

Agenda Item:	5.2
Site:	Craythorne Therapy and Small Animals Farm, Craythorne Road, Stretton, Staffordshire, DE13 0AZ
Proposal:	Change of use to a residential caravan site for two gypsy families, each with two caravans, including laying of hardstanding, erection of 2 no. ancillary amenity buildings and installation of 2 x septic tanks

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by Sherrie Grant

[Hyperlink to Application Details](#)

Application Number:	P/2021/00373	
Planning Officer:	Barbara Toy	
Type of Application:	Detailed Planning Application	
Applicant:	Mr Paul Lee (AKA Paul Smith)	
Ward:	Dove	
Ward Member (s):	Councillor C Smedley	
	Councillor R Lock	
	Councillor S Gaskin	
Date Registered:	10/05/2021	
Date Expires:	02/07/2021 Time extension agreed till 01-12-2023	
Reason for being on Agenda	Significant Community Interest	

1. Executive Summary

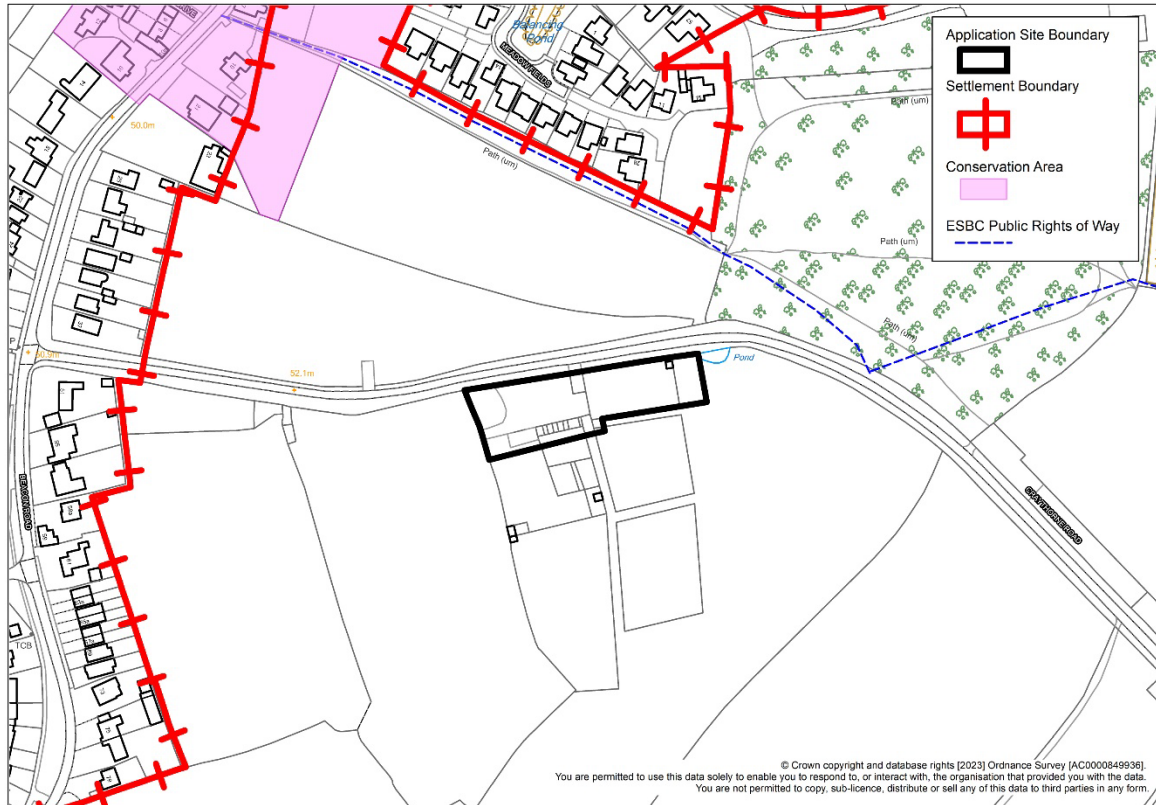
- 1.1 The site comprises 0.33 hectares of land on the southern side of Craythorne Road approx. 220m to the east of the junction with Beacon Road and the settlement boundary of Rolleston on Dove as defined in Policy SP2 of the Local Plan.
- 1.2 The site forms the frontage of a larger site in the control of the applicant (approx. 3.5 hectares in total) which has planning consent for the use of the land for the keeping of horses and stables and two field shelters. Mature hedging and trees form the front boundary of the site.
- 1.3 This is a full planning application for the change of use of the land to a residential caravan site for two gypsy families. The site layout identifies two mobile homes, 2 tourer plots and 2 amenity buildings, additional area of hardstanding and two septic tanks and identifies the site of the former stables (now removed).

