

BUGBROOKE PARISH COUNCIL

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Clerk: Mrs S Bramley-Brown

Mr Alex Keen
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Date: 10th December 2013

Dear Mr Keen,

Re: Application S/2013/ 1542/FUL: Land at Sheepcot, Nether Heyford

This letter is the formal response from Bugbrooke Parish Council as consultee in respect of the above planning application. Bugbrooke Parish Council **objects** to the application and reiterates the reasons set out in our letter of 23rd June 2011, in respect of the earlier application. The Parish Council's objections to the application are as follows:-

1. Several planning applications for residential use and for the siting of caravans have been made in respect of this land, over the last 30 years. There were residential refusals in 1976 & 1979 and an application for the siting of two caravans was refused in 2011. In addition South Northants Council issued an enforcement notice requiring the removal of caravans in January 2011. The parish council believes that the gypsy status of the applicants should not outweigh the Council's previous stance on the use of this land for residential occupation. The parish council understands that the Human Rights Act provides that the rights of an individual or small group should not outweigh the rights of the wider community or the environment.
2. In 2011 the previous similar application for fewer caravans was refused, on the grounds that " the existing adjacent agricultural grain driers, would when in operation, cause a statutory noise nuisance to the future occupants of the site..." and "the agricultural activities on the adjacent farm would also harm the amenities of any non-ancillary dwelling on the application site by way of odour, smell and vermin nuisance..." Bugbrooke Parish Council has been advised that since the earlier application, the agricultural use of the adjacent land has intensified in that a second and more powerful grain drier has been installed and cattle shed and associated store has been erected close to the boundary with the site. Residential development of any kind should not be permitted within 100 metres of such agricultural buildings. These reasons still apply to the site and the effects remain as being prejudicial to the future needs and economic viability of the farm, together with the possible effects these may have on local employment.
3. The land is designated as open countryside and forms both a physical and visual annexation between Bugbrooke and Nether Heyford. An erosion of this buffer is unacceptable. The villages are unique and distinct in character and the change of use to any residential development here should continue to be resisted by the Council whoever the applicant is. The issues of equality and consistency are very pertinent in this instance.

4. In March 2012 the government issued its new planning policy on the provision of caravan sites for Gypsies and Travellers: *Planning policy for travellers sites ('PPFTS')*. The document replaces both Circular 1/2006 *Planning for Gypsy and Traveller Caravan Sites* and Circular 04/2007 *Planning for Travelling Showpeople* and should be read in conjunction with the government's *National Planning Policy Framework ('NPPF')* which was also published in March 2013. Both documents came into force with immediate effect.

- Relating to Plan-making, paragraph 7 of PPFTS states that Local Plans must be prepared with the objective of contributing to the achievement of sustainable development and reminds LPAs that they should be consistent with the policies of the NPPF (including the presumption in favour of sustainable development).

This is being done through the JCS and the future production of a Joint Local Plan covering this issue.

- PPFTS makes it clear that LPAs should ensure that sites are sustainable economically, socially and environmentally.

Specifically in relation to sites in rural areas and the countryside, paragraph 12 of PPFTS states that:

'When assessing the suitability of sites in rural or semi-rural settings, [LPAs] should ensure that the scale of such sites does not dominate the nearest settled community.'

Whilst this may not be considered a large site, its location is a consideration. The fields represent a gap between the villages of Nether Heyford and Bugbrooke and it would have an unacceptable impact on the landscape, locality and infrastructure.

- Paragraph 23 states that LPA's "*should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan*".
- It also emphasises the requirement that LPA's "*should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure*".
- Paragraph 24 advises LPA's that when considering planning applications they should attach weight to the following matters:-
 - a) Effective use of previously developed (brownfield), untidy or derelict land.
 - b) Sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness.
 - c) Not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.
- Saved policy EV2 is aimed at safeguarding the countryside from sporadic development that would seriously detract from its character. There are also underlying sustainability objectives of these policies, which would not be achieved.
- Policy H7 of the WNCSS refers to the provision of accommodation for Gypsies, Travellers and Travelling Show People. This is a common sense document and this site does not meet the 6 essential criteria for site allocations. In particular the site does not accord with bullet five in that the scale and location of the site will have an unacceptable impact on landscape, highway safety and existing communities.

5. There is also the issue of safe access to the site. The site is located on an unlit rural road on a bus route between two villages, there is no footpath and any users would need to walk along the road. It is considered to be sufficiently unsafe to require the provision of a school bus. This council believes that the proposals for access to and egress from the site are not satisfactory. The access appears to be of insufficient width to serve a fast and winding road on which there have been fatalities. The provision of a visibility splay of 4 metres by 4 metres would be required to give adequate site lines. This would appear to require the removal of established hedgerow and thus would have a detrimental impact on biodiversity and loss of species. We understand also that it might not be in the ownership or control of the applicant. There have been numerous accidents along this stretch of road –three in the previous three weeks. There are also many unreported incidents involving cars leaving the road on this dangerous bend,, and with the ever increasing number of vehicular movements along the road, the risks can only increase.
6. The permanent building would appear to be of a design which would not be in keeping with the rural nature of the site.
7. The introduction of a domestic use and associated paraphernalia is out of keeping with the rural landscape. The site has an open aspect with little natural screening and it is considered that it would difficult to provide effective screening of the site. Due to its location and the openness of the gap between Bugbrooke and Nether Heyford, there are public viewpoints of the site and it must therefore be concluded that such a development would result in material harm to the character and appearance of the area. The applicants have sought overcome the previous reason for refusal by the provision of a 2.2 metre high acoustic fence. Such a large structure would be completely out of keeping in the rural setting. Furthermore, the benefits of what is in effect a simple wooden structure in the reduction of the noise from the grain driers, would be minimal and ineffective.
8. The parish council sympathises with any family whose children have special needs, but the argument put forward in the submitted design and access statement that a settlement in this location would allow the children to continue at a school in Helmdon, Brackley some 12 miles away does not hold water. It is not local or sustainable. Indeed the letter from Great Ormond Street Hospital submitted with the previous application stated that; “ *it would be best if the family were not moved from their current local area where they are well supported by local services*” Additionally the Consultant states that going outside to use wash room facilities is not suitable for the poorly child which is exactly what is proposed in this application. The further assertion that the parents are elderly and need medication is also unsubstantiated. Most elderly people take some form of medication.
9. Bugbrooke has previously been identified as “a service village” and this has resulted in approvals for some 130 additional dwellings to be constructed in the village. The existing facilities are being placed under increasing strain from the extra inhabitants that are about to arrive – the secondary school is more than full, the primary school will be full when the existing development is complete, there is no library, no bus service to Towcester, and the medical centre is struggling to maintain current levels of care.
10. The Parish Council is of view the that the recent decision to permit a gypsy site at Abthorpe should not be considered as having set a precedent.

Bugbrooke Parish Council therefore requests that this application be refused. If, however, the district council is minded to grant planning consent, despite the obvious flaws in this application, we would request that the following conditions be imposed:

- A Boundary hedges to be of native species and to be kept at a height of 3 metres or thereabouts, in order to screen the development from the road.
- B Lighting should be discreet and low level, so as not to impact on the surrounding countryside.

- C The design and colour of the caravans should complement the surroundings. This would include the touring caravans.
- D The applicants be requested to sign a s106 agreement or unilateral undertaking requiring them to form a safe means of access to and egress from the site and to ensure that future visibility is maintained. Any obligations should include both parish councils as beneficiaries.
- E Planning Inspectorate Model Conditions as follows:
- Occupation by gypsies or travellers only.
 - Personal occupation by the applicants and the members of the family referred to in the supporting statement. Reinstatement of the site to open agricultural land on vacation.
 - Siting of caravans only in approved locations.
 - Number and type of caravans
 - Size and number of commercial vehicles.
 - No commercial activities or storage of materials.
 - Submission of further details.

Finally, this parish council wishes to endorse and fully supports the objections of Nether Heyford Parish Council as set out in their letter to you.

Yours sincerely,

Sally Bramley-Brown
Clerk to the Parish Council