

Planning Statement

**CHANGE OF USE OF LAND TO GYPSY AND TRAVELLER SITE
WITH ASSOCIATED CARAVAN (RETROSPECTIVE) AND ERECTION
OF DAY ROOM BUILDING.**

LAND AT SHAFTESBURY STREET, BARNSELY, S70 3PU

**PREPARED FOR: MR DOUGLAS WARD
PREPARED BY: JAMES ROBERTS MRTPI**

1.0 INTRODUCTION

This statement has been prepared to support the submission of a full planning application for retrospective planning permission for the change of use of land to a Gypsy and Traveller site and for the erection of a new day room building. This statement should be read in conjunction with the submitted plans and supporting documentation.

This statement now proceeds to give details of the site. The details of the proposal are then set out. The planning merits of the scheme are then discussed in relation to relevant planning policies contained in the statutory development plan, together with Government guidance principally set out in the National Planning Policy Framework (NPPF) and the Government's Planning Policy for Traveller Sites 2015.

It will be demonstrated that the Council cannot demonstrate a deliverable five-year supply, and so there is an unmet need for traveller sites in the Borough. The applicant's personal circumstances weigh heavily in favour of the proposals, and the development would conserve the character of the locality and the wider landscape. There would be no adverse impact on residential amenity and no ecological harm. Any minor impacts with regard to highways can be offset and outweighed by the benefits of the scheme. The development is limited in scale, contained in visual terms and in a sustainable location.

Finally, the conclusion is reached that planning permission should be granted for the proposed development.

It is anticipated the Local Planning Authority (LPA) will adopt a progressive approach to this sustainable scheme.

The application site is located on the western side of Shaftesbury Street, a cul-de-sac leading north off School Street, Stairfoot. It extends to approximately 330 sq metres.

The application is partly retrospective in that the plot of land has been brought into use as a Traveller and Gypsy site for a single family. It has been surfaced in gravel and a static caravan and small wooden shed are positioned at the back of the site on the western boundary. The caravan is cream coloured, with a shallow pitched grey roof and is single storey. The current positions of the caravan and shed are indicated on Figure 1 below.

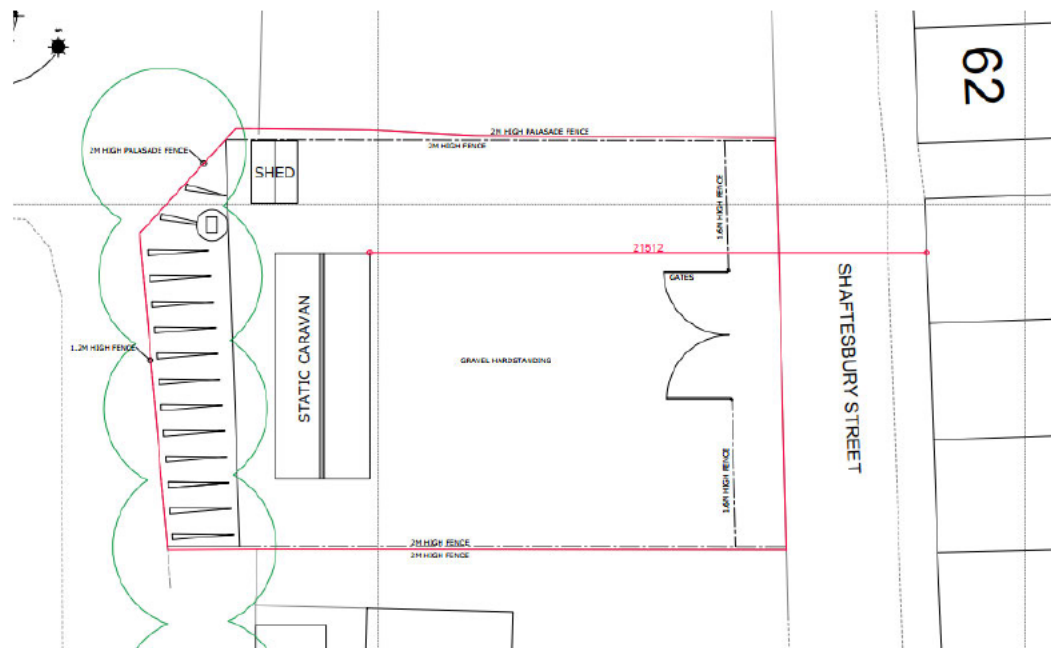


Figure 1: Site as laid out at present

The site is very neatly maintained and orderly in appearance. Timber fencing and gates have been erected around the perimeter of the site as permitted development. Access is gained off the western side of Shaftesbury Street.

There are extensive areas of mature trees to the north and west, which limit any wider views into the site.

The site is not within a Conservation Area and there are no listed buildings nearby. The site is within flood zone 1.

3.0 PLANNING HISTORY AND THE PROPOSAL

There is no planning history for the site.

The application seeks the change of use of land to a Gypsy and Traveller site for a single family, comprising one static caravan and the erection of a new permanent 'day room' building. In keeping with a standard travellers' pitch, a touring caravan will also occupy the site intermittently.

The existing static caravan will be retained and repositioned slightly to the south of its current location, so that it sits in the south west corner of the site. The existing timber shed will be removed. The new day room building will be built at right angles to the caravan, in the north west corner, with its ridge running west to east. It will be single storey, and will measure 11m long by 4.9m wide. It will be constructed in sandstone with a blue slate roof to

match the building palette of the terrace opposite. Internally there will be a bathroom and day room, used for activities such as laundry and family dining. The building will be wholly ancillary to the use of the site and not used for overnight accommodation.

The static caravan unit proposed provides a home for Sherry Smith and her daughter Indianna (aged 16). Mr Douglas Ward, who is now separated from Ms Smith, but still provides support to her and their daughter, also lives on the site from time to time in a touring caravan.

4.0 ALLOCATION AND POLICIES

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises The Barnsley Local Plan, which was adopted in January 2019.

Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) as updated in December 2024 and the suite of documents comprising National Planning Practice Guidance (NPPG). Along with the Planning Policy for Traveller Sites which provide National Policy in relation to provision for gypsy caravan sites.

Allocations

The site is designated as urban fabric in the adopted Barnsley Local Plan.

National

The NPPF is reflective of the guidance contained within the NPPG. The following sections of the revised NPPF are considered of direct relevance to the current proposal:

- Section 2 - Achieving sustainable development
- Section 4 - Decision-making
- Section 5 - Delivering a sufficient supply of homes
- Section 12 - Achieving well-designed places

The overarching message of the NPPF is that LPAs should adopt a positive and pro-active approach to planning proposals, particularly those that result in sustainable development. LPAs should not place unnecessary burdens on developers and should look to support appropriate schemes such as this. Planning Policy for Traveller Sites (“the PPTS”) is the current National Policy in relation to provision for gypsy caravan sites.

Planning Policy for Traveller Sites (December 2024)

This document sets out the Government’s planning policy for traveller sites and should be read in conjunction with the NPPF. Policies of particular relevance are:

Policy B: Planning for traveller sites.

Policy H: Determining planning applications for traveller sites.

Local Plan Policies

The most relevant policies in determining this application are as follows:

- Policy SD1 Presumption in favour of Sustainable Development
- Policy GD1 General Development
- Policy H4 – Residential development on small non-allocated sites

- Policy GT1 – Site for Travellers and Travelling Showpeople
- Site Policy GT2 – Sites for Travellers
- Policy D1 High Quality Design and Placemaking
- Policy T3 New Development and Sustainable Travel
- Policy T4 New development and Transport Safety
- Policy BIO1 Biodiversity and Geodiversity
- Policy CL1 Contaminated and Unstable Land

5.0 ASSESSMENT

Principle of development

The Government's objective is to significantly boost the supply of homes and to that end the NPPF states that the overall aim should be to meet the housing needs of different groups in the community, including the needs of travellers.

The Government's overarching aim is 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 interests of the settled community.