- 1.4 Whilst the site sits outside of the settlement boundary Policy SP8 of the Local Plan does support development in an out of settlement location if it would be ‘otherwise appropriate in the countryside’.
- 1.5 The 2023 GTAA identifies a requirement to provide 8 Gypsy/Traveller pitches in the period 2020 – 2024 within East Staffordshire. Based on the evidence in the new GTAA ESBC cannot currently demonstrate that it has a 5 year supply of pitches, with a shortfall of 6 pitches against the minimum pitch supply figure for the ethnic definition up to 2023. The proposed site would provide 2 of the existing shortfall of 6 pitches.
- 1.6 Whilst the site is situated outside of the settlement boundary, its sits only a short distance from Rolleston village and its facilities, and the small scale of the development for only 2 pitches would not dominate the village and would not place undue pressure on the local infrastructure, in compliance with the Planning Policy for Traveller Sites (PPTS). The size and location of the site complies with all the criteria identified in Policy SP19 of the Local Plan. It is therefore considered that the proposals would comply with both National and Local policy in terms of the provision of Gypsy/Traveller accommodation.
- 1.7 The Highway Authority have raised an objection on sustainability grounds. Whilst it is recognised that the site sits outside of settlement boundary, the site sits only a short walk from the village which provides services, schools and buses and whilst the road has no designated footpath and is unlit, it is wide enough for two vehicles to pass and pedestrians utilising the recreation ground already walk along the road a further distance from the village for access. Therefore it is considered that refusal on sustainability grounds could not be justified in this case.
- 1.8 Whilst the proposed development sits within the Strategic Green Gap (Local Plan Policy SP31), it is considered given the size and scale of the development that the impact on the surrounding landscape would be minimal and would not have a negative impact on the landscape or biodiversity.
- 1.9 The design and layout of the site is considered appropriate with the accommodation providing a mobile home and amenity building for each plot as well as space to park a touring caravan for use when travelling and adequate vehicle parking and manoeuvring space for each pitch. The existing boundary hedging and trees to the road frontage of the site would be retained providing screening of the accommodation from the road, reducing any adverse impact on the street scene or the surrounding landscape.
- 1.10 The site sits some distance from the nearest existing residential occupiers and it is considered given the small nature of the site that the proposals would have no adverse impact on the amenities of the surrounding residential occupiers.
- 1.11 The site would utilise the existing vehicle access and would provide parking in accordance with the SPD and manoeuvring space for vehicles. A condition is recommended to ensure appropriate visibility at the access and to ensure no business use at the site without prior consent.
- 1.12 The proposals are a sufficient distance from the Rolleston Conservation area and the closest listed buildings to ensure no adverse impact on heritage assets.
- 1.13 Objections from 80 residents and the Parish Council have been received which are detailed and addressed in the main report.

In light of the above conclusions on the planning merits of the case, the application is recommended for approval subject to conditions.

Members are advised that the above is a brief summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.

Map of site



2. The Site and Surrounding

- 2.1 The site comprises 0.33 hectares of land on the southern side of Craythorne Road approx. 220m to the east of the junction with Beacon Road and the settlement boundary of Rolleston on Dove a tier 1 Strategic Village as defined in Policy SP2 of the Local Plan. The site therefore sits outside of the settlement boundary and within an area identified as Strategic Green Gap as defined in Policy SP31 of the Local Plan.
- 2.2 The site forms the frontage of a larger site in the control of the applicant (approx. 3.5 hectares in total) which has planning consent for the use of the land for the keeping of horses and stables and two field shelters.
- 2.3 The land the subject of this application includes the site of the former stables and area of hardstanding to the west of the existing gated access with grass land to the east of the access. A high mature hedge forms the front boundary of the site to Craythorne Road (approx. 105m frontage), with the only break in the hedge being the existing vehicle access. The gates within the access are set back from the highway edge by approx. 10m.

- 2.4 Hedging and trees form the western boundary of the site, whilst traditional post and rail fencing forms the eastern boundary to a further open field beyond the site.
- 2.5 The site sits within Flood Zone 1 and there are no listed buildings within the immediate vicinity of the site. The closest conservation area sits approx. 150m to the north west across a field on the opposite side of Craythorne Road that has planning consent for 22 detached retirement living bungalows, which are currently under construction. The approval includes a footpath link to Beacon Road from the site.

3. Planning History

- 3.1 P/2018/00777 - Change of use of land for the keeping of horses and the erection of a stable building, hay store and two field shelters – GSC 23-08-2018
The site includes the application site and the land immediately to the south.

4. The Proposals

- 4.1 This is a full planning application for the change of use of the land to a residential caravan site for two gypsy families. The site layout identifies two mobile homes, 2 tourer plots and 2 amenity buildings, additional area of hardstanding and two septic tanks and identifies the site of the former stables (now removed).
- 4.2 The site would provide two plots, one either side of the existing (almost central) vehicle access. To the west a mobile home would be sited close to the north western corner of the site, with a tourer plot to the east along the front boundary hedging and an amenity building to the south of the mobile home. The septic tank would be provided to the south west of the amenity building with the hardstanding of the former stables to remain in situ to the south west of the entrance. The existing hardstanding area would remain.
To the east a mobile home would be sited towards the eastern side of the plot with an amenity building to the west along the front boundary hedging with a tourer plot to the west of it. The septic tank would be provide n the southern eastern corner of the plot. A new area of hardstanding would be provided central to the plot.
- 4.3 Each pitch would have an amenity building 6m x 4m with an eaves height of 2.6m and pitched roof height of 3.9m, they would be constructed from red brickwork with a dark grey tiled roof. The buildings would provide a bathroom and laundry/amenity room and would have 2 windows and a door to the front elevation.
- 4.4 The land to the south, outside of the application site, but within the applicants control would remain as grazing land for horses as per the consent under P/2018/00777, there are currently two horses on the land.
- 4.5 All the existing hedging to the road frontage and trees and hedging to the western boundary would remain unaffected by the proposals.
- 4.5 Since the submission of the application the condition and stability of the stable building has deteriorated and the building has been removed from site, with just the hardstanding remaining. The agent has advised that there is no immediate intention to replace the stables and this no longer forms part of this application. As such the application development description has been amended to remove the reference to the keeping of horses at the site as the grazing land sits outside of the red line boundary for the application site.
- 4.6 The agent has confirmed that the size of the two mobile homes to be sited will conform with the definition of a caravan within Section 13 of the Caravan Sites Act 1968 and

that any steps, skirting patio etc to the units will depend on the precise details of the mobile homes to be installed.

