017 as highly susceptible to groundwater flooding.
- 7.68 Paragraph 159 of the NPPF 2021 states that Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Paragraph 162 of the NPPF 2021 states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source and that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
- 7.69 With regard to the sequential test, Policy LP5 of the Local Plan states that *“A proposal will only be supported where all forms of flood risk, including breaches of flood defences or other defence failures, have been addressed, as detailed in the National Planning Practice Guidance and with reference to the Cambridgeshire Flood and Water Supplementary Planning Document (SPD), such that: a. the sequential approach and sequential test are applied and passed, having regard to actual and residual flood risk and including consideration of the impact of climate change;”*
- 7.70 The application is accompanied by a Flood Risk Assessment (FRA) carried out by Flume Consulting Engineers dated January 2023. As set out above, the SFRA indicates groundwater flooding as the only source of potential flood risk at the site. Paragraph 5.4 of the SFRA states that mapping of groundwater flood risk has been based on the Areas Susceptible to Groundwater (AStGW) dataset. The AStGW dataset is a strategic-scale map showing groundwater flood areas on a 1km square grid. It shows the proportion of each 1km grid square, where geological and hydrogeological conditions indicate that groundwater might emerge. It does not show the likelihood of groundwater flooding occurring and does not take account of the chance of flooding from groundwater rebound. This dataset covers a large area of land, and only isolated locations within the

overall susceptible area are actually likely to suffer the consequences of groundwater flooding.

- 7.71 The submitted FRA provides a more detailed assessment of the site-specific risk of groundwater flooding using UK FloodMap4 by Ambiental. Ambiental Groundwater Flood Risk combines comprehensive data on geology, permeability, and historic groundwater levels to provide insight into the actual risk of groundwater flooding for a 1 in 100-year return period. Flooding risk is expressed using a 5-point scoring system from negligible (0) to high (4). The more detailed groundwater flood risk model using Ambiental mapping demonstrates that the site is within a region of 1 / *very low* and within close proximity to 0 / *negligible*.
- 7.72 The FRA states that groundwater flooding is an important consideration for subterranean basements, but this is a relatively small site where no below ground structure or basement is proposed. Groundwater flooding as a sole source is deemed to be relatively low risk to the site. The FRA states any adjustment in external proposed levels will be designed to ensure surface water is directed away from thresholds, should groundwater migrate to surface level. Overall, the FRA concludes that the likelihood of groundwater flooding is low.
- 7.73 In terms of flood mitigation measures, the FRA states that permeable paving and other SuDS features should be promoted within the design. External ground levels immediately outside of the respective buildings will fall away from thresholds, ensuring the minimisation of storm water ingress. This can be achieved by either reducing the external ground levels below internal floor levels, and/or incorporating channel drainage system along the entrance into the buildings to positively drain overland flows. The works carried out at the site to date are temporary in nature and will be subject to change as part of a permanent development scheme secured by condition. Full details of hard landscaping and surface water drainage of the site can be secured through the conditional information process to ensure the risk of flooding is minimised taking into account the recommendations of the FRA.
- 7.74 With regard to the sequential test for flooding, the submitted FRA together with the SFRA and Environment Agency maps, demonstrate that the risk of flooding from all sources is low. The Council has no allocated Gypsy and Traveller sites and is not aware of more sequentially preferable and deliverable sites to accommodate the development. Therefore, the proposal is considered acceptable with regard to the sequential test for flooding. As a 'More Vulnerable' development in Flood Zone 1, the exceptions test is not required in accordance with the Planning Practice Guidance.

- 7.75 Subject to conditions relating to landscaping and drainage, to incorporate the flood mitigation measures recommended in the FRA, the proposed development is considered to be acceptable in terms of flood risk and drainage in accordance with Policies LP5 and LP15 of the Huntingdonshire Local Plan to 2036 and the NPPF 2021 in this regard.