The 2024 'Planning Policy for Traveller Sites' (PPTS) requires Local Authorities to identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of site against their local set targets.

The Council's Gypsy and Traveller Accommodation Assessment (GTAA) dates from 2015. It is now ten years old. The relevance of this outdated assessment was explored in a very recent appeal decision for a traveller site northwest of Barnsley Rd, Brierly (Appal ref APP/R4408/W/24/3357259 – decision date 3 June 2025). The Inspector concluded:

‘The GTAA goes on to recommend that the evidence be updated after 5 years. The Council however have not done this and have no current plans to do so. This puts the robustness of this evidence in doubt.’.

The Inspector also noted that it is not clear whether the 2015 GTA takes account of the new wider definition of a ‘Gypsy and Traveller’ and also that the two allocated sites at Industry Road and Burntwood Cottages have an unrealistic prospect of coming forward in the next 5 years and so cannot be considered to be deliverable. On that basis, rather than a surplus of pitches identified in the Council’s Gypsy and Traveller Five Year Deliverable Supply Report April 2024-March 2029, there is in fact, a shortfall.

Consequently the Council cannot demonstrate a deliverable five-year supply and there is an unmet need in the Borough. This same conclusion has also been reached in several other recent appeal decisions in Barnsley (APP/R4408/C/23/3336174 Land on the north west side of Shaw Lane, Carleton dated 2 August 2024, APP/R4408/C/24/3344454 Jimboy stables, off Mackey Lane, Brierley dated 22 January 2025 and APP/R4048/C/22/3305546 land west side of Sandybridge Lane, Shafton dated 10 March 2025). Para 28 of the PPTS states that if a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, the provisions in paragraph 11(d) of the National Planning Policy Framework apply – i.e. a presumption in favour of sustainable development.

The proposals are therefore clearly acceptable in principle and also in line with Local Plan Policy GT1, which states that self-sought provision will be positively considered where it accords with relevant policies in the local plan. A number of material considerations are therefore addressed below:

Personal Circumstances

The applicant and his family clearly meet the definition of 'Gypsies and Travellers', as set out in PPTS and there are no available and suitable alternative sites which could lawfully accommodate the family. The proposal would provide provision for a family unit that would make a meaningful contribution towards addressing the acknowledged shortfall.

Para 25 of the PPTS sets out that other personal circumstances of the applicant should be considered when determining planning applications for traveller sites.

A supporting letter provided by Rachel Bowman, an Educational Welfare Officer with the Local Authority, is submitted with the application. This explains that following the separation of Mr Douglas Ward and Ms Sherry Smith, Sherry moved into a rental property in Cudworth where she lived with her daughter for several years, while Douglas continued to travel. Indianna attends college locally at Barnsley College where she is well settled and has built friendships. However, following the insolvency of the landlord, they were sadly evicted in May 2026 and became homeless. A copy of the eviction notice is submitted. Consequently, they moved into a caravan on the application site, which had been purchased by Douglas. Ms Bowman emphasises the quiet and respectful nature of the family.

The provision of a secure and permanent base is critical to ensure Indianna can continue her local education. The best interests of children are a primary consideration. Refusal would result in displacement and likely return to roadside living, with disruption to education, healthcare access and social stability. A fixed base will also make it easier for Douglas to continue his work as a self-employed roofer.

Cultural Needs

The proposal provides culturally appropriate accommodation which enables the family to live close together and maintain their cultural traditions in a stable environment.

The increasing criminalisation of roadside encampments has intensified the consequences of refusal. The absence of authorised alternatives would cause significant emotional harm to the family preventing them being able to live their way of life.

Sustainability of the site

Being designated as urban fabric, the site is clearly located in an urban area in accordance with Local Plan policy GT1.

The site is in an extremely sustainable location, being only a 5-minute walk from the centre of Stairfoot, with its range of facilities including a small supermarket, chip shop, takeaways, post office, hairdressers and pub. The pedestrian access route to these services is largely level and via designated paved footpaths.

There is a large Aldi supermarket about a 6-minute walk away. The nearest GP surgery (Ashville Medical Practice) is a 20-minute walk or 16 minutes by bus. Lynton House dental practice is a 4-minute walk away.

The nearest bus stop is a 2-minute walk on Doncaster Rd, with services to Barnsley town centre, Rotherham and Doncaster.

The close proximity of the site to local services and bus routes accessible by a footpath negates the need to rely on the private car. The site therefore has good access to facilities in accordance with policy GT1.

Impact on the Character of the area

National planning policy places great emphasis on achieving well-designed places, recognising that good design is a fundamental component of sustainable development and is indivisible from good planning. Paragraph 134 of the National Planning Policy Framework (NPPF) highlights that development which is not well designed should be refused, particularly where it fails to reflect local design policies and government guidance on design. This is consistent with local planning policies.

The proposed scheme has been carefully considered to respond positively to its context, and would deliver a simple form of development that is functional to the needs of the applicant.

At present the streetscape along the western side of Shaftesbury Street appears neglected and visually degraded, with aging and mismatched outbuildings, deteriorating fencing and uneven surfacing. The application site, by contrast is well maintained and the caravan, by virtue of its position to the rear of the site and the presence of boundary fencing, does not stand out as an incongruous feature in the context of its surroundings. The caravan and the proposed building are both single storey and this, taken with the significant tree cover to the west and north of the site, means that they will not be prominent or intrusive in the wider landscape.



Figure 2: Static Caravan with shed and touring caravan.

The detailing of the new day room building will be simple and functional, reflecting its ancillary use, and the materials of construction will harmonise and blend with the terrace opposite. The modest massing of the structure will not be out of keeping with, and indeed will be of a higher design quality than the existing garages and sheds that are scattered along the street. Its narrow gables and linear form would also reflect the massing of the adjacent terrace.

The boundary fencing provides a good level of privacy for the occupants, but its modest height and the open nature of the gate means that the plot is not enclosed to such an extent that the site and its occupants are deliberately isolated from the rest of the community. The site may benefit from some soft landscaping, and this can be required by condition if the Council considers it to be necessary

Residential Amenity

Both national and local policy seek to protect the amenity of existing residential properties.

The nearest residential properties are the terraced houses on the east side of Shaftesbury Street. The windows on the east elevation of the static caravan, once relocated, will be some 22.6m away from the front windows of the terraced houses, which is an acceptable separation distance between habitable room windows.

There would be no windows on the east facing gable end of the day room building and so there would be no opportunities for overlooking.

With regard to noise, any planning permission granted would be for residential use of the site with up to two caravans, which would be of the smallest scale for residential caravan sites and equivalent to a single pitch. As such, there would not be any significant noise levels over and above those normally generated by typical residential use and activities. Nonetheless, commercial activities can be prohibited and/or limited if necessary, by way of a planning condition.

Turning to the criteria in paragraph 13 of the PPTS, we strongly believe that the development will promote peaceful and integrated co-existence with the local community. Integration very often takes place through the use of local shops and children at school. As described above the occupiers of the site are able to access health facilities and the child can attend school. A settled base reduces the need for long-term travelling and the possible environmental damage caused by unauthorised encampment.

Finally in their response to the 2025 pre-application enquiry for a dwelling on the site, the Council raised a question about the potential impacts on the amenity of residents at the site

from the nearby business park. Firstly, it should be noted that the business park is already surrounded on three sides by residential dwellings, with properties on School St and Roseberry Street directly abutting the site. The Council also approved a new housing development adjacent to the west side of the business park (around Sheepcote Walk) in the early 2000s. These properties are clearly sitting comfortably alongside the use without any obvious issues. In addition, there is a substantial belt of trees between the application site and the business park, which will adequately mitigate any potential noise emanating from the site.

Given the proposed residential use of the land, we conclude that there would be no significant harm to living conditions of occupiers of the site or to occupiers of other properties on Shaftesbury Street. As such there would be no conflict with LP Policies GT1, GD1 and D1.