- 4.7 The agent has confirmed that both water and electricity supplies to the site are set to be provided on 15th December 2023, but it should be noted that these works would not require any planning consent.
- 4.8 One of the units would be occupied by the applicant, his wife and his daughter and her two children, the second unit would be occupied by other family members comprising 2 adults and 5 children. Four of the children are of school age and currently attend school in Coton-in-the-Elms (Swadlincote). The applicant and his wife, daughter and children currently reside temporarily with a relative in Burton whilst the other family members who will occupy the other unit are currently renting a pitch on a gypsy site in Swadlincote on a temporary basis.
- 4.9 The applicants have not asked for any combined business use at the site.
- 4.10 Ownership of the land has been confirmed during the course of the application

List of supporting documentation

The following documents have been provided as part of the application:

- Drawings associated with the development
- Details of septic tank
- Design and Access Statement

5. Consultation responses and representations

5.1 A summary of the consultation responses is set out below:

Statutory and non statutory consultee		Response
5.2	Rolleston on Dove Parish Council	<p>Objections:</p> <ul style="list-style-type: none"> • Significant concerns within the village • Disappointed at the quality of the submission • The proposals conflict with the Rolleston on Dove Neighbourhood Plan Policies D2 and H1 • The proposals conflict with the Local Plan Strategic Policies 1, 8, 18, 19 and 29. • No statement of need for gypsy or traveller accommodation. • Craythorne Road is a narrow unlit country road with no footpath with limited access to the site for service vehicles and raised highway safety issues • Craythorne Road already busy and well used the proposals will increase traffic further • No details of service water drainage, the road already floods and development of the site could lead to more flooding • The development site sits within the Strategic Green Gap (SGG1). <p>Further objection received 20-11-2023 following recent flood events due to Storm Babet. The submission included a series of photos of the flood water around the village 20-10-2023. The photos show significant water around the village including at the</p>

		<p>junction of Craythorne Road/Beacon Road and the road side ditches along Craythorne Road.</p> <p>Objections:</p> <ul style="list-style-type: none"> • Water flowing down Beacon Road/Craythorne Road and concern that the proposed use of the site will cause more flooding elsewhere • One of the pitches was under water during the recent flood event, so unsuitable for development • Already considerable water run off from the site during heavy rain and the primary cause of water flowing down Craythorne Road into the village • Further hardstanding on the site will reduce further the fields ability to soak up rain water and create more water to Craythorne Road
5.3	SCC Highways	<p>Refusal recommended</p> <p>The proposed development does not constitute sustainable development in that it is entirely reliant on the private car and does not enable occupiers to reasonably choose sustainable modes of transport to access the site as required by national and local planning policies.</p> <p>The proposed development would exacerbate the risk of conflict between vehicles and vehicles and pedestrians and cyclists by reason of the lack of segregated pedestrian facilities and street lighting on comparatively narrow roads subject to the national speed limit, leading to an increase in the likelihood of danger to highway users particularly those considered vulnerable.</p> <p>The access requires visibility splays to be shown and suitable hardstanding and drainage of this would need to be provided</p>
1.1	SCC Flood Risk Team	No comments as a minor development
1.2	Environment Agency	No comments to make
1.3	Staffordshire Police Architectural Liaison Officer	No objections as long as both pitches are occupied by one extended family.
1.4	SCC Archaeology	No archaeological concerns regarding the development.

Internal Consultees		Response
1.5	Environmental Health	The works must be carried out in compliance with Building Regulations and a caravan site licence under the Caravan Sites and Control of Development Act 1960 and Mobile Homes Act 2013.

6. Neighbour Responses

80 objections received including one from the Rolleston Civic Trust

Following initial comments a notification letter was sent out to additional addresses.

Neighbour responses	
Principle	<ul style="list-style-type: none"> • Agricultural land surrounded by agricultural land, not suitable for residential use • Outside of settlement boundary

	<ul style="list-style-type: none"> • Situated within Strategic Green Gap, proposals will close the gap between Stretton and Rolleston, danger of Rolleston being swallowed by Stretton • Not part of the Neighbourhood Plan to provide any further development along Craythorne Road • Set a precedent for further applications • No details of the need for the proposals, no evidence of gypsy status or supporting information • Doesn't comply with policies SP8 & SP19 of the Local Plan • The 2013 GTAA doesn't require any pitches • Rolleston already been ruined by other housing developments • Consent for two will lead to more pitches in the future on the remainder of the site, as has happened in other areas across the country • Two listed buildings in the road
Highways	<ul style="list-style-type: none"> • Access on the bend in the road • Poor visibility of the access when travelling from Stretton end of the road • Second access to the site • Intensification of the use of the access, inadequate for larger vehicles will return in disruption in Craythorne Road • Junction of Craythorne Road and Beacon Road identified as Critical Traffic Point in the Neighbourhood Plan • Narrow country road, with no lighting or footpath • Danger to pedestrians • Bungalow approval on the opposite side of the road included a footpath link to Beacon Road • Lack of turning facilities within the site • Craythorne Road a busy through route, increase in traffic not suitable, added to residential developments and proposed 40 bed hotel approved • Poor condition of the road exacerbated by additional traffic • Will bring heavy vehicles to a country lane • Already congestion within Rolleston village which won't cope with more traffic and caravans • If horses are to be kept for trap driving, this will cause a danger in Craythorne Road
Impact on Amenity	<ul style="list-style-type: none"> • Adverse impact on the Rolleston conservation area • Adverse impact on outlook from houses and noise and disturbance • Site visible from Craythorne Road • Oversized utility buildings will be visible • Proximity of caravans and buildings to the road, will make them visible • Land has been left in a poor an untidy state • Disruption to the local community and lack of attachment to the community
Flood and drainage impacts	<ul style="list-style-type: none"> • No details of surface water drainage • Increase run off into road side ditches

