

BOROUGH OF KETTERING

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| Committee | Full Planning Committee - 03/07/2018 | Item No: 5.2 |
| Report Originator | Andrew Smith Development Team Leader | Application No: KET/2018/0309 |
| Wards Affected | Desborough Loatland | |
| Location | Braybrooke Road and A6 (land between), Desborough | |
| Proposal | Full Application: Change of use from redundant roadway to site for 5 no. traveller caravans | |
| Applicant | Mr Holland | |

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 months from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 to the Planning Policy for Travellers Sites, August 2015 (or its equivalent in replacement national policy)

REASON: To ensure that the use is implemented as an exception to the general presumption against development in the open countryside, and in recognition of national and local policies including the PPTS, Policies 1, 8 and 31 of the North Northamptonshire Joint Core Strategy, and Saved Kettering Local Plan Policy 7.

4. There shall be no more than 1 family pitch on the site and no more than 5 traveller caravans (static or touring), as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended), shall be stationed at any time.

REASON: In the interest of visual amenity, taking account of site size, and to define the terms of this consent.

5. The single family pitch hereby approved shall only be for occupation by the applicant, Mr. Andrew Holland, and his dependents and immediate family.

REASON: In the interest of residential and visual amenity and in recognition of Policies 8 and 31 of the North Northamptonshire Joint Core Strategy.

6. The site shall not be used for any trade, industrial or business activity, including vehicle hire and there shall be no storage of commercial waste or materials

REASON: In the interest of residential amenity and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

7. No boundary treatments shall be erected or installed at the site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. No boundary treatment shall be erected or installed at the site other than in full accordance with any approved scheme for boundary treatment, which shall subsequently be completed before the expiry of three months following the date of approval of such boundary treatment and retained as approved at all times thereafter.

REASON: In the interests of safeguarding visual and residential amenities in accordance with Policies 8 and 31 of the North Northamptonshire Joint Core Strategy.

8. No hard surfacing shall be constructed on site until full details of the materials to be used and the final extent of surfacing (to be in compliance with the extent and position of hardstanding set out on approved Indicative Site Layout S01) have been submitted to and approved in writing by the Local Planning Authority. No hard surfacing shall be carried out on site other than in full accordance with the approved details, which shall subsequently be completed before the expiry of three months following the date of such approval and retained as approved at all times thereafter.

REASON: In the interests of visual amenity and highway safety in accordance with Policies 8 and 31 of the North Northamptonshire Joint Core Strategy.

9. Prior to the erection of any new or replacement dog kennels on site, full details of their proposed design, materials and intended siting (to be in compliance with the position set out upon approved Indicative Site Layout S01) shall be submitted to and approved in writing by the Local Planning Authority. Any approved dog kennelling shall be erected before the expiry of three months following the date of such approval.

REASON: In the interests of visual amenity in accordance with Policies 8 and 31 of the North Northamptonshire Joint Core Strategy.

10. Any gates provided at the point of access to the site shall be hung so as to open inwards into the site only.

REASON: To ensure that highway safety is not prejudiced in accordance with Policies 8 and 31 of the North Northamptonshire Joint Core Strategy.

11. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenity and Policies 8 and 31 of the North Northamptonshire Joint Core Strategy.

12. Within six months of the date of this permission the recreation area and vehicle parking and manoeuvring area shown on the Indicative Site Layout shall have been laid out on site in accordance with details (including ground preparation for receiving new soil and turf on the recreation area) that have been first submitted to and approved by the Local Planning Authority.

REASON: In the interests of safeguarding visual and residential amenities in accordance with Policies 8 and 31 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2018/0309

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

3.0 Information

Relevant Planning History

None.

Site Visit

Officer's site inspection was carried out on 09/05/2018.

Site Description

The site measures approximately 0.15Ha in area and is located in the open countryside to the west of Desborough and is accessed from Braybrooke Road. The site constitutes an area of 'stopped up' highway that previously comprised part of the Braybrooke Road before the A6 was constructed, which now runs north-south approximately 100m to the west of the application site. The Braybrooke Road was subsequently realigned.

