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Gypsy and Travellers and Travelling Showpeople Potential Sites and Policy Consultation
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Dear Annette

Gypsy and Traveller Potential Sites and Policy Consultation

I am writing as a local resident to express my concern with regards to GT15, which is a proposal for just one caravan standing, for the reasons discussed below and already put forward by planning, highways and the drainage board.

I suggest that site GT14 be extended by one additional caravan from 10 to 11 caravans to incorporate the proposed site GT15 for which there are so many issues.

OBJECTION TO SITE: GT15

For site GT15 the details provided on documents F56 'Draft Gypsy and Traveller Full Site Assessment January 2024' (hereafter referred to as F56) and F55 'Gypsy and Traveller Potential Sites and Policy Consultation Document January 2024 V2' (hereafter referred to as F55) are contradictory and in many places contain material factual errors.

This plot has been refused planning permission and is subject to an enforcement order (documents attached Reference 21/00492/F). Planning was refused on 9 August 2021 and an Enforcement Notice (Case Reference Number: 21/00293/UNAUT) was effective from 27 February 2023 when the clock stopped for all rights arising from occupation alone. The occupiers are now subject to criminal sanctions.

This is ironic given that document F55 states that the provision of suitable permanent accommodation also reduces the risk of unauthorised encampments across the borough, and that under Proposed Approach to meeting the Accommodation Needs 6.1. Accommodation needs should be met on authorised pitches/plots.

Planning was refused following representations from the planning officers, highways and the drainage board and these are summarised in turn below:

PLANNING ISSUES

Planning was refused and an enforcement order issued for the following reasons:

‘The application site lies some distance outside the development boundary for Walton Highway as defined by Policy DM2 and Inset Map G120 (West Walton/Walton Highway) of the Site Allocations and Development Management Policies Plan (SADMPP) 2016 and as such it is classified as ‘countryside’.

Paragraph 8 of the NPPF identifies an environmental objective in order to achieve sustainable development. Planning should ‘protect and enhance our natural, built and historic environment...’

Section 5 of the NPPF requires that applications for residential development should be considered in the context of the presumption in favour of sustainable development and... not in a location which is well served by public transport or local service provision and therefore it is not considered to represent sustainable development in accordance with paragraph 79.

The development of greenfield sites will be resisted unless essential for agricultural REF. NO: 21/00492/For forestry needs.” Policy DM2 of the SADMPP 2016 defines development boundaries and supports this approach.

The site is located within the countryside and notwithstanding the works that have been carried out on site without consent, it is not classed as previously developed land as defined by Annex 2 of the NPPF. In principle, it is considered that the proposed residential use is not in keeping with the wider sustainability aims of local and national planning policies, given that the site is located within the countryside and no appropriate justification has been given for the residential use in relation to the criteria of Paragraph 79 or 80 of the NPPF and Policy CS06 of the Core Strategy 2011.

The interference with the European Convention on Human Rights (ECHR) rights of any proposed occupiers to respect for private and family life and the home is a qualified right and must be weighed against the wider public interest in the upholding of the law, including planning law which aims to protect the countryside by restricting residential

development. **This legitimate aim is only able to be upheld by resisting this inappropriate development.**

On this basis, the refusal of planning permission is necessary and proportionate, and would not result in any disproportionate interference with the rights of the applicant.

Conclusion

In light of the above issues, it is concluded that the proposed development is contrary to the provisions of the NPPF (Paras. 8, 79, 80, 110, 164, 165 & 174), Policies CS01, CS02, CS06, CS08 & CS11 of the Core Strategy (2011) and Policies DM1, DM2 & DM15 of the SADMPP (2016). It is therefore duly recommended for refusal for the reasons stated below.

RECOMMENDATION

REFUSE for the following reason(s):

1 The development is located within the countryside where there is no footpath or streetlighting outside the application site and therefore there is likely to be a heavy reliance on private vehicles to reach services and facilities.

Core Strategy (2011) and Policies DM1 & DM2 of the SADMPP (2016).

2 The NPPF seeks to manage new development with an objective of promoting sustainable patterns of growth. **Planning Policy for Traveller Sites (2015) and Policy REF. NO: 21/00492/F CS09 of the Core Strategy (2011) set criteria for determining applications for gypsy and traveller sites, including a requirement for these to be located within a reasonable distance from facilities and supporting services.** Notwithstanding the lack of evidence provided to demonstrate the applicant meets the definition of a gypsy or traveller, the development is located in an isolated position within the countryside and is not located a reasonable distance from supporting facilities within Walton Highway, in direct conflict with the aforementioned policy advice.