	<ul style="list-style-type: none"> • Craythorne Road prone to flooding, likely to be increased from additional hardstanding and surface water runoff from the steep sloped field • Septic tanks not suitable • Will create additional drainage problems
Impact on the Natural Environment	<ul style="list-style-type: none"> • Lack of biodiversity statement • Adverse impact on the natural environment and wildlife • Bat roost in large tree on site • Damage to trees on site and along Craythorne Road during construction and delivery of caravans by large vehicles • Horses have never been kept at the site • Removal of trees and hedges
General/Non Material Planning Considerations	<ul style="list-style-type: none"> • Errors within the application forms • Unacceptable public consultation and insufficient time to comment • Three existing caravan sites in Rolleston including a residential site (Marston Lane) which has vacant pitches that could be utilised • Property devaluation (<i>not a material planning consideration</i>) • A more suitable site should be sought • Will they pay Council Tax? (<i>not a material planning consideration</i>) • Family known in the area (<i>not a material planning consideration</i>) • Concerns about anti-social behavior • Increase in crime • Misconception that the site will be a transient site rather than for 2 residential pitches • Site also likely to be used for business, born out by the existing use of the site for storing building materials and vehicles • No details for the removal of household waste • Schools wont cope with additional pupil • Doctors wont cope with additional patients • No details of any water and electricity supply • Disruption during building works here and for the residential development opposite • Previous sites in Rolleston and Stretton invaded by gypsies causing worries to residents and leaving a mess when they leave • Question the ownership of the land • Inconsistent approach to the submission by the Local Authority compared with other applications in the vicinity
Ward Member	Through the course of the application Councillor Lock and former Councillor Toon have both sought advice on when the application was likely to be determined

7. Policy Framework

National Policy

National Planning Policy Framework

National Planning Policy Guidance

Planning Policy for Traveller Sites (PPTS) (DCLG August 2015)

Local Plan

SP1: East Staffordshire Approach to Sustainable Development
 SP2: Settlement Hierarchy
 SP8: Development Outside Settlement Boundaries
 SP19: Sites for Gypsies, Travellers and Travelling Showpeople
 SP24: High Quality Design
 SP25: Historic Environment
 SP27: Climate Change, Water Body Management and Flooding
 SP29: Biodiversity and Geodiversity
 SP31: Green Belt and Strategic Green Gaps
 SP35: Accessibility and Sustainable Transport
 DP1: Design of New Development
 DP3: Design of New Residential Development, Extensions and Curtilage Buildings

Rolleston on Dove Neighbourhood Plan

H1: Housing Development
 H2: Housing Mix and Affordable Provision
 D2: Design of New development
 D3: Public Realm and Car Parking
 D5: Traffic and Transport
 NE2: Natural Environment

Supplementary Planning Documents

East Staffordshire Design Guide
 Car Parking Standards

Other Legislation and Policy**Caravan Sites & Control of Development Act 1960, Section 29;**

This provides that a ‘caravan’ means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted.

Caravan Sites Act 1968, Section 13;

This expands the definition of a caravan stating that it must be composed of not more than two sections separately constructed and assembled on site by bolts, clamps or other devices; and when assembled, physically capable of being moved by road from one place to another, and not to exceed any of the following limits-

- (a) length (exclusive of any drawbar): [65.616] feet ([20] metres);
- (b) width: [22.309] feet ([6.8] metres);
- (c) overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): [10.006] feet ([3.05] metres).

Derby, Derbyshire, Peak District National Park Authority and East Staffordshire Gypsy and Traveller Accommodation Assessment Report July 2023

This document has yet to be endorsed by all commissioning authorities and therefore is not yet in the public domain. References in this report relate to the section relevant and specific to East Staffordshire Borough Council as these have been adopted on 18-09-2023 by the Council.

8. Principle of Development

- 8.1 The site sits outside of the settlement boundary where Policy SP8 of the Local Plan will apply. The policy identifies 9 exceptions where development may be acceptable in principle outside of the settlement, Gypsy and Traveller sites are not identified as one of the exceptions, but the policy does support development ‘otherwise appropriate in the countryside’.

- 8.2 Whilst residential development outside of the settlement boundary conflicts with policy H1 of the Rolleston Neighbourhood Plan, the development would respect the sensitive landscapes and habitats through the retention of all hedging and trees and the site sits within Flood Zone 1, away from high risk flooding areas, in line with the policy.
- 8.2 Policy SP19 of the Local Plan relates specifically to sites for Gypsies, Travellers and Travelling Showpeople and supports proposals for Gypsy and Traveller sites subject to 8 criteria being met:
1. *The site affords good access to local services including schools;*
 - There are 3 primary schools within 1.6km of the site with John of Rolleston school within walking distance of the site.
 - There are several bus stops in walking distance to the site which provide routes to both Derby and Burton
 - The closest GP surgery sits approx. 1.5km from the site.
 2. *The site is not at risk of flooding or adjacent to uses likely to endanger the health of occupants such as a refuse tip, sewage treatment works or contaminated land;*
 - The site sits within Flood Zone 1 where there is the lowest risk of flooding.
 - The surrounding land does not appear to be contaminated or appear likely to endanger the health of the occupants
 3. *The development is appropriate in scale compared to the size of the existing settlement;*
 - The proposals would result in two families living on site, with 5 adults and 8 children, these low numbers are considered would not dominate the nearest community (Rolleston on Dove) or place undue pressure on local infrastructure
 4. *The development will be able to achieve a reasonable level of visual and acoustic privacy both for people living on the site and for those living nearby;*
 - Given that the site is for two residential pitches only and the separation distance to surrounding residential properties, the occupation of the site is unlikely to have any adverse impact on the amenities of surrounding occupiers in relation to noise or disturbance.
 5. *The development will provide a high quality frontage onto the street which maintains or enhances the street scene and which integrates the site into the community;*
 - Given the existing boundary hedging and trees to the road frontage are to be retained, the accommodation would be well screened from the road therefore the proposals are unlikely to have any adverse impact on the visual amenity of the area and the street scene.
 6. *The development will be well-laid out to provide adequate space and privacy for residents;*
 - The proposed layout looks to provide a pitch either side of the existing access to the site and would allow for adequate space for parking and manoeuvring.
 - The structures would be sited close to the front boundary hedging, screening the space and providing privacy for the future occupants.
 7. *The development complies with relevant national planning policies;*
 - It is considered that the relevant national planning policies for the development proposed are set out in paragraphs 22 – 28 of the PPTS which states that Local Planning Authorities should consider or attach weight to the following matters:
 - *Very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan (paragraph 25).*

