

BURSTOW PARISH COUNCIL

Planning Committee

Minutes of the meeting of Burstow Parish Council Planning Committee held at 6.45pm on Tuesday 13th June 2023 at the Centenary Hall, Wheelers Lane, Smallfield

No members of the public attended

Present –Cllrs Debbie Hale, Bob Locke, Ashleigh Bolton, Cat Dodman, Linda Herwig and Nick Bush., Cllr Morris was also present via Zoom

1. No apologies
2. No declarations of interest and no dispensations required.
- 3 The minutes of 23rd May were signed as an accurate record of the meeting
4. Matters arising - None
5. Planning application for consideration
2023/512 – 23 Raleigh Drive, Smallfield
Erection of ground floor rear extension
Recommend: Approve

2023/451 – Land to North of Farfield, Green Lane, Shipley Bridge
Change of use of land to create 3no plots for residential use by Gypsy/Traveller family including, 3no permanent site mobile homes, 3no tourers, cesspit, hardstanding, fencing, new access and conversion of existing building to dayroom/stables. (Part Retrospective)

Planning control in the UK is plan-led. The NPPG (National Planning Framework Guidance), para 20 states that individual application must be determined in line with the local development plan, unless there are material considerations that say different. Of paramount importance when an application is being considered is that the policy set out in the NPPG and NPPF as a whole and that individual characteristics do not overrule the policy as a whole. The Guidance does not say that the gipsy status of applicants in planning overrides all other considerations. It states that it is a material consideration only and needs to be balanced with other material considerations, including not only the development plan, but also the contents of the NPPG itself. So whist the applicant correctly cites Article 8 of the Human Rights Act 1998 this does not override the NPPG and must be treated as one of many material considerations

This site is not included in the draft Local Plan for Tandridge. A number of G&T sites were evaluated in the HEELA (SMA017, 018, 032, 033 and SMA 034, along with DOM 018). If these sites come forward, they would offer an additional 21 pitches in the area and no further sites,

including this one, would be required. It would be inappropriate to predict insufficient numbers of pitches before the Planning Inspector rules on the draft Local Plan.

Settled status – The G&T Community is considered nomadic so in our opinion the presence of the utility room and stables are permanent structures and should be afforded the same weight as any other application in the Green Belt. Therefore, by definition, these cause harmful and permanent damage to the Green Belt and should not be permitted. The applicant states that, for medical reasons, they no longer travel and so cannot be considered nomadic. We have every sympathy that the applicant and his family are no able to live according to their culture, though their settled status further highlight that no material weight can be given to their gipsy status and the application must be considered in exactly the same manner as any other proposal in the Green Belt.

The NPPG 25 states ‘local planning authorities should very strictly limit ne traveller site development in open countryside, that is away from the existing settlements or outside areas allocated in the development plan. LPAS’s should ensure that sites in rural areas respect the scale of and do not dominate, the nearest settled community, and avoid placing undue pressure on local infrastructure’.

The application site is boarded on one side by a residential home. This home was, until April 2023, adjacent to a plot of land with many different types of vegetation and offered a home to bees, butterflies and many other wildlife. The applicant cleared all vegetation, destroying many habitats and covered the entire area in hardcore creating a scar upon the landscape.

The application is in the Green Belt and the NPPG is very clear in stating that any development within the Green Belt must be considered inappropriate and thus harmful. (NPPG 16 *inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (permanent or temporary) in the Green Belt constitute inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to outweigh the harm to the Green Belt.* The applicant, in our opinion, does not offer any special circumstances, specific to this site, that outweighs the harm.

The site is not in a sustainable location. The NPPG promotes development in sustainable locations over and above development in rural, inaccessible, areas. Occupant of this site would need to travel by private vehicle to access all services such as education, health, shopping, leisure etc and be in direct contravention of the NPPG. Access to the site is via Footpath 459. The applicant, or those known to the applicant, cut back vegetation along the footpath in order to gain access to the site and also laid tarmac along the footpath. They should be required to remove the tarmac and return the footpath to its original state.

Residents living in the vicinity of the site have told the Parish Council that the mobile homes are occupied by people not from the G&T community and that these occupants are paying rent to the Connors family. Should the planning authority be minded to grant consent, very strict conditions should be laid down and checked regularly ensuring the following

- only the three named families in the G&T Status/Personal Circumstances are ever permitted to live there.
- In order to protect the neighbouring property’s amenity (Farfield) the utility block should be relocated to the opposite side of the site.
- The applicant is required to reinstate much of the destroyed vegetation.

- Service records of the waste treatment unit be inspected to ensure it is correctly maintained and does not discharge into the ground water/ditch. Usually manufactures require a 6 monthly inspection/service
- The tarmac be removed from the footpath

Recommend: Refuse

6. Decisions and Appeals

2022/868 – 12 Grange Way, Smallfield

Demolition of garage. Erection of ground floor side extension and first floor rear extension.

Approved

2023/458/T – Land at Plough Road, Smallfield

Installation of 20m streetpole style telecommunications mast, antennas, ground based equipment cabinets and associated ancillary development (Notification by Telecommunications Code System Operator). *Prior approval required and given*

7. No agenda items noted

There being no further business, the meeting closed at 18.57. The next meeting is scheduled for Tuesday 27th June 2023. The time will be confirmed nearer to the date. All Councillors attending via Zoom do not vote.

Signed..... Dated.....