Highway Safety, Access, and Parking Provision

- 7.76 Vehicular access to the site is proposed via a private track from Parkhall Road. Within their consultation comments, Cambridgeshire County Council Highways raised no objection to the proposed development but recommend conditions to ensure the access be upgraded to accommodate two-way vehicle movements.
- 7.77 Within the site there are two car parking spaces per pitch and adequate areas of hardstanding so that vehicles can turn and exit the site in a forward gear. It is considered that the amount of space for the parking and turning of vehicles within the site is acceptable in relation to the scale of the proposed development.
- 7.78 Subject to conditions, the proposal is considered to be acceptable with regard to highway safety, access and parking provision in accordance with Policies LP16 and LP17 of the Huntingdonshire Local Plan to 2036.

Biodiversity

- 7.79 Policy LP30 of the Local Plan states that a proposal will be required to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated. A proposal that is likely to have an impact, either direct or indirect, on biodiversity or geodiversity will need to be accompanied by an appropriate appraisal, such as a Preliminary Ecological Appraisal, identifying all individual and cumulative potential impacts on biodiversity and geodiversity. A proposal will ensure no net loss in biodiversity and provide a net gain where possible, through the planned retention, enhancement and creation of habitats and wildlife features, appropriate to the scale, type, and location of development.
- 7.80 The application is accompanied by a biodiversity checklist which does not identify any significant biodiversity constraints which necessitate the submission of a Preliminary Ecological Assessment. Although the biodiversity value of the site is considered to be generally low, the pre-existing condition of the site was a green field used as a horse paddock, and the loss of grassland through the laying of hard surfacing would have decreased the biodiversity value of the site. As discussed above, the existing boundary trees are to be retained and the proposed

site plan indicates grass paddock and amenity areas with new hedge planting.

- 7.81 Reinforcement of the existing boundary trees and hedging and delineation of pitches with new hedge planting, which can be secured as part of the conditional soft landscaping scheme, would contribute to the biodiversity value of the site. It is considered that other common ecological enhancements such as tree hung bat and bird boxes could be implemented to further enhance the value of the site from its current condition. It is considered that subject to an appropriate soft landscaping scheme, similar to that indicatively shown, and the provision of ecological enhancements to be secured by condition, the proposal would retain the pre-existing biodiversity value of the site in accordance with Policy LP30 of the Huntingdonshire Local Plan to 2036 and the NPPF 2021 in this regard.

Conclusion and Planning Balance

- 7.82 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. In assessing applications, it is necessary to first consider whether the proposal accords with the Development Plan as a whole, notwithstanding non-compliance that may occur with individual policies, and having regard to the reasoning for those policies together with others in the Local Plan.
- 7.83 In this case, the proposed development would result in the loss of some best and most versatile agricultural land and the site is located in the countryside where new Gypsy / Traveller sites are strictly limited. However, the site is in a reasonably sustainable location in terms of access to everyday services and facilities, and at a low risk of flooding. Further, the proposal is not considered to dominate the nearest settled community, would not have a significant adverse impact on the character and appearance of the area, and would not result in any significant adverse residential amenity impacts. The proposed pitches are spacious and would provide a high standard of amenity for occupiers with sufficient space for the parking and turning of vehicles. It is considered that the proposal meets the criteria of Policy LP27 of the Huntingdonshire Local Plan to 2036 'Gypsies, Travellers and Travelling Showpeople' and accords with the Development Plan when assessed as a whole.
- 7.84 The applicants have demonstrated that they meet the definition of Gypsy / Travellers set out in the PPTS and each have personal circumstances, including for their children to enrol in full-time education, which indicate that a permanent base is required. It has been established that there is a shortage of Gypsy and Traveller sites in the district and a lack of alternative

accommodation which would mean, if the application is refused, the applicant group would return to a roadside existence.

7.85 The conditions set out below would ensure future occupiers meet the definition of Gypsy / Travellers, would safeguard against the intensification of the site and minimise the likelihood of adverse amenity impacts, would secure a landscaping scheme, ecological enhancements, external lighting, access improvements, tree retention, bin storage and collection points, and details of foul and surface water drainage.

7.86 Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is therefore recommended that planning permission should be granted subject to the imposition of appropriate conditions.

8. RECOMMENDATION - APPROVAL subject to the following conditions

1. Approved plans: The development hereby permitted shall be carried out in accordance with the approved plans listed in the table above.

Reason: For the avoidance of doubt to ensure that the development is carried out in accordance with the approved plans.