Whilst the site is approximately 220 metres outside the Rolleston on Dove settlement boundary, the site is considered to have good access to local services, including schools (see 1. above);

- *Sites should respect the scale of, and not dominate the nearest settled community, and should avoid placing an undue pressure on the local infrastructure (paragraph 25) – (see 3. Above);*
- *Weight should be attached to effective re-use of brownfield land, untidy or derelict land (paragraph 26);*

This is the only item that the proposals fail to comply with.

- *Weight should be attached to sites which positively enhance the environment for example by soft planting (paragraph 26); (see 5. above)*
- *Weight should be attached to promoting opportunities for healthy lifestyles, such as provision of adequate landscaping and play areas for children (paragraph 26);*

The site sits within walking distance of Rolleston recreation ground used for sports and recreation and the remainder of the land to the south of the site is within the applicants control and used for keeping horses.

- *Weight should be attached to not over enclosing or isolating a site with hard landscaping, walls and fences (paragraph 26).*

All the existing boundary hedging, trees and fencing would be retained. Whilst a small area of additional hardstanding would be required for the second plot, this would be relatively small and would not adversely impact on the amenity of the area.

8. *The development complies with the other relevant policies in this Plan.*

- These include Policies SP2, SP8, SP24, SP25, SP27, SP29, SP31, SP35, DP1 & DP3 which are discussed later on this report.

It is therefore considered that the proposals comply with Policy SP19 of the Local Plan and the PPTS.

8.3 In terms of the need for Gypsy and Traveller pitches. Paragraph 9 of the PPTS states local planning authorities should set pitch targets which address the likely permanent and transit needs of Travellers in their area and Paragraph 10 states that when producing their Local Plan, local planning authorities should identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets. Local planning authorities should also identify a supply of specific developable sites, or broad locations for growth, for years 6 to 10 and, where possible for years 11 to 15. The PPTS states that the existing level of local provision and the need for sites are relevant in the consideration of planning applications.

8.4 East Staffordshire Borough Council (together with Derbyshire County Council, Amber Valley Borough Council, Bolsover District Council, Chesterfield Borough Council, Derby City Council, Derbyshire Dales District Council, High Peak Borough Council, North East Derbyshire District Council, the Peak District National Park Authority, and South Derbyshire District Council) commissioned a Gypsy and Traveller Accommodation Assessment (GTAA) which, subject to endorsement by the relevant Councils, will be published in the coming months. ESBC Cabinet agreed the content of the Assessment in relation to ESBC at their meeting on 18th September 2023. The GTAA assesses the need for Traveller pitches between January 2020 and December 2040.

8.5 The GTAA provides two need figures - one based on the ethnic identity definition, the other based on the needs of families who have not permanently ceased to travel (i.e.

based on the PPTS 2015 definition). In the five years from January 2020 to December 2024, the GTAA identifies a need in East Staffordshire for either 8 Traveller pitches (based on the ethnic identity definition) or 7 pitches (using the PPTS definition). In the period 2025 – 2030 the identified need is for a further 3 pitches (both definitions). In the period 2030 – 2035 the need increases by a further 3 pitches (both definitions), and between 2035 – 2040 the need increases by a further 4 pitches (ethnic definition) or 3 pitches (PPTS definition).

In light of the Lisa Smith Court of Appeal judgement, it is considered that the accommodation needs for those who meet the ethnic definition should be used to inform decision making.

Under the GTAA there is therefore a requirement to provide 8 Gypsy/Traveller pitches in the period 2020 – 2024 within ESBC.

- 8.6 Based on the 2023 GTAA evidence, ESBC cannot currently demonstrate that it has a 5 year supply of pitches, with a shortfall of 6 pitches against the minimum pitch supply figure for the ethnic definition. The proposed site would provide 2 of the existing shortfall of 6 pitches. ESBC currently have two privately owned gypsy/traveller sites that have been in situ for a number of years providing 24 pitches, all occupied.

The GTAA has yet to be endorsed by all commissioning authorities and as a result the findings for East Staffordshire cannot be given full weight in decision making.

- 8.7 The PPTS states that new traveller sites in open countryside should be strictly limited when they are situated away from existing settlements. In this case whilst the site is situated outside of the settlement boundary, it sits only a short distance from Rolleston village and its facilities, in fact it sits closer to the recreation facilities for the village than properties within the village itself. The small scale of the development for only 2 pitches would not dominate the village and would not place undue pressure on the local infrastructure, in compliance with the PPTS. The size and location of the site complies with all the criteria identified in Policy SP19 of the Local Plan. It is therefore considered that the proposals would comply with both National and Local Policy in terms of the provision of Gypsy/Traveller accommodation.
- 8.8 Objectors have indicated that development of the site would set a precedent for further development, however it must be recognised that each application is dealt with on its own merits against both national and local planning policy.
- 8.9 Objectors have also indicated that there are vacant pitches at the existing residential caravan site in Rolleston off Marston Lane, that should be utilised rather than creating a new site in an out of settlement location. It must however be recognised that the applicant wishes to live as a family unit and would be unable to do this on any existing private site. The GTAA, whilst can only be afforded limited weight at this stage does offer guidance on the appropriate location for Gypsy and Traveller sites and concludes that smaller sites are preferred by Gypsy and Travellers due to better management and maintenance of provision and security.

9. Design and Impact on the Character and Appearance of the Area

- 9.1 The proposals would provide 2 residential pitches each with a mobile home, an associated touring van pitch and amenity building which are recognised nationally as appropriate ancillary provision for residential gypsy pitches. This allows for storage of a touring caravan, to be used by the residents when they go on the road and the amenity building provides a bathroom and utility for washing etc. The site layout provides an area of hardstanding for parking for each unit.
- 9.2 The agent has confirmed that the size of the mobile homes would comply with the Caravan Sites Act 1968 and a condition is recommended to restrict the size of the

units as such. The size of the proposed amenity buildings at 24sqm and 3.9m maximum height and the proposed materials are considered appropriate for the site and to provide the appropriate level of accommodation required (bathroom and laundry facilities).

- 9.3 The pitches would be positioned either side of the site access with the accommodation provided within close proximity of the front boundary of the site behind the high mature hedging that forms the front boundary with the road. The proximity to the boundary and the maturity and height of the hedging would provide significant screening of the structures from the road. The only full views of the site would be limited to the site access, which is the only break in the boundary hedging.
- 9.4 The site layout would continue to allow access to the horse grazing fields to the south of the site (within the applicant's control).
- 9.5 It is considered given the extent of the front boundary hedging that the proposed development would have little impact on the visual amenity of Craythorne Road. The existing boundary hedging and trees to the western boundary would also obscure full views of the accommodation from the open fields to the west. Whilst the accommodation would be visible from fields to the east of the site given the post and rail fencing to the boundary, the depth of the site is only approx. 30m and the accommodation would be seen against the backdrop of the existing boundary hedging when viewed from the east, reducing any adverse visual impact of the accommodation. It is therefore considered that the proposals would have little adverse impact on the visual amenity of the area. It is also recognised that the site sits in very close proximity to 22 retirement bungalows (on the opposite side of Craythorne Road) which will have a greater impact on the visual amenity of the area than the proposed 2 residential units.
- 9.6 The Government's "Designing Gypsy and Traveller Sites Good Practice" (2008) which was cancelled when the Government published "Planning Policy for Traveller Sites" was based upon extensive research with the Gypsy and Traveller communities and contained considerable detail relating to site specific considerations, including extent of hardstanding, parking spaces, amenity block and amenity/garden area. January 2021 saw the publication of "Places to be proud of" by the National Policy Advisory Panel on Gypsy and Traveller Housing which provides guidance on site design and facilities. The pitch sizes, site layout, hardstanding and amenity block proposed are in line with this guidance.
- 9.7 The design and layout of the site, use of materials and retention of existing boundary hedging and trees is considered appropriate and in line with policy SP24 of the Local Plan and Policy D2 of the Rolleston Neighbourhood Plan.
- 9.8 Objectors have raised concerns about drainage of the site adding to the existing flooding problems in the road. The site and the field to the south in the applicants ownership are both situated within Flood Zone 1 where there is the lowest risk of flooding. The Environment Agency and the Flood Authority have both been consulted and made no comments. A large area of the site is already hardstanding and drainage from the new amenity buildings and mobile homes would be considered under building regulations, therefore it is considered that the proposals would not adversely impact on drainage or flooding on the road.
- 9.9 The Parish Council made additional comments on 20-11-2023 providing details of the flood event of 20-10-2023 (Storm Babet). Only one photo submitted related to Craythorne Road in the vicinity of the site:



This shows some water within Craythorne Road within the vicinity of the application site (the site access is believed to be that at the top of the photo), but there is no evidence that this water originated from the site and it is noted that the site sits in Flood Zone 1. To address the concerns by the Parish Council a condition to deal with the disposal of surface water at the site is recommended.

10. Residential Amenity

- 10.1 The closest existing residential properties to the site are situated approx. 205m to the west on the corner of Beacon Road. However 22 over 55's bungalows have been approved (and currently under construction) on land on the opposite side of Craythorne Road, with the nearest property being sited approx. opposite the western boundary of the site.
- 10.2 The existing boundary hedging and trees on both sides of the road, bounding the application site and the bungalow site will be retained, providing screening of both developments from the road and from each other.
- 10.3 Given the separation distance and natural screening it is considered that the proposals would not have any adverse impact on the amenities of nearby residential occupiers through outlook or any noise and disturbance.
- 10.4 Objections have been raised about the poor appearance of the site and materials stored on site. Whilst the applicant has not identified any business use at the premises a condition is recommended to ensure no business operations at the site in order to minimise the visual impact and limit any noise impacts.
- 10.5 Objectors have raised concerns about the possibility of increased crime in the area as a result of the proposals, but there is no evidence to support this assumption and the Police Architectural Liaison Officer has raised no objections given the size of the site and to be occupied by one extended family.