The site is bound by agricultural pastureland to the south and a soft landscaped dry area to the north that is believed to serve as a balancing pond for the area. On the opposing side of Braybrooke Road to the east there is located further agricultural land that surrounds other existing traveller pitches at Spinney Close.

Proposed Development

It is proposed that the site be used to accommodate up to 5no. traveller caravans on one large family pitch. The application is retrospective in the sense that the site is already occupied by traveller caravans. However, the proposal includes a new indicative layout with a turning area and recreation area. At the time of the officer's site visit there were 2no. static and 2no. touring caravans positioned on site. The application, should consent be granted, proposes to amend the position and extent of hardstanding within the site boundary, to install a new fit-for-purpose below ground septic tank and the erection of [new](#) dog kennelling to the rear of the site.

The applicant has explained that the request for consent for up to 5no. traveller caravans represents a worst case scenario in terms of the maximum extent of caravans that could occupy the site at any one time and reflects the likelihood that some members of his immediate family may not reside at the site either permanently or at all. Should the site be occupied at full capacity, the caravans would be accommodated by the applicant, his spouse, his five grown up children as well as their partners and children.

Any Constraints Affecting the Site

A6 (proximity to)

Open Countryside location

4.0 Consultation and Customer Impact

Braybrooke Parish Council: No objection.

Desborough Town Council: Support.

Highway Authority: Objection. No details regarding turning for the largest vehicle likely to use the site have been detailed. The proposals must not impinge on to land with Highway Rights over it. There are no footways or bus stops in the vicinity, which brings the sustainability of the site into question. Whilst the applicant has declared ownership of the land, following the stopping up of highway, ownership would normally revert to adjacent landowners.

Environment Agency: No objection, subject to an informative being applied to any consent with respect to the required ground investigations to accompany the installation of the septic tank.

Neighbours: Notification letters were sent out to close proximity occupiers and a site notice was erected adjacent to the site. Responses were received from or on behalf of 3no. local addresses and can be summarised as follows:

- The land is the responsibility of NCC and adjacent landowners; it is an unsuitable parcel of land with dangerous access.
- The roadway referred to in the application is not redundant; it provides access to adjacent land.
- When the roadway was stopped up it was not formally registered to the adjacent landowners as it should have been.
- The applicant does not have title to the land in question, it is unregistered.

5.0 Planning Policy

Planning Policy for traveller sites (August 2015)

Applications should be assessed in accordance with the Development Plan unless material considerations indicate otherwise;

Applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the NPPF and the PPTS;

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

LPAs should: very strictly limit new traveller site development in the open countryside that is away from existing settlements or outside areas allocated in the development plan; 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;

LPAs should attach weight to effective use of previously developed (brownfield), untidy or derelict land, sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness; promote opportunities for healthy lifestyle such as ensuring adequate landscaping and play areas for children; not enclose a site with so much hard landscaping, high walls or fences that the impression may be given that the site occupants are deliberately isolated from the rest of the community.

If a LPA cannot demonstrate an up to date 5 year supply of deliverable (Gypsy and traveller) sites this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission;

LPAs should consider how they could overcome planning objections to particular proposals.

National Planning Policy Framework

Policy 7. Requiring Good Design

Policy 8. Promoting Healthy Communities

Policy 11. Conserving and Enhancing the Natural Environment

Development Plan Policies

North Northamptonshire Joint Core Strategy (JCS)

Policy 1: Presumption in Favour of Sustainable Development

Policy 8: Place Shaping Principles

Policy 31: Gypsy and Travellers and Travelling Show People

Local Plan for Kettering Borough

Saved Policy 7: Protection of the Open Countryside

Saved Policy RA5: Housing in the Open Countryside

Saved Policy 7 of the Local Plan states that planning permission for development in the open countryside will not be granted except for where otherwise provided for in that plan. Saved Local Plan Policy RA5 states that planning permission for residential development will not normally be granted and lists exceptions to this, one of which is gypsy sites (criteria vi); however the related Policy 119 has not been saved.

