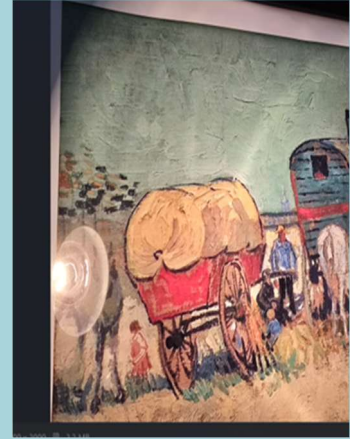


Vardo Intelligent Planning Services Ltd V.I.P

<http://www.vardointelligentplanningervices.co.uk/>

IN ASSOCIATION WITH MARK SIMMONDS
PLANNING SERVICES LTD



Mark Simmonds
Planning Director
Vardo Intelligent Planning Services Ltd
Company Number 10584882
Registered Office:
Mercury House
Willoughton Drive
Foxby Lane
Gainsborough
DN21 1DY
Tel: 01427 619555 Mobile: 0781 785 7851

Email address:
mark.vardoplanning@yahoo.com

DESIGN, ACCESS, AND PLANNING STATEMENT

FULL PLANNING APPLICATION FOR THE CHANGE OF USE OF LAND TO A GYPSY/TRAVELLER SITE INCLUDING ANCILLARY HARDSTANDING

**ON LAND OFF WAKEFIELD ROAD,
BARNSELY
S71 1ND
EASTING: 435121, NORTHING: 407930**



CONTENTS

1. INTRODUCTION

2. SITE HISTORY

3. THE PROPOSAL

4. SITE LOCATION

5. DESIGN

6. PLANNING POLICY

**7. MATERIAL CONSIDERATIONS &
POLICY**

8. PRINCIPLE OF DEVELOPMENT

9. CONCLUSION

1.0 INTRODUCTION

Vardo Intelligent Planning Services Ltd in association with Mark Simmonds Planning Services Ltd. have been instructed to prepare and submit a Planning Application for change of use of land for one family for a residential gypsy/traveller site on land off Wakefield Road, Barnsley.

This planning application is supported by the following documents:

- 1/ Design, access and planning statement
- 2/ Site Location plan
- 3/ Proposed site plan
- 4/ Existing site plan
- 5/ Day room floor plans and elevations

2.0 SITE PLANNING HISTORY

None relevant.

3.0 THE PROPOSAL

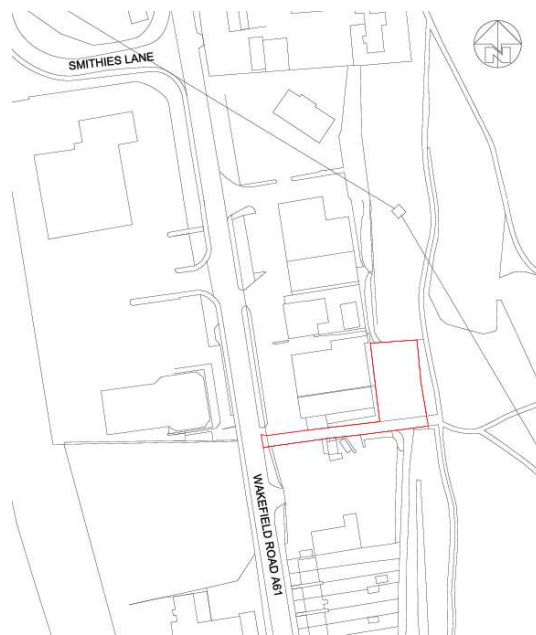
Change of use of land to a Gypsy/Traveller site for one family, to include an ancillary day room, one static caravan and parking for 2 vehicles. A wall is also proposed to the entrance of the site for both security and to retain the current land levels.

4.0 SITE AND LOCATION

The Site is located to the east of the A61 Wakefield Road, in Barnsley. The site is to the rear of a motorcycle shop and an appliance outlet. There are no residential properties in the immediate vicinity of the site, however there are a notable number a matter of only 400ft away on Wakefield Road which adds to the vibrancy of this highly sustainable location.