The proposal is therefore contrary to the NPPF, Planning Policy for Traveller Sites (2015) and Policies CS01 and CS09 of the Core Strategy (2011).

3 It is the responsibility of the LPA to ensure that development is steered towards areas with the lowest risk of flooding. The application is for a highly vulnerable form of development within Flood Zone 3 and as such is considered inappropriate. Whilst the proposal passes the sequential test, the exception test still needs to be passed. The proposal does not represent a form of development where the sustainability benefits outweigh the flood risk, and therefore the proposal is contrary to paragraphs 164 and 165 of the NPPF and Policy CS08 of the Core Strategy 2011.'

HIGHWAYS ISSUES

Highways have commented as follows: ‘The proposed development site is remote from schooling; town centre shopping; health provision and has restricted employment opportunities with limited scope for improving access by foot and public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport.

It is the view of the Highway Authority that the proposed development are likely to conflict with the aims of sustainable development and you may wish to consider this point within your overall assessment of the site.’

Access to the site is down a narrow single lane road in a very poor state of repair.

The road is off St Paul’s Road South where there are already issues with speeding; (most recent crash Police Incident NC-27012024-403). This road is in a terrible condition, the camber pushes cars into the centre in places. The risk of cars driving at high speed is multiplied by the fact that to do so they often drive in the middle of the road.

FLOODING ISSUES

Flood Zone 3a, Watercourse passing within 20m, Climate Change (Tidal)

Per government guidance (<https://www.gov.uk/guidance/flood-risk-assessment-in-flood-zones-2-and-3>) a sequential test should be performed. A sequential test compares your proposed site with other available sites to show which one has the lowest flood risk.

POLICING ISSUES

The police have had 5 calls for service for Road Traffic Collision’s on this section of St Paul’s Road South in the past 12 months.

Daniel Edwards A/Inspector 1713 Downham Market Police Station has commented that ‘the condition of the road is not ideal and it can be used as a bit of a rat run for vehicles leaving the A47’.

DOCUMENTATION ISSUES/ INACCURACIES (DOCUMENTS F55 AND F56)

The site is correctly identified as Unauthorised in F56 only. General comments refer to identified constraints which are not clarified and suggests that these could be overcome through mitigation though no suggestions of mitigating factors are made.

The majority of the Suitability Assessment is incorrect and directly contradicts the information provided by Planning and Highways between 2021 and 2023, since when no changes have been made to the locale. For example:

Accessibility to Local Services and Facilities

The assessment states 'Site is within walkable distance to one to three core services within 1200m.'

Planning have correctly stated that: 'There is no footpath or streetlighting outside the application site and therefore there is likely to be a heavy reliance on private vehicles to reach services and facilities.' 'The development is located in an isolated position within the countryside and is not located a reasonable distance from supporting facilities within Walton Highway.'

Highways have correctly stated that: 'The proposed development site is remote from schooling; town centre shopping; health provision and has restricted employment opportunities with limited scope for improving access by foot and public transport. The distance from service centre provision precludes any realistic opportunity of encouraging a modal shift away from the private car towards public transport.'

Government guidance: 'Core Strategy (2011) and Policies DM1 & DM2 of the SADMPP (2016) says that the NPPF seeks to manage new development with an objective of promoting sustainable patterns of growth. Planning Policy for Traveller Sites (2015) and Policy REF. NO: 21/00492/F CS09 of the Core Strategy (2011) set criteria for determining applications for gypsy and traveller sites, including a requirement for these to be located within a reasonable distance from facilities and supporting services.'

Utilities Capacity / Water Stress

The assessment states 'No concerns raised.'

As a local resident I can confirm that there is minimal water pressure which is both an issue for residents and a fire hazard. We discussed the issue with the fire brigade (after a fire on our verge caused by a dropped cigarette) who have said that the hydrant on St Paul's Road South has been designated as unusable due to low of water pressure.

The area is on the Cambridgeshire border where water stress is reaching a crisis point. The Environment Agency has recently classified the Cambridge Water operating area as an area of serious water stress. This means that future predicted rainfall may not meet the demand for water in the region.

Utilities Infrastructure

The assessment states 'has access to a water supply network and has its own septic tank or package treatment plant due to the remote location.' The current site was illegally installed over night. **There is no building control sign off and no compliant septic tank has been fitted.**

Flood Risk

The assessment states 'The site is located within Flood Zone 2 & 3 of the BCKLWNSFRA (2017) and Flood Zone 2 & 3a.'. This is incorrect the site is in **Flood Zone 3a, Watercourse passing within 20m, Climate Change (Tidal).**

The assessment states 'As this is an existing authorised site where a direct need has arisen through the GTAA 2023,..'. This is again incorrect. As discussed above the site is unauthorised and subject to an enforcement order to be removed.