2. Maximum number of caravans: On each of the six pitches hereby approved there shall be no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, stationed at any time. Of the two permitted caravans per pitch, only one shall be a residential mobile home or static caravan.

Reason: To define the scope of this planning permission in accordance with Policy LP27 of the Huntingdonshire Local Plan to 2036.

3. Occupancy criteria: The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

Reason: The site is in an area where the stationing of caravans and mobile homes is not normally permitted. An exception has been made to provide accommodation solely for those who

satisfy these requirements in compliance with Policy LP27 of the Huntingdonshire Local Plan to 2036.

4. Site development scheme: The residential use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 28 days of the date of failure to meet any of the requirements set out in a) to d) below:

- a) Within 3 months of the date of this decision a scheme for:
- the means of surface water drainage of the site;
 - proposed and existing external lighting on the boundary of and within the site;
 - any proposed means of enclosure(s),
 - proposed and existing tree, hedge and shrub planting including details of species, plant sizes and proposed numbers and densities;
 - ecological enhancements including specification and location
 - bin storage and collection

(hereafter referred to as the site development scheme) shall have been submitted for the written approval of the local planning authority and the scheme shall include a timetable for its implementation.

b) if within 11 months of the date of this decision the local planning authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.

c) If an appeal is made in pursuance of b) above, that appeal shall have been finally determined at the submitted scheme shall have been approved by the Secretary of State.

d) The approved scheme shall have been carried out and completed in accordance with the approved timetable.

Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained.

In the event of a legal challenge to this decision, or a decision made to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

Reason: In the interests of visual amenity, flood risk and biodiversity and to enhance the character and appearance of the site in accordance with Policies LP5, LP10, LP11, LP12, LP14, LP15, LP27 and LP30 of the Huntingdonshire Local Plan to 2036.

5. Maintenance of planting and enhancements: At the same time as the site development scheme required by condition 4 above is submitted to the local planning authority there shall be submitted a schedule of maintenance for a period of 5 years of the proposed planting and ecological enhancements beginning at the completion of the final phase of implementation as required by that condition. The schedule shall make the provision for the replacement, in the same position, of any ecological enhancement measure, tree, hedge or shrub that is removed, uprooted or destroyed or dies within 5 years of implementation or, in the opinion of the local planning authority, becomes seriously damaged or defective, with another of the same type, species and size as that originally implemented. The maintenance shall be carried out in accordance with the approved plans.

Reason: In the interests of visual amenity and biodiversity and to enhance the character and appearance of the site in accordance with Policies LP10, LP11, LP12, LP14, LP27 and LP30 of the Huntingdonshire Local Plan to 2036.

6. Removal of permitted development rights: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification) no sheds or amenity/utility buildings, or other buildings or structures, walls, fences or other means of enclosure other than those approved under condition 4 shall be erected on the site unless details of their size, materials and location have previously been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To protect the general amenity and character of the area in accordance with policies LP10, LP11, LP12 and LP27 of the Huntingdonshire Local Plan to 2036 and Policy B and H of the Planning Policy for Traveller Sites, 2015.

7. Visitors caravans: On not more than 28 days in any calendar year, of which no more than 14 shall be consecutive days, not more than 1 additional caravan which is capable of being lawfully moved on the public highway without division into separate parts may be stationed on each pitch.

Reason: To protect the general amenity and character of the area in accordance with policies LP10, LP11, LP12 and LP27 of the Huntingdonshire Local Plan to 2036 and Policy B and H of the Planning Policy for Traveller Sites, 2015 and to limit, for the avoidance of doubt, the scale and nature of the development to that applied for whilst making specific provision for visitors and to

allow attendance at family or community events in accordance with policy H of the Planning Policy for Traveller Sites, 2015.

8. No commercial activities: No commercial activities shall take place on the land, including the storage of materials.

Reason: To protect the general amenity and character of the area in accordance with policies LP10, LP11, LP12 and LP27 of the Huntingdonshire Local Plan to 2036 and Policy B and H of the Planning Policy for Traveller Sites, 2015.