Aerial view of the site – Google maps 2025



Site Location plan (Not to scale – please see submitted plans for scaling)

In terms of the historical use of the site, the land is very much brownfield with the previous use being that of commercial with a building and hardstanding being evident. The site has fallen into disuse, however with its hardstanding and neighbouring commercial uses, its brownfield nature in both the visual and physical context, has endured. The Google Earth images of the site show that in 2009 a building was in place which local knowledge confirms as being a local Painting and Decorating Company and also a Taxi company. The next

notable Google Earth image is dated 2019 which shows the building being cleared from the site but the hardstanding still being in place.



Google Earth image 2003



Google Earth 2009



Google Earth 2019

5.0 DESIGN

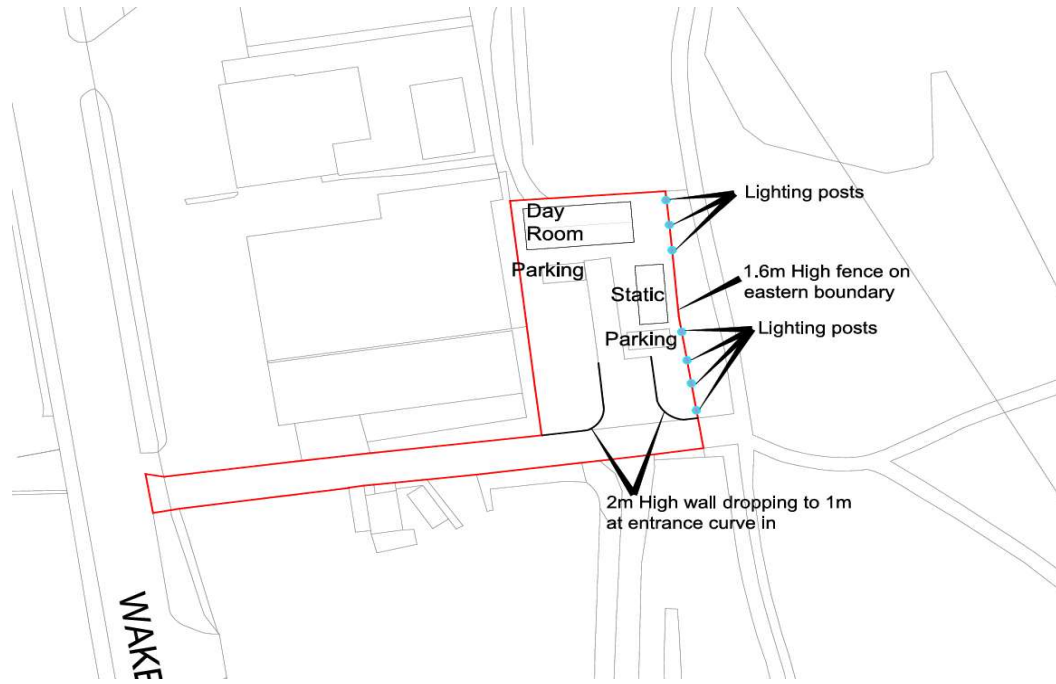
The proposed design of the site is for one family, the siting of a static caravan, a day room for day to day needs including eating and washing facilities and parking for 2 vehicles. The static unit will be fully caravan compliant in line with the Caravan legislation.

The existing site is hard surfaced and will allow for generous amounts of parking and manoeuvring for the family vehicles so that vehicles can always leave the site in a forward gear.

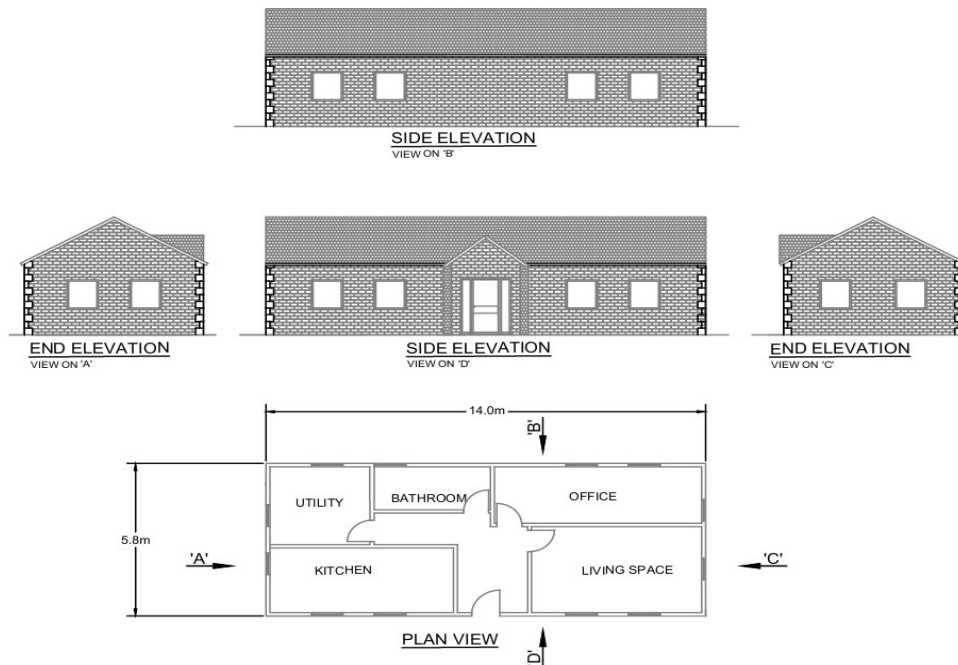
Lighting posts are proposed, along with a fence on the eastern boundary and a wall at the entrance to the site as demonstrated on the below site plan. The fence secures the site and also prevents dogs (popular walking site to the rear) from entering the site.



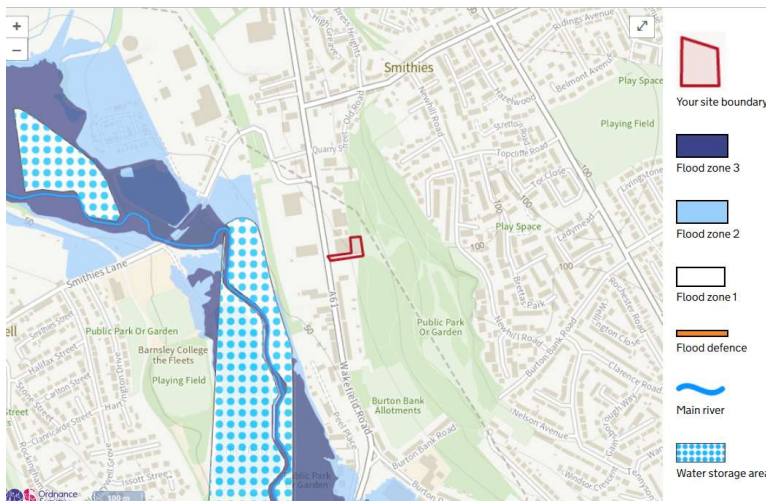
The Council is asked to note that the lights are low level and low wattage, running off solar power.



Proposed site plan (Not to scale – please see submitted plans for scaling)



Proposed Day room (Not to scale – please see submitted plans for scaling)



Environment Agency Flood map for planning

The Environment Agency flood map for planning demonstrates that the site is within Flood Zone 1, the preferable location for development.

The Site is not within the Districts Green Belt.

6.0 PLANNING POLICY

The National Planning Policy Framework (NPPF 2024)

It sets out Central Government’s planning policies for England and how these are expected to be applied.

Paragraphs 7 and 8 define the commitment to sustainable development based on three dimensions:

7. The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs⁴. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and;

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Decision making

Paragraph 39 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Planning and Flood Risk

Paragraph 170 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Planning Policy for Traveller Sites (The PPTS) has been updated in line with the Framework. The 2024 PPTS sets out the Government's approach to the provision of traveller sites and seeks to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interest of the settled community. Of note is that the provision of traveller sites appears to be brought in line with the 5 year housing supplies and the general provision of housing.

The most significant change of all is that of the definition of Gypsies and Travellers for the purpose of planning policy, which has been amended as follows:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

It is considered that the use of the phrase 'cultural tradition of nomadism or of living in a caravan', makes it considerably more inclusive and reflective of the accommodation needs of Romany Gypsies and Irish Travellers. The amended definition reflects the leading Human

Rights case which confirmed that those ethnically defined Romany Gypsies and Irish Travellers who either do not travel or no longer travel are still included in the definition. Therefore, the practical implications are that Romany Gypsies and Irish Travellers who do not follow a nomadic way of life, will be able to both apply for planning permission for and live on a Gypsy or Traveller site.

Barnsley Local Plan – Adopted January 2019

The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Relevant Local Plan Policies:

Policy GT1 'Sites for Travellers and Travelling Show people'
Policy D1 'High Quality Design and Place Making'
Policy GD1 'General Development'
Policy T4 'New development and Transport Safety'
Policy Poll1 'Pollution Control and Protection'
Policy BIO1 'Biodiversity and Geodiversity'

7. KEY PLANNING POLICY CONSIDERATIONS

Material Considerations and Policy

When determining planning applications for traveller sites, policy states that planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilities their traditional and nomadic way of life while respecting the interests of the settled community.

Applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies within the NPPF and local plan policies for Traveller Sites.

Access and Highways

The development would be served by the existing road infrastructure and there would be no significant impact from the proposal. The site is conveniently located off the main highway and accessed at the end of an established lane which is used by a small number of other users. With the site having a long established commercial use, its change of use to a small self-contained traveller site for one family, results in no notable increase in use of the highway.

The visibility for access and egress is excellent and internally the site provides sufficient parking arrangements for the family and visitors.

The location is highly sustainable with access to all facilities on foot, including public transport, being readily on hand.

Amenity

There are no immediate residential properties adjacent to the site, therefore, there will be no detrimental impact upon the amenity of existing residents.

In terms of the amenity of the applicants residing on the site, the occupiers enjoy a slightly elevated position with views over and above the adjoining commercial uses. To the rear of the site there is a public area of greenspace which is popular with walkers; this area of public footpaths can also be used to access nearby shops making it an ideal location for residential use.

The adjoining commercial uses are relatively low impact as they involve vehicle sales within the usual office hours resulting in very quiet periods between the hours of 5pm and 9am. There are nearby residential properties which sit equally close to the existing town centre commercial uses, therefore impacts upon these homes are comparable to this site.

The location is highly sustainable with services being right on the doorstep, this mix of both commercial and residential leads to a vibrant mix and the Council is asked to consider that this self-contained site in this location is actually an ideal site for this family with gypsy traveller heritage.

Flood Risk and Drainage

The site is within Flood Zone 1, the preferable area for development.

There is water/sewage connection and electricity already on site resulting in a fully serviced site.

Ecology/Biodiversity Net Gain

The site is already completely hard surfaced resulting from the previous commercial use, therefore, BNG is exempt as the proposed use only utilises the previous commercial and developed nature of the site.

Gypsy/Traveller Needs and Personal Circumstances

The applicant has the benefit of having a very recent Appeal decision for the Barnsley area which provides and up to date position in terms of the Districts numbers and established need for Gypsy Traveller pitches.

Appeal A Ref: APP/R4408/C/24/3344454

Jimboy Stables off Mackey Lane, Brierley, Barnsley, S72 9LD

Decision date: 22 JANUARY 2025

The need was addressed in the Appeal as follows:

“Need

22. The appellant’s case is that there is a demonstrable unmet need for traveller sites but the Council’s position regarding whether they have such an unmet need is unclear from the information submitted in these appeals. The issue of need is not referred to in the notice or Council’s appeal statements, but they have provided copies of the “Barnsley Gypsy and Traveller Five Year “Deliverable” Land Supply Report April 2024 – March 2029” (July 2024) (“the Land Supply Report”) , and two appeal decisions³, albeit with no indication of how these should be taken into account in this case. The appellant has also provided copies of three additional appeal decisions in the Council’s area⁴ where permissions have been granted for gypsy and traveller sites. I have taken these decisions into account, particularly the sections which concern the need for and supply of pitches, but each case needs to be determined on the specific facts and policy as they relate to that particular site at the date of the appeal.

23. The Council’s assessment of need including the Land Supply Report relies on data that was collected between April and July 2015 and is therefore almost 10 years old. This assessment has not been updated, and nor have the Council provided any detailed information regarding what they believe the current position to be. In addition, the Land Supply Report identifies 19 pitches on two sites which were allocated as gypsy and traveller sites in the Local Plan adopted in January 2019 but no information has been submitted to show that any progress has been made to bring forward either of these sites which were now formally allocated 6 years ago.

24. Paragraph 10 of the PPTS provides that local planning authorities should, in producing their Local Plan, identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against their locally set targets. The meaning of deliverable in this context is that sites should be in a suitable location for traveller development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged. There is no information in these appeals to show that there has been any progress regarding these allocated sites in the last 6 years and no indication that anything will be different in the immediate future. These sites cannot be considered deliverable within the terms set out and it has not been shown that there is a realistic prospect of any such development coming forward within the next 5 years.

25. Also, the change to the definition of gypsy and travellers in the PPTS has been

widened by including “and all other persons with a cultural tradition of nomadism or of living in a caravan”, and it is not clear from the information before me whether the needs assessment undertaken in 2015 took account of this wider group. This adds further uncertainty regarding the figures.

26. For these reasons, and in the absence of any kind of credible argument being made by the Council, I consider that the Council has not shown an adequate supply of pitches, and as such there is a demonstrable unmet need for gypsy and traveller development as set out in paragraph 155(b). This unmet need is further demonstrated by this appeal, and the other appeals highlighted by the appellant.”

Based on the above and due to the very recent decision date, we would respectfully suggest that the Council has an inadequate supply of GT sites and that there is a clear and demonstrable unmet need. The Council is asked to consider that although this is a modest site, only large enough for one family, it is ideally located outside of the Green Belt in a highly sustainable location and would provide a much needed pitch and would add to the Districts numbers.

In terms of the applicants personal needs and indeed the retrospective nature of the application, the applicant and his family were living on the nearby public Gypsy/Traveller site at Smithies Lane, off Wakefield Road. Due to personal issues and unavoidable frictions which could not be resolved, he and his wife had to leave the site and with no other viable alternatives on offer, moved onto this site which was within his ownership out of necessity. The alternative was car parks and road side locations which are unacceptable in both the long and short term.

8. CONCLUSIONS

The Council is asked to consider that in the absence of any viable alternatives and a demonstrable shortfall in pitches available in the Borough, this small well contained site on brownfield land, is an ideal location for a small family site.

The site is considered to be sustainable economically, socially and environmentally and accords with all the relevant factors set out in paragraph 13 of the PPTS. It is a small well screened site at low risk of flooding and outside of the sensitive Green Belt, in a highly sustainable location which is well connected. The creation of this site on the existing developed nature of the land, results in very little impacts with the benefits far outweighing any perceived harm.

The applicant has been displaced from his previous residency and this site will provide him and his wife with a settled base to start a family with easy access to both health services and future local educational needs. The site is ideally located and would assist the Council in attempting to meet its future GT numbers.

Retrospective applications are accepted in the Framework and the Council will be able to adequately control the use of the site with planning conditions. The Council is therefore respectfully asked to support the applicant in establishing a site for his family in this location.