Emerging Policies

Kettering Borough Council will shortly be commissioning a Gypsy and Traveller Accommodation Assessment (GTAA) to identify pitch need in the Borough. The Gypsy and Traveller Site Allocation Local Plan will allocate sites to meet

need for Gypsy and Traveller accommodation identified through the GTAA. The draft timetable for preparing this document includes consultation on the Draft Plan during October to December 2018, Pre-submission consultation in April to May 2019, Submission to the Secretary of State in July 2019 and Adoption April 2020.

A Neighbourhood Plan is in the process of being developed for the town of Desborough, although this carries very limited weight in decision making at this time due to its draft status.

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of development
2. Gypsy / traveller status
3. Personal circumstances and Human Rights
4. Need and supply of sites
5. Sustainability of location
6. Highway safety
7. Design: size of pitches, character, residential amenity and landscape provision
8. Flood risk, surface water drainage and other environmental considerations
9. Other impacts and considerations

1. Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

The national policy position comprises the National Planning Policy Framework 2012 (NPPF) and Planning Policy for Traveller Sites 2015 (PPTS). In the policy section above the key policies and considerations arising from these are identified. Account is taken in the assessment of the proposals of PPTS Policy H (Determining planning applications for traveller sites) in Paragraph 24, that:

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

- a) The existing level of local provision and need for sites
- b) The availability (or lack) of alternative accommodation for the applicants
- c) Other personal circumstances of the applicant
- d) That the locally specified 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 they should determine applications from sites from any travellers and not just those with local connections.”

It is clear that a flexible and inclusive approach should be taken by Local Planning Authorities when considering the merits of individual sites as regards their potential suitability to provide accommodation for travellers. This is notwithstanding the strict controls that are applied to developments in the open countryside via Development Plan policies.

Saved Policy 7 of the Local Plan guards against development within the open countryside whilst Policy 11 of the JCS states that development in the rural areas will be limited to that required to support a prosperous rural economy or to meet a locally arising need that cannot be met more sustainably at a nearby larger settlement.

Policy 31 of the JCS states that sufficient sites for gypsies and travellers will be identified in line with a robust evidence base and then lists various criteria that individual sites should satisfy. These criteria covers such considerations as close links to and the relationship with existing settlements, impact upon local infrastructure, residential amenity, access arrangements, health and well-being, landscape character, water supply and sewage disposal. Assessment of these detailed points shall be covered in the following sections of these considerations. Subject to these assessments and notwithstanding the open countryside location of the site, it is considered that – in light of the policy context set out above – the principle of siting a traveller pitch upon the site could be established.

2. Gypsy / traveller status

The 2015 PPTS outlined a fundamental change in the definition of gypsies and travellers:

“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling show people or circus people travelling together as such.”

As noted above, the definition refers to those with a nomadic way of life (and who have not permanently given up travelling). Consequently, the picture that is presented is that those who are to occupy the site have a nomadic lifestyle.

The applicant and his dependants have resided locally for many years, as detailed within the submitted Planning Statement. Notwithstanding this, it is not doubted that the applicant fulfils the PPTS definition of a gypsy and traveller. Indeed the application, for the placement of up to 5no. traveller caravans on the site, reflects the nomadic nature of the intended occupants. As clarified by the applicant, members of his immediate family may not reside at the site either permanently or at all, depending upon their personal circumstances at any point in time.

3. Personal circumstances and Human Rights

The applicants' Human Rights, including their right to respect for private and family life, have been considered and weighed against all other considerations. There are thought to be close family ties on the site that would be continued and enhanced should this application be approved. The applicant has also confirmed that children on-site attend school locally and that the area has been the wider family's home for many years.

4. Need and supply of sites

Paragraph 4 of the PPTS (2015) requires local planning authorities to make their own assessment of need for the purposes of planning and to ensure that local authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites. Paragraph 4 (h) highlights the aim to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply.