11. Highway Matters

- 11.1 The Highway Authority has raised an objection due to the unsustainable location of the site in transport terms. Whilst it is recognised that the site sits outside of the settlement boundary, and Craythorne Road is an unlit country road, with a limited width and no public footpath, the walk to Beacon Road to public footpaths is only 220m and bus stops within the village are within walking distance (700 & 800m), providing routes to both Burton and Derby. A dedicated school bus service is also provided along Station Road to John Taylor Free School. It is therefore considered that the site can be accessed by other modes of transport other than the private car.
- 11.2 Whilst it is recognised that Craythorne Road is a narrow country lane, its width outside of the site and to the west to Beacon Road is approx. 4.2m, which does allow for two vehicles to pass. It is considered that the additional traffic created by the two residential units proposed is likely to have a minimal impact on the existing traffic levels within the road or Rolleston village.
- 11.3 The Rolleston recreation/sports ground is situated approx. 200m to the east of the site in Craythorne Road. This facility is double the distance from Beacon Road than the proposed development and creates substantially more traffic and activity than the proposed two residential units would. Whilst pedestrians would be required to walk in the road to Beacon Road or the recreation ground, this is an existing situation for anyone walking to the recreation ground from Rolleston. The access to the planning approval for the 22 bungalows on the opposite side of Craythorne Road sits approx. 98m from the application site access, the approval includes an extension of the public footpath from Beacon Road by approx. 36m to link to a new footpath from the bungalow site, which once implemented can be used by all pedestrians in Craythorne Road, providing improved pedestrian facilities.
- 11.4 The development would utilise the existing access (which is approx. 8m wide) that has a gate set back 10m from the road, allowing vehicles to be set off the road whilst the gates is opened and closed, ensuring no adverse impact on the free flow of traffic along Craythorne Road. Whilst the movement of touring caravans is likely to be associated with the use of the site, this is unlikely to be on a regular basis and could easily be managed within the road and is unlikely to cause a highway safety issue. A condition is recommended to ensure that appropriate visibility splays at the access are provided.
- 11.5 Appropriate vehicle visibility at the access would need to be ensured and a condition is recommended.
- 11.6 The site provides adequate space for parking and vehicle manoeuvring in compliance with the Parking Standards SPD.

12. Historic Environment

- 12.1 The Staffordshire Historic Environment Record (HER) identifies a degree of historic interest within the area; the proposed site is located within the earthwork remains of medieval or later ridge and furrow, identified on aerial photography from 1963. However, lidar imagery indicates that no earthwork remains survive within this location. The site lies within BRHECZ 3 which identifies High potential in the east which lies closer to the confluence of the Dove and Trent, approx. 2km to the east of the site. Otherwise little is known about this landscape, although a recent archaeological evaluation to the immediate north revealed no archaeology. With this in mind and given the minimal below ground impact of the proposals the County Archaeologist raises no archaeological concerns regarding the development.
- 12.2 The Rolleston Conservation Area sits approx. 150m to the north west of the site beyond the site where 22 retirement bungalows are being built, the proposals would

therefore have no adverse impact on the character or appearance of the conservation area or its setting given the separation distance. Similarly the closest listed building sits over 700m to the south east of the site on the opposite side of Craythorne Road (set back from the road), it is therefore considered that the proposals would have no adverse impact on heritage assets.

13. Strategic Green Infrastructure, Landscape & Biodiversity

- 13.1 The proposed development lies on the northern boundary of, but falls wholly within the Rolleston Strategic Green Gap between Rolleston on Dove and Burton upon Trent. The Strategic Green Gap seeks to protect the most valuable land in terms of setting and views which would preserve the separation of each settlement.
- 13.2 SP31 states that the purpose of Strategic Green Gaps is to prevent the coalescence of settlements, and that whilst not all development is precluded within them, only development that does not have a negative effect on the openness of the landscape will normally be permitted. The site sits over 700m from the Stretton settlement boundary to the south east at the other end of Craythorne Road, ensuring that a Green Gap is maintained between Rolleston and Stretton
- 13.3 Given the small nature of the site and the development and the retention of the existing hedging and trees to the boundaries, it is considered that the proposals would not have a negative impact on the openness of the surrounding landscape and would not adversely impact on the landscape character of the area. Whilst no ecological report has been submitted in support of the proposals all hedging and trees will be retained and there is significant existing hardstanding within the site, so it is considered that the proposals would have no real impact on habitats and protected species. A condition is recommended to ensure that no external lighting is provided at the site without prior approval to ensure no adverse impact on the visual amenity of the area or protected species.

14. Conclusions

- 14.1 Whilst the site sits outside of the settlement boundary Policy SP8 of the Local Plan does support development in an out of settlement location if it would be 'otherwise appropriate in the countryside'.
- 14.2 The 2023 GTAA identifies a requirement to provide 8 Gypsy/Traveller pitches in the period 2020 – 2024 within ESBC. Based on the evidence in the new GTAA ESBC cannot currently demonstrate that it has a 5 year supply of pitches, with a shortfall of 6 pitches against the minimum pitch supply figure for the ethnic definition up to 2023. The proposed site would provide 2 of the existing shortfall of 6 pitches.
- 14.3 Whilst the site is situated outside of the settlement boundary, it sits only a short distance from Rolleston village and its facilities, and the small scale of the development for only 2 pitches would not dominate the village and would not place undue pressure on the local infrastructure, in compliance with the PPTS. The size and location of the site complies with all the criteria identified in Policy SP19 of the Local Plan. It is therefore considered that the proposals would comply with both National and Local policy in terms of the provision of Gypsy/Traveller accommodation.
- 14.4 Whilst it is recognised that the site sits outside of settlement boundary, the site sits only a short walk from the village which provides services, schools and buses and whilst the road has no designated footpath and is unlit, it is wide enough for two vehicles to pass and pedestrians utilising the recreation ground already walk along the road a further distance from the village for access.

- 14.5 Whilst the proposed development sits within the Strategic Green Gap (Local Plan Policy SP31), it is considered given the size and scale of the development that the impact on the surrounding landscape would be minimal and would not have a negative impact on the landscape or biodiversity.
- 14.6 The design and layout of the site is considered appropriate with the accommodation providing a mobile home and amenity building for each plot as well as space to park a touring caravan for use when travelling and adequate vehicle parking and manoeuvring space for each pitch. The existing boundary hedging and trees to the road frontage of the site would be retained providing screening of the accommodation from the road, reducing any adverse impact on the street scene or the surrounding landscape.
- 14.7 The site sits some distance from the nearest existing residential occupiers and it is considered given the small nature of the site that the proposals would have no adverse impact on the amenities of the surrounding residential occupiers.
- 14.8 The site would utilise the existing vehicles access and would provide parking in accordance with the SPD and manoeuvring space for vehicles, a condition is recommended to ensure appropriate visibility at the access and to ensure no business use at the site without prior consent.
- 14.9 The proposals are a sufficient distance from the Rolleston Conservation area and the closest listed buildings to ensure no adverse impact on heritage assets.