9. Commercial vehicles: No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site. No more than one commercial vehicle per pitch shall be kept on the land for use by the occupiers of the caravans hereby permitted, and they shall not exceed 3.5 tonnes in weight. No person other than a permanent resident of the pitch to which this planning permission relates shall bring a laden commercial vehicle to the site, or park, or keep laden commercial vehicles on the site.

Reason: To protect the general amenity and character of the area in accordance with policies LP10, LP11, LP12 and LP27 of the Huntingdonshire Local Plan to 2036 and Policy B and H of the Planning Policy for Traveller Sites, 2015.

10. Foul drainage: No method of foul drainage other than Cesspits shall be used at the site unless details, including if necessary, the location and noise level of any aeration pumps, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To prevent pollution of the water environment and in the interest of residential amenity in accordance with Policies LP6, LP14 and LP27 of the Huntingdonshire Local Plan to 2036.

11. Tree protection plan: The development hereby permitted shall be undertaken in accordance with the submitted tree protection measures detailed within Appendix III of the accompanying Arboricultural Impact Assessment carried out by Connick Tree Care, received by the Local Planning Authority on 17th February 2022. The measures shall be implemented prior to the laying of any permanent hardstanding, site clearance or other preparatory operations including excavations. They shall be retained intact for the duration of the construction works.

Any trees, shrubs or hedges covered by the protection measures which die or become severely damaged within five years from the completion of the construction works shall be replaced with trees, shrubs or hedge plants of similar size and species unless

the Local Planning Authority gives written approval to any submitted alternative details.

Reason: To safeguard the retained trees at the site in the interests of visual amenity, and to enhance the character and appearance of the site in accordance with Policies LP10, LP11, LP12, LP27 and LP31 of the Huntingdonshire Local Plan to 2036.

12. 3D cellular confinement system: Prior to the installation of permanent hardstanding to the access driveway and driveway of the southernmost pitch, details of a 3D cellular confinement system within the root protection areas of retained trees shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the retained trees at the site in the interests of visual amenity, and to enhance the character and appearance of the site in accordance with Policies LP10, LP11, LP12, LP27 and LP31 of the Huntingdonshire Local Plan to 2036.

13. Access improvements: Within 3 months of the date of this decision, the vehicular access from Parkhall Road shall be hard surfaced, sealed and drained away from the public highway for a minimum width of 5 metres for a minimum distance of 10 metres measured from the near edge of the highway carriageway.

Reason: In the interest of highway safety in accordance with Policies LP16 and LP17 of the Huntingdonshire Local Plan to 2036.

14. External lighting: No external lighting, other than that approved under condition 4 shall be provided without the prior written permission of the Local Planning Authority.

Reason: To protect the general amenity and character of the area in accordance with policies LP10, LP11, LP12, LP14 and LP27 of the Huntingdonshire Local Plan to 2036 and Policy B and H of the Planning Policy for Traveller Sites, 2015.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs

CONTACT OFFICER: Lewis Collins

Enquiries lewis.collins@huntingdonshire.gov.uk

From: developmentcontrol@huntingdonshire.gov.uk
Sent: 06 September 2022 08:36
To: DevelopmentControl
Subject: Comments for Planning Application 21/02861/FUL

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 06/09/2022 8:36 AM from Mrs Penelope Bryant.

Application Summary

Address:	Land West Of East View To Llala Parkhall Road Somersham
Proposal:	Change of Use of Land for the creation of 6no. Gypsy/Traveller pitches comprising the siting of 1no. Mobile Home, 1 no. Touring Caravan, and formation of hardstanding area, per pitch
Case Officer:	Lewis Collins

[Click for further information](#)

Customer Details

Name:	Mrs Penelope Bryant
Email:	clerk@somersham-pc.gov.uk
Address:	The Norwood Building, Parkhall Road, Somersham PE28 3HE

Comments Details

Commenter Type:	Town or Parish Council
Stance:	Customer objects to the Planning Application
Reasons for comment:	
Comments:	<p>Councillors continue to object to this application as per the previous comments made on the basis of over development of the site.</p> <p>The land has already undergone extensive work and is already in occupation without the necessary planning permissions and approval. Further, hardcore has been imported which is likely to have required a permit in the first instance to move to the site.</p> <p>In addition the council object to the access track being included within this planning application as the track should be available for access/egress for all users for this location.</p>

From: developmentcontrol@huntingdonshire.gov.uk
Sent: 15 March 2022 10:49
To: DevelopmentControl
Subject: Comments for Planning Application 21/02861/FUL

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 15/03/2022 10:48 AM from Mrs Penelope Bryant.