The North Northamptonshire Gypsy and Traveller Accommodation Assessment Update 2011 (GTAA) identified a need for 3 residential pitches in the period 2012 - 2017 (assuming 7 pitches are delivered at The Laurels) and 10 further residential pitches between 2017 – 2022.

The Table below provides the number of additional pitches which have been granted planning permission since the GTAA (2011). More recently 2 extra pitches have been granted planning permission at Black Paddocks, Braybrooke and a consent has been granted for 2 Statics and 2 tourers (shared family pitches) plus a revised layout for the whole site to include in the description of development 6 other pitches for Gypsies/ travellers, land at The Old Willows, Broughton.

| Table: Additional Permanent Pitches Granted since the GTAA (2011) | |
|--|--|
| Northampton Road, Broughton Old Willows– KET/2011/0363 | 3 (see note below) |
| Springfields, Harborough Road, Desborough – KET/2013/0376 (previous temporary consent) | 1 |
| Woodcroft, Stoke Albany Road, Desborough – KET/2014/0028 | 1 |
| 1 no. dwelling to replace mobile home and 5 no. pitches, Woodside (North East of), Stoke Albany Road, Desborough (KET/2008/0423) | 5 |
| Old Willows, Northampton Road, Broughton – KET/2014/0695 2 Additional pitches granted planning permission under ref: KET/2017/0980 see above | 3 (due to expire 03/07/18) 2 statics (family pitches) plus 6 other pitches |
| Plot 1, Northampton Road, Broughton – KET/2015/0613 | 3 |
| The Paddocks, Braybrooke – KET/2015/0065 (Allowed on appeal) (Previous temporary consent) 2 Additional pitches granted planning permission under ref: KET/2018/0022 Dated 23/02/18 | 3 2 |
| Total (Assuming the permissions at the Old Willows prior to KET 2017/0980 are superseded by the later permission) (*2 statics extra in 2018 consent at Old Willows for extended family pitch) | 22 * |
| <i>The 7 pitches at The Laurels, Stoke Albany Road, Desborough (KET/2013/0263) were counted as supply in the 2011 GTAA so are not included above.</i> | |

From the last testing of need for traveller sites through the appeals at Greenfields in 2017, one of the Inspectors (Appeal decision dated 13/02/17)) concluded that there was an ‘unmet need and an absence of a five year supply for gypsies and travellers to which (he) attach(ed) significant weight.’ Another Inspector (regarding the 9 appeals decision dated 22/03/17) concluded “I am not satisfied that there is an up to date five year supply of deliverable sites and attached moderate weight to this”. The two Inspector decisions granted temporary planning permission for 8 pitches, which met the identified need at that time.

Since then and earlier this year 2 additional pitches have been granted planning permission at Black Paddocks and 2 additional statics and tourers for a family pitch have been granted planning permission at The Old Willows. Whilst this keeps pace with the rate of delivery as anticipated in the 2011

GTAA, taking account of unmet need which led to temporary consent for 8 allowed appeals at Greenfields, on current evidence officers conclude that there is a shortage of supply of gypsy and travellers pitches relative to need.

The latest proposal for this Braybrooke Road site, if approved, would add a further 1 pitch to the supply.

5. Sustainability of location

Criterion (a) of JCS Policy 31 states that sites should be closely linked to an existing settlement with an adequate range of services and facilities.

In this instance, the market town of Desborough with all of its associated services facilities (including primary schools, shops, library, surgery, etc.) is located approximately 0.5km away. There are also already existing traveller pitches located almost immediately opposite the site in question, which are understood to operate successfully with the assistance of the close geographical links to the town. Notwithstanding that there are not formalised footways in place along Braybrooke Road; it is considered that the site occupies a sustainable location for the proposals. It is also considered that the proposals would have a minor impact upon local infrastructure in general terms (so as to satisfy the requirements of Criterion (b) of Policy 31 of the JCS).