Highways Impacts

The NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or residual cumulative impacts on the road network, following mitigation would be severe.

Shaftesbury Street is an adopted, unclassified residential road that is subject to a 30mph speed limit. It is a cul-de-sac and terminates with a turning head at the northern end. There is a footpath along the eastern side of the road only. The carriageway is relatively narrow as is the case with many of the terrace lined roads in the vicinity. However, it has clearly operated in a safe manner for many years. An inspection of the CrashMap website (which is populated using published DoT data), shows there have been no accidents involving injuries in the last 10 years.

It is important to stress that these proposals relate to a single family traveller pitch comprising one static caravan, one touring caravan and a day room and as such the level of vehicle movements generated by the development would be low.

Nonetheless the hardstanding is sufficiently deep that vehicles can manoeuvre within the site and exit in a forward gear. The gates have been set back some 1.2m from the carriageway edge and are sufficiently wide that a vehicle can exit at an angle, such that the relatively narrow width of the road can be accommodated. The gates open inwards to avoid obstructing the highway.



Figure 3: Site frontage with fencing set-back

Whilst the speed limit is 30mph, vehicle speeds are in reality much lower than this by virtue of the fact that the road is a cul-de-sac and as stated above is narrower than modern standards dictate. As such, even if entry and egress from the site requires more than a single manoeuvre, this is highly unlikely to cause a material highway safety risk. If necessary, the fencing on each flank of the access bell-mouth can be reduced in height to maximise visibility splays.

A 6m manoeuvring distance is available with this scheme due to the setting back of the gates. Whilst on-street parking (partially on the pavement) may occasionally occur opposite the site, this is a consequence of the existing use of the public highway rather than a characteristic of the proposed development. Any obstruction arising from the manner in which third parties choose to park is a matter of highway management and enforcement rather than an inherent defect in the proposed access. The planning system should assess the suitability of the access itself rather than assume that vehicles will be parked in positions that materially prevent its safe use.

In conclusion it has been demonstrated that the development would not have an unacceptable effect on highway safety and clearly a development of this scale would not have an unacceptable impact on the wider road network in accordance with the NPPF. If the Council disagrees with this view, then we would strongly argue that the benefits of the development's contribution to meeting the acute and ongoing unmet need for traveller sites in the Borough substantially outweighs any perceived harm.

Ecology

As the development is retrospective it is exempt from the requirement to demonstrate 10% Biodiversity Net Gain.

The proposal would be constructed entirely on existing hardstanding, which has no ecological value and does not support any natural habitat. As such, there would be no loss of vegetation, disturbance to wildlife, or impact on any ecological features. The development would not result in any harm to biodiversity and is therefore considered to have a neutral effect in ecological terms. The proposal fully accords with local and national policy and guidance in this respect.

As stated above the applicant would be willing to consider a condition to require the submission and agreement of a soft landscaping scheme to enhance the biodiversity of the site, should this be necessary.

Flood Risk

The area is within the Environment Agency's Flood Risk Zone 1: areas at least risk of flooding and is of not of a scale that would require a flood risk assessment

6.0 CONCLUSION

The proposal has been assessed against relevant policies in the Local Plan together with the National Planning Policy Framework and the Planning Policy for Traveller Sites.

Recent appeal decisions have established that the 2015 GTAA is out of date, the Council cannot demonstrate a deliverable five-year supply, and there is an unmet need for traveller sites in the Borough.

The applicant's personal circumstances weigh heavily in favour of the proposals, and the development would conserve the character of the locality and the wider landscape.

There would be no adverse impact on residential amenity and no ecological harm. Any minor impacts with regard to highways can be offset and outweighed by the benefits of the scheme. The development is limited in scale, contained in visual terms and in a sustainable location.

For all of these reasons, the proposal accords with the development plan when read as a whole and with national policy. Planning permission should therefore be granted.

The Applicant is willing to discuss any issues that may arise during the consideration of the proposal with the LPA.

James Roberts (BA, MSc, MRTPI)

JR Planning