15. RECOMMENDATION: Grant Permission Subject to Conditions

Recommended Conditions:

1. Time Limit - 3Yr Standard

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and documents subject to compliance with other conditions of this permission:

Site Location Plan dated as received on 19-08-2021

Site Layout Plan dated as received on 16-11-2023

Proposed Amenity Building: Plans and Elevations dated as received on 16-03-2021

Fencing Details dated as received on 16-03-2021

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway(s) in accordance with East Staffordshire Local Plan Policies SP1, SP2, SP8, SP19, SP24, SP25, SP27, SP29, SP31, SP35, DP1 and DP3, the East Staffordshire Design Guide, the Parking Standards SPD, the Rolleston on Dove Neighbourhood Plan and the National Planning Policy Framework.

3. Details of Materials

No development shall take place above damp proof course level on either of the two amenity buildings hereby approved until samples and details of all materials to be used externally ensuring the product name and manufacturer is provided (including details of brickwork and roof tiles) have been submitted to and approved in writing by the

Local Planning Authority and the development shall only be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the building(s) and its surroundings in accordance with East Staffordshire Local Plan Policies SP8 and SP24 the East Staffordshire Design Guide and the National Planning Policy Framework.

4. Surfacing of Access, Parking and Turning Areas

Prior to the first occupation of the residential units hereby approved a hardstanding area for parking and vehicle manoeuvring space shall be provided for each pitch in a bound and porous material.

Reason: In the interests of highway safety, and to ensure porous materials are used where appropriate to reduce the risk of flooding in accordance with East Staffordshire Local Plan Policy SP27 and the National Planning Policy Framework.

5. Visibility Splays

Prior to the first occupation of the site for the use hereby approved details of the vehicle visibility splays at the site access shall be submitted to and approved in writing by the Local Planning Authority.

Reason: As recommended by the Highway Authority in the interests of highway safety and in accordance with East Staffordshire Local Plan Policies SP1 and SP35.

6. Drainage

Prior to the first occupation of the site for the use hereby approved a scheme for the disposal of surface water shall be submitted to and approved in writing by the Local Planning Authority, and the approved scheme implemented.

Reason: To ensure adequate drainage facilities are provided to serve the development to reduce the risk of creating or exacerbating surface water flooding in the immediate vicinity in accordance with East Staffordshire Local Plan Policies SP27 and DP7 and the National Planning Policy Framework.

7. Retention of Hedges and Trees

All existing hedging and trees to the front and western boundaries of the site shall be retained for the lifetime of the development and replaced if damaged or die

Reason: To ensure the retention of the hedging and trees to screen the site from full views to protect the visual amenity and character of the area in accordance with East Staffordshire Local Plan Policies SP1, SP8, SP24 and SP31.

8. External Lighting

No external lighting shall be installed within the application site unless planning permission has been first obtained from the Local Planning Authority.

Reason: To protect the visual amenity of the area and protected species in accordance with East Staffordshire Local Plan Policies SP29 and DP1.

9. Size of the Mobile Homes

The size of the two mobile homes to be provided on the site shall conform with the definition of a caravan within Section 13 of the Caravan Sites Act 1968.

Reason: In order to define the permission and ensure the accommodation is of an appropriate size to prevent any adverse impact on the character of the area, in accordance with East Staffordshire Local Plan Policies SP8 and SP19.

10. Occupation of the Site

The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites (or its equivalent in replacement national policy) but including those gypsies and travellers who have ceased to travel permanently.

Reason: In order to define the permission and ensure the continued use of the site as a residential gypsy caravan site.

11. Use restricted to that applied for

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any order revoking and re-enacting that Order, this permission shall relate to the use of the premises as a residential gypsy caravan site only as described in your application and for no other purpose.

Reason: To ensure any future use of the premises does not adversely affect the character of the area and the amenities of occupiers of adjoining properties in accordance with the National Planning Policy Framework and East Staffordshire Local Plan Policies SP1 and SP8.

Informatives**1. Details of Proposed Materials**

The applicant is advised that in complying with Condition 3 above regarding the submission of samples and details of all external materials, ensuring the product name and manufacturer is provided and must be submitted in writing to the Local Planning Authority as part of the relevant Discharge of Condition application along with correspondence confirming that date on which samples will be made available on-site and where they will be located.

2. During Development Conditions

The condition(s) identified below require details to be approved during the development/works.

Condition No(s) 3, 5 and 6

This means that a development may not be lawful unless the particular requirements of these conditions have been met.

Confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable by the authority is £116 per request. The fee must be paid when the request is made. Any number of conditions can be included for each request.

Payment can be made by cheque or card only. Please telephone 01283 508606.

Although we will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be borne in mind when programming development.

3. Engagement

During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

4. Ecological Responsibilities

The applicant(s) is/are advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of bats is found during demolition all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

5. Building Regulations

The applicant(s) is/are advised that Building Regulations approval will be required for the proposed works to create a residential caravan site.

16. Background papers

16.1 The following papers were used in the preparation of this report:

- Local and National Policies outlines in Section 7 above

17. Human Rights Act 1998

17.1 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

18. Crime and Disorder Implications

18.1 It is considered that the proposal does not raise any crime and disorder implications.

19. Equalities Act 2010

19.1 Due regard, where relevant, has been had to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010.

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