In the 'Draft_Gypsy_and_Traveller_Strategic_Flood_Risk_Assessment_Main_Report' (https://www.west-norfolk.gov.uk/info/20216/local_plan_review_2016_2036/1097/level_2_sfra_addendum_gypsy_and_traveller_sites), Site GT43 is in Category G/H Red. The report itself says directly under this listing: 'The sites in Category H below are those with the highest risk from flooding. Due to the majority of these being already permitted, it is important to investigate whether existing mitigation measures are appropriate for an intensification and/ or extension of the site or whether new mitigation measures are required. These sites will only be considered appropriate for allocation if there is overwhelming justification to override such constraints. These reasons are likely to be linked to a lack of sequentially suitable sites and/ or a direct need arising from such sites.'

The report also highlights that there is no funding for defences.

Site GT15 as discussed is not authorised or permitted and accommodation can instead be provided in site GT14. **It appears from this report that there was an error in even taking this site forward for consultation.**

This site was established over night without authorisation so there is strong evidence to suggest that this site will if authorised be subsequently expanded in the same way.

Open Space /Green Infrastructure

The assessment states 'No known issues. The site is not located on an identified open space.' As stated by planning: 'The application site lies some distance outside the development boundary for Walton Highway as defined by Policy DM2 and Inset Map G120 (West Walton/Walton Highway) of the Site Allocations and Development Management Policies Plan (SADMPP) 2016 and as such it is classified as 'countryside'.'

Transport and Roads

The assessment states 'Highway is constrained by its current size, but additional pitches could be supported through appropriate mitigation if and where required.'

Again, this is a general comment referring to identified constraints which are not clarified and suggests that these constraints could be overcome through mitigation though no suggestions of mitigating factors are made.

Coastal Change

The assessment states 'The site is not adjacent to a Coastal Flood Hazard Zone.' Again incorrect. The site is in **Flood Zone 3a, Watercourse passing within 20m, Climate Change (Tidal)**.

Compatibility with Neighbouring /Adjoining Uses

The assessment states 'Near residential dwellings. Development of the site could have issues of compatibility with neighbouring/adjoin uses; however, these could be reasonably mitigated.'

Yet again the assessment refers to identified constraints which are not clarified and suggests that these could be overcome through mitigation though no suggestions of mitigating factors are made.

Residents and the local council have observed the results of littering and fly tipping in the area around sites which the council does not seem to have funding to control. There is a volunteer litter picking group run by concerned residents with cleared roads littered within days of being cleared. Approximately 40 used nitrogen gas canisters are collected on a weekly basis.

The Availability Assessment does though seem to be correct:

'Availability Assessment

Is the site available in the plan period?

Not Available'

The report conclusion strings together the above incorrect information to draw yet another incorrect conclusion. In particular, the conclusion refers to the Strategic Flood Risk Assessment but again fails to state that the site is in Category H and of highest risk from flooding. 'These sites will only be considered appropriate for

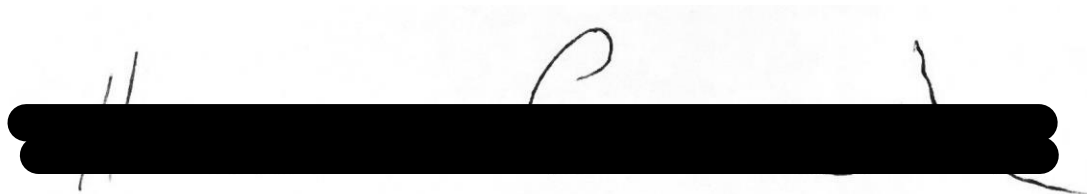
allocation if there is overwhelming justification to override such constraints. These reasons are likely to be linked to a lack of sequentially suitable sites and/ or a direct need arising from such sites.'

The Conclusion again incorrectly states **'in terms of Landscape and townscape the impact is minimal due to this being an existing and established site.'** This is an **unauthorised site subject to an enforcement order for removal.**

To conclude I suggest that site GT14 be extended by one additional caravan from 10 to 11 caravans to incorporate the proposed site GT15 for which there are so many issues.

I look forward to hearing from you urgently with regards to this.

Yours sincerely

A large black rectangular redaction covers the signature area. Above the redaction, there are faint handwritten marks, including a large 'P' and some vertical lines.A small black rectangular redaction covers the name of the sender.