Application Summary

Address:	Land West Of East View To Llala Parkhall Road Somersham
Proposal:	Change of Use of Land for the creation of 6no. Gypsy/Traveller pitches comprising the siting of 1no. Mobile Home, 1 no. Touring Caravan, and formation of hardstanding area, per pitch
Case Officer:	Lewis Collins

[Click for further information](#)

Customer Details

Name:	Mrs Penelope Bryant
Email:	clerk@somersham-pc.gov.uk
Address:	The Norwood Building, Parkhall Road, Somersham PE28 3HE

Comments Details

Commenter Type:	Town or Parish Council
Stance:	Customer objects to the Planning Application
Reasons for comment:	
Comments:	Councillors agreed to object to this application on the basis of over development of the site. The land has already undergone extensive work and is already in occupation without the necessary planning permissions and approval. Further, hardcore has been imported which is likely to have required a permit in the first instance to move to the site.

Kind regards

Development Management Committee



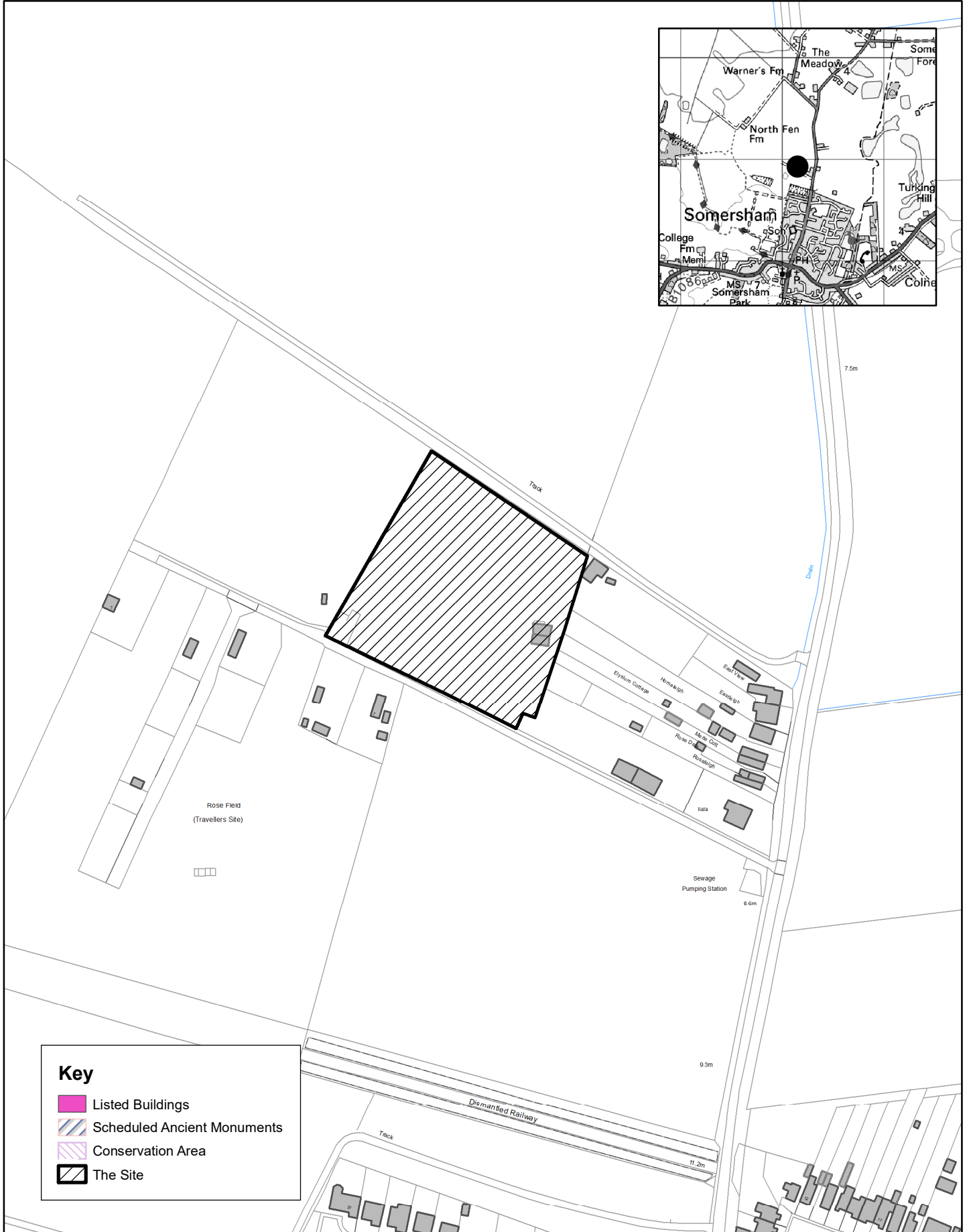
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Application Ref: 21/02861/FUL