6. Highway Safety

Criterion (e) of JCS Policy 31 states that there should be satisfactory access and adequate space for operational needs including the parking, turning and servicing of vehicles. Criterion (f) requires that the health and well-being of occupants is not put at risk through unsafe access to the site.

The Local Highway Authority has objected to the proposals on the basis of further information being required in order to fully assess parking and manoeuvring arrangements at the site and have requested assurances that bins shall not be placed for collection so as to affect visibility at the access point to the site. It is however considered that, following an officer visit to the site, the site is spacious enough to allow for the turning of large vehicles. Indeed the latest Indicative Site Layout (S01) includes defined turning head features and details dedicated areas of hardstanding for car parking and for bin storage adjacent to the site's access to the highway. The gated entrance to the site is setback from Braybrooke Road and there are no identified concerns as regards visibility at the junction (particularly if an increased area of hardstanding is to be provided on-site to be dedicated for parking, so as to encourage that vehicles are not parked at or across the site entrance).

It is considered that appropriate arrangements for the parking, turning and servicing of vehicles and access to the highway would be provided. Full details of the final extent and specification of the proposed hardstanding at the site should be secured via condition in the interests of safeguarding visual amenity and highway safety.

7. Design: size of pitches, character, residential amenity and landscape

provision

Policy 31 of the North Northamptonshire Joint Core Strategy sets out criteria to be applied to applications for Gypsy and Traveller accommodation. Criterion (c) of Policy 31 requires that 'the site provides a suitable level of residential amenity for the proposed residents' whilst Criterion (h) requires that 'development does not have a significant adverse impact on the character of the landscape'.

In this instance, it is considered the latest submitted Site Layout demonstrates that the site is able to satisfactorily accommodate up to 5no. traveller caravans alongside dog kennelling, associated areas of hardstanding for parking and access and defined recreational space for inhabitants at the site. An officer's visit to the site also confirmed that the site is spacious, of relatively level topography and able to accommodate the quantum of development proposed. The proposals are for a single family pitch, in this context it is considered that appropriate amenity facilities / standards would be provided. A condition is included in the recommendation to cover implementation of a suitable layout including the recreation area.

In terms of landscape impact, it is noted that the site is well screened, particularly as one moves to the rear portion of the site where it is proposed that the caravans be located. The caravans that are on site are not therefore readily visible or unduly prominent when one views the site as they drive past along Braybrooke Road. The site is not visible from the A6 to the west. The applicant has confirmed that he proposes to upgrade the boundary treatment to the perimeter of the site should consent be granted. The details of any such scheme should be secured via planning condition prior to implementation in the interests of safeguarding visual amenity and controlling landscape impact.

In the interests of prudence, a condition should be attached to any consent to secure full details of any new dog kennelling at the site. Whilst there is already kennelling located on-site in broad accordance with the position indicated upon the Indicative Site Layout (S01), it is noted that the applicant has alluded to the provision of timber kennels (which would be expected to constitute an upgrade / replacement of the present facilities).

8. Flood risk, surface water drainage and other environmental considerations

Criterion (d) of JCS Policy 31 requires a site to be served (or capable of being served) by an adequate water supply and appropriate means of sewage disposal. The applicant has confirmed that, whilst the site is currently self-proficient, there is a mains connection in place that could be utilised should a planning permission be granted.

The applicant has also provided full specification details of a new below-ground septic tank to be installed that meets relevant British Standards, which would serve all caravans on site. The Environment Agency has been consulted upon the application and has confirmed no objection to the proposals subject to an informative being placed upon any consent to ensure that relevant percolation tests are carried with respect to the drainage field that

would be associated with the infrastructure to be installed.

Criterion (f) of Policy 31 states that the health and well-being of occupants shall not be put at risk poor air quality, unacceptable noise or unacceptable flood risk and contaminated land. In terms of flood risk, the site is located within Flood Zone 1 (the lowest risk zone) and, notwithstanding that the area is generally characterised by a clay ground base, there is no reason to suspect that the proposals would exacerbate any potential flood risks, including those posed by surface water flooding. The extent of any additional hard surfacing is envisaged to be limited and would be controlled by condition in any event.

It should also be noted that 'no comment' has been received from the Council's Environmental Health department. There are no undue concerns as regards potential contamination at the site or, for that matter; with respect to undue noise or poor air quality (it is considered that the site is sufficiently separated from the A6 for matters of noise or air quality to be prevalent). In the interests of prudence and to safeguard the amenities of the area, a further condition should be applied to ensure no external illumination other than in accordance with a scheme to be agreed with the Council.

9. Other impacts and considerations

Criterion (g) of Policy 31 of the JCS states that the size of the site and number of pitches does not dominate the nearest community. In this case merely a single family pitch is proposed. Whilst there are other traveller pitches located in the vicinity, it is not considered that these proposals would lead to a domination of the local community.

Ownership issues:

It has been claimed by third parties through the consultation process that the application site is not in the ownership of the applicant and is unregistered land. The fact (if it is so) that the land is unregistered does not mean that the applicant does not own it. Certificate of Ownership A has been submitted and signed on behalf of the applicant as part of the application and this essentially certifies that no one except the applicant owns any part of the application site. It is a criminal offence to submit a certificate knowing it to be false, and a clearly false certificate would rob the Council of jurisdiction.

In support of an objection referred to earlier, the agents, Berrys representing three people who are said to own land adjacent to the site, on its south side, have written to say "the redundant roadway referred to (in the application) is in fact not redundant, it is our client's only access to their retained land." They continue: "Our clients should have a free and uninterrupted right of access over the access way", adding "we have been fortunate in that our client's land has been grazed in common with the adjoining land, therefore access has not been required over the old section of Braybrooke Road of late. If the land can no longer be grazed in common with the adjoining land, and if the application is approved, my client will no longer have any access to their own land."

Adjacent to the north side of the application site the land was in control of the Secretary of State for Transport whilst the A6 was being constructed and

designated a trunk road, but since 2015 has been registered to Northamptonshire County Council.

Other person(s) owning land (on the opposite side of Braybrooke Road from the application site) state “freehold titles fell to us when the A6 bypass came through by virtue of (a rule whereby) an adjoining owner owns up to the centre of the road.”

The County Council Asset and Traffic Manager has commented that “following the stopping up of the highway the ownership would revert to the neighbouring landowners on either side of the road”.

Whilst there are clearly queries over ownership, the applicant and members of his family are known to have occupied this land for around 2 years (since 2016). Until this planning application was made no other private individual had asserted title to it, or if they have that has not been communicated to LPA notwithstanding the planning history of the site.

In the absence of clarity it would be wrong for the Council to refuse to deal with this application.

Furthermore, these ownership issues have no material bearing on the planning issues set out above. If anyone claiming title to the land can prove that they own it then they may well have the right to remove the applicant and the other current occupiers as trespassers, but that does not affect the decision on the planning application.

In addition, rights of access through the site have been claimed. Copies of documentation have also been provided to seek to demonstrate that these rights of access exist. As a matter of fact the placement of traveller caravans on the site would not necessarily prejudice or prevent these potential rights of access from continuing to be available, but their enforcement is, as with any claims of ownership, a matter between the occupiers and the those claiming the rights and there are no planning consequences flowing from the existence, or otherwise, of these rights.

The applicant has been or will be advised separately from the planning process to seek to resolve any rights of access claims with the people making any such claims.

Conclusion

The development would make an important contribution towards an identified local need for traveller pitches. It would safeguard visual and residential amenity as well as highway safety. It is therefore supported taking account of Development Plan policies, most particularly the criteria set out in Policy 31 of the North Northamptonshire Joint Core Strategy for assessing planning applications for gypsy and traveller sites, the policy contained within the National Planning Policy Framework and Planning Policy for Traveller Sites.

Background Papers

Title of Document:

Date:

Contact Officer:

Andrew Smith, Development Team Leader on 01536 534316

Previous Reports/Minutes

Ref:

Date: