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CHARTERED TOWN PLANNERS
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Head of Planning
Barnsley Metropolitan Borough Council
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23 September 2010

Dear Sir,

RE: RETENTION OF RESIDENTIAL CARAVAN SITE FOR ONE GYPSY FAMILY, INCLUDING REPLACEMENT OF EXISTING AMENITY BLOCK.
LAND AT WILLOWBANK, OFF WOODSTOCK ROAD, BARNSLEY

Please find enclosed planning application forms, plans and requisite fee in respect of the above-mentioned proposal.

DESIGN & ACCESS STATEMENT

Use, Amount and Layout

As you may be aware, Willowbank is an existing residential caravan site accommodating Kevin and Tansy Smith, together with their 4 school-age children. Kevin and his family are Gypsies, who have lived on Willowbank for about 6 years. Kevin breeds and sells horses for a living, a traditional Gypsy occupation, and has stables on-site where he can oversee the breeding process. The family travel to all of the traditional Gypsy horse fairs in order to sell horses and, as far as is consistent with the education of their children, follow a nomadic habit of life.

The site would accommodate two caravans, including a static mobile home. In addition to these caravans, there is an authorised stable building, and a small amenity block. The existing amenity block only provides rudimentary toilet/laundry facilities,

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The proposals include replacement of the existing amenity building situated along the southern side of the access drive, with a single-storey day room containing a kitchen/dining room, utility room, and bathroom comprising about 67 square metres of floor-space (measured externally).

Appearance

The application site is extremely well screened: by a wooded railway embankment to the south; existing caravan site/residential development to the east, and by a hedgerow and fencing along the northern boundary. There are only limited public views of the site which remain, mainly through the site access from Willow Bank. This view would be of an stable yard in any event, and the stationing of caravans would not appear out of keeping with such a view. It is usually the case that stables are accompanied by at least one caravan, if only to provide mess facilities.

The proposed building would be brick-built, with a pitched tiled roof. Left in its natural state, with dark-coloured roof tiles, the building would have a recessive appearance in comparison with the adjacent caravans, and therefore appear less conspicuous in the landscape. It would, in any case, replace an existing building which was built more than 4 years ago.

Government guidance published in May 2008, entitled Designing Gypsy and Traveller Sites - A Good Practice Guide, identifies design features which are considered to be essential when developing a new site, or refurbishing an existing site. Paragraph 7.17 of the Good Practice Guide makes clear that it is essential for an amenity building to be provided on each pitch, which must include, as a minimum: hot and cold water supply; electricity supply; a separate toilet and hand wash basin; a bath/shower room; a kitchen and dining area. These facilities are deemed to be essential whether or not Gypsies are occupying static caravans, and irrespective of the location of the caravan site. In addition, it is recommended that such amenity buildings include a sitting room, where the family can gather together and socialise, and that amenity buildings should have a domestic appearance.

Most static caravans, including the largest twin-unit mobile home, only contain limited kitchen, dining and bathroom facilities. Generally they make no allowance for the need to accommodate freezers, washing machines and dryers. Gypsies and Travellers also tend to have a cultural aversion to using toilets within their caravans. These factors apply to the mobile home occupied by the applicant who, because he and his wife have 4 children, has a particular need for a larger than average kitchen, utility, dining and indoor recreational space. I enclose an appeal decision, decided prior to publication of the Good Practice Guide (when the guidance was in draft form), in which the Inspector accorded considerable weight to the health and hygiene benefits of providing cooking, washing and toilet facilities in a suitable permanent structure.

Substantial weight can also be accorded to the Government's Design Guidance now that it has been published in final form.

Access

Access to the application site would be from Willow Bank, via an existing gateway. Use of the site for residential purposes by one family would not generate significant extra traffic when compared with trip generation associated with my client's horse breeding activities. Clearly, use of the access has not created a problem over the past 6 years.

Furthermore, the application site is in an extremely sustainable location, adjoining the edge of Barnsley, within walking distance of community services and facilities, including public transport.

Policy Considerations

In this case, the application site is in the Green Belt where the development of a gypsy caravan site would normally cause harm by reason of inappropriateness, and loss of openness. Any loss of openness would be relatively minor, as would encroachment into the countryside. No other purpose of including land in Green Belts would be affected. Furthermore, the proposed development would not have an unacceptable impact upon the character or appearance of the surrounding locality.

Against this harm to the Green Belt, which I accept must carry substantial weight, must be weighed the material considerations in favour of planning permission being granted.

There is a substantial general need for gypsy sites in Barnsley. The South Yorkshire Gypsy and Traveller Accommodation Needs Assessment identified a need for 48 additional residential pitches in Barnsley during the period of 2006-2011. Apart from two small sites along Smithies Lane, sites granted planning permission since 2006 have been temporary sites and do not count towards permanent provision. A substantial unmet need therefore remains.

The applicant his family also have a personal need for accommodation in this locality where the family can access schooling for the children, health care, and where my client can look after his horses: a traditional gypsy occupation.

There are no sites allocated for the provision of gypsy sites, and Council has no "saved" development plan policies against which proposals for new gypsy sites can be considered. Furthermore, although the emerging Core Strategy has reached publication stage, Policy CSP 18 has not been subject to public examination and can not be accorded any weight at the present time. Preparation of a Site Allocations DPD is still some way off. It is inconceivable that accommodation needs identified by the GTAA can be met in the foreseeable future, other than through the operation of development control.

The lack of development plan policies capable of bringing forward new sites, and the absence of a five-year supply of deliverable sites for gypsies are matters which must be given considerable weight in the determination of this application. Paragraph 71 of PPS3 carries a presumption in favour of housing proposals, including proposals for gypsy sites, where there is no identified five year supply of deliverable land.

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On balance, the general unmet need for gypsy sites; the applicant's need for lawful accommodation in this locality; the absence of alternative sites; the lack of existing or emerging development plan policies capable of satisfying the identified need within the foreseeable future; the lack of a five-year supply of deliverable sites; and the personal health care and education requirements of the applicant's family, including 4 young children, are matters which, bearing in mind that this family have been living on this site for 6 years without coming to the Council's attention, clearly outweigh the harm to the Green Belt and constitute the very special circumstances necessary to justify the granting of planning permission.

I look forward to receiving the Council's decision but, in the meantime, should you require any further information please do not hesitate to contact me.

Yours faithfully,



PHILIP BROWN BA (HONS) MRTPI