Date Created: 07/11/2022

Location: Somersham

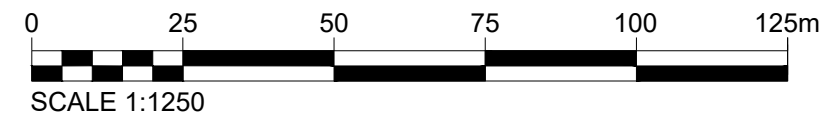
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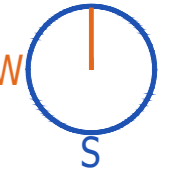


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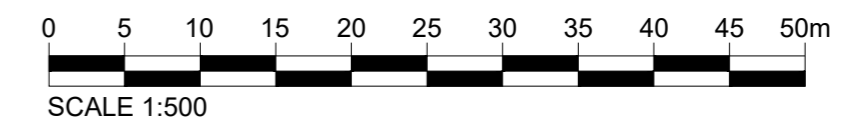
Site Location Plan



Rev	Date	Description
A	25.08.22	Red Line Amended
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Date December 2021		Drawn By MR
Scale 1:1250@A3		Checked BW
Client Mr P Casey		
Project Land at Parkhall Road, Somersham, Huntingdon, PE28 3HF		
Title Site Location Plan		
Drawing No.	Rev.	
J004077-DD-01	A	

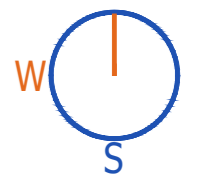


As Proposed Site Plan

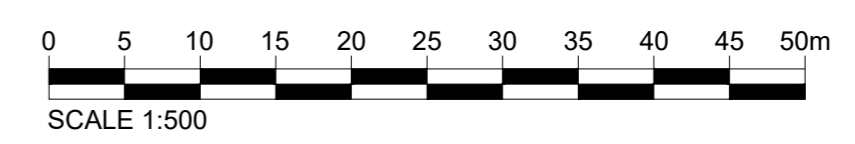


Rev	Date	Description
A	27.10.2022	Paddock area labelled
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Date: December 2021		Drawn By: MR
Scale: 1:500@A2		Checked: BW
Client: Mr P Casey		
Project: Land at Parkhall Road, Somersham, Huntingdon, PE28 3HF		
Title: As Proposed Site Plan		
Drawing No.	Rev.	
J004077-DD-03	A	

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 Any discrepancies are to be reported to WS Planning & Architecture.
 Refer to Structural Engineers details for all structural design criteria.
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As Existing Site Plan



Rev	Date	Description
<small> Surrey Office: 5 Pool House, Ringme, RH12 7BP </small>		<small> London Office: No.11 Croydon, 12-16 Addiscombe Rd, Croydon, CR0 0XT </small>
<small> T. 01737 225711 T. 02038 281188 www.wspa.co.uk admin@wspa.co.uk </small>		
Date:	December 2021	Drawn By: MR
Scale:	1:500@A2	Checked: BW
Client:	Mr P Casey	
Project:	Land at Parkhall Road, Somersham, Huntingdon, PE28 3HF	
Title:	As Existing Site Plan	
Drawing No.:	J004077-DD-02	Rev.: