

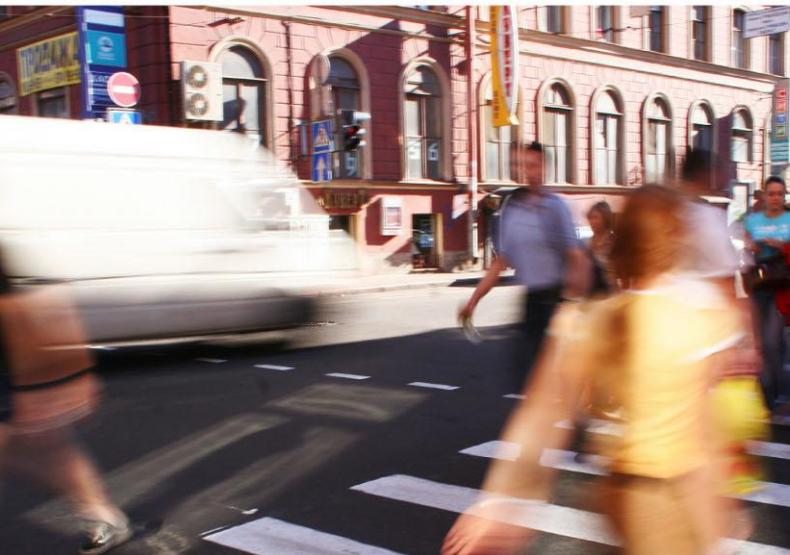
PROJECT CENTRE

Technical report on suitability of
access

Church Grove Proposed Travellers' Site

London Borough of Lewisham

January 2012



DOCUMENT CONTROL

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Report Reference	Issue	Description	Originator	Checked	Authorised
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CONTENTS PAGE	PAGE NO.
1. BACKGROUND	1
2. PREVIOUS PLANNING APPLICATION	2
3. EXISTING SITE CONDITIONS	4
4. CHANGES TO DOCUMENTS & STANDARDS	5
5. VEHICLE INFORMATION	6
6. ACCESS	8
7. CONCLUSIONS	12
QUALITY	13
APPENDIX A – PLANNING COMMITTEE REPORT	A
APPENDIX B – JUDICIAL REVIEW TRANSCRIPT	B
APPENDIX C – SITE LAYOUT	C
APPENDIX D – ‘S.I. 2010 NO. 964’	D
APPENDIX E – ‘DESIGNING GYPSY AND TRAVELLER SITES: GOOD PRACTICE GUIDE’	E
APPENDIX F – ‘ECE REGULATION 46’	F
APPENDIX G – VEHICLE SIZE DIAGRAM	G
APPENDIX H – SWEEP PATH ANALYSIS FOR TOURING CARAVANS	H
APPENDIX I – ‘BUILDING REGULATIONS 2000 B5’ EXCERPT	I
APPENDIX J – ‘MANUAL FOR STREETS’ EXCERPT	J

1. BACKGROUND

- 1.1 Following the closure of the Watergate School, previously located at the northern end of Church Grove, SE13, proposals were made by the London Borough (LB) of Lewisham to convert the redundant land into a residential site for the gypsy and traveller community.
- 1.2 These proposals culminated in a planning application, which was submitted on behalf of LB Lewisham by Nathaniel Lichfield & Partners in 2007. The planning application was approved in March 2008 and this permission then challenged by local residents. At the High Court hearing in November 2008 the Judge (Mr Justice Cranston) found in favour of LB Lewisham. Details of the application and the subsequent challenge can be found in paragraphs 2.3 and 2.4 of this report.
- 1.3 LB Lewisham are currently undertaking a consultation on the requirements for a gypsy and travellers' site within the borough, and potential locations for this. Through this process, Church Grove has again been raised as one of the potential locations for the site.
- 1.4 In November 2011, Project Centre Ltd were commissioned by LB Lewisham to carry out an independent investigation of the proposed access arrangements by reviewing the 2008 permission, the subsequent legal challenge and any amendments to policy, guidance and legislative documentation.

2. PREVIOUS PLANNING APPLICATION

Submission

- 2.1 Nathaniel Lichfield & Partners, acting on behalf of LB Lewisham submitted the original application in November 2007, with revisions during February 2008.
- 2.2 A Transport Statement prepared by Savell Bird & Axon accompanied the application.

Members' consideration and decision

- 2.3 The application was considered by the planning committee on 13th March 2008, with the members approving it and granting planning permission.
- 2.4 The planning committee report is shown in Appendix A of this report. Additionally, an online version can be accessed at:
<http://councilmeetings.lewisham.gov.uk/Data/Planning%20Committee%20B/20080313/Agenda/8572734eb5e448bfaacdf1cd82993b85FormerWatergateSchoolChurchGrove13March2008.PDF>

Challenge by residents

- 2.5 Following the decision to approve the application and grant planning permission, local residents of Church Grove sought to challenge this by judicial review. The key issue of the challenge was in regard to the appropriateness of access to the site, with reference to the document 'The Draft Guidance on the Design of Sites for Gypsies and Travellers'. Further reference was made to another document, 'Model Standards 2008 for Caravan Sites in England'.
- 2.6 Mr Justice Cranston found in favour of LB Lewisham and refused the challenge, noting that the primary named document was still in draft form and the second document not applicable to gypsy and traveller sites. Additionally, he stated that *"the issue of the width of the road was clearly considered by members of the planning committee"*.
- 2.7 The transcript of the hearing is shown in Appendix B of this report. Additionally, an online version can be accessed at: <http://www.richardbuxton.co.uk/v3.0/print/374>

Revisiting the application

- 2.8 As mentioned in paragraph 1.2 above, LB Lewisham are currently consulting on the use of the location as a potential gypsy and travellers' site. Whilst the site has an implementable planning permission, it is appropriate to review whether any of the relevant standards and documents have changed since the original application and subsequent challenge. The details of any changes are covered in section 3 of this report.

Timeline

- Planning application submitted in November 2007, revised February 2008
- Planning committee decision and approval on 13th March 2008
- Residents' challenge rejected by the High Court on 28th November 2008
- Location as a potential gypsy and travellers' site revisited by LB Lewisham in 2011

3. EXISTING HIGHWAY CONDITIONS

Layout

- 3.1 Church Grove is a residential road approximately 100m in length, with a varying width of 4.62–4.65m (kerb to kerb), except at an additional kerb buildout (with bollards) at the northern end of the road where the carriageway features 'Keep Clear' markings adjacent to the site access.
- 3.2 There are footways to either side of Church Grove, which vary in size from 0.90m to 1.58m wide.
- 3.3 Full details and dimensions of Church Grove are shown in Appendix C of this report.

Parking

- 3.4 Parking for Controlled Parking Zone B residents permit holders is provided on Church Grove, comprising of two bays 25m long (approximate) by 1.8m wide, located on the eastern side of the road and giving capacity for eight to 10 vehicles. The remainder of the road has single yellow line restrictions. The adjacent Ladywell Road also has single yellow line restrictions, with bus stops both directly opposite Church Grove and to the east.
- 3.5 Allowing for parking bays of 1.8m width, the residual road width available for traffic varies between 2.82–2.85m (kerb to bay).

Street furniture

- 3.6 A lamp column and separate signpost are located on the eastern footway, approximately 0.3m from the kerb edge. On the western footway, there is a telegraph pole approximately 0.3m from the kerb edge, and a lamp column adjacent to the garden wall of property Number 20 approximately 0.6m from the kerb edge.
- 3.7 Given the setback of the street furniture it is not considered that it would represent an obstruction to large vehicles accessing Church Grove.

Site visit

- 3.8 In November 2011, Project Centre Ltd visited the site and carried out a survey, taking measurements at three points along the length of Church Grove. A plan showing the current layout is shown in Appendix C of this report. Additionally, a number of photographs taken on the day are included as supplementary items at the end of this report prior to the Appendices.

4. CHANGES TO DOCUMENTS & STANDARDS

- 4.1 In the time since the original planning application and unsuccessful challenge, changes to two relevant documents have been made. These being the 'Road Vehicles (Construction and Use) Regulations' and 'Designing Gypsy and Traveller Sites: Good Practice Guide'.

Road Vehicles (Construction and Use) Regulations

- 4.2 This document was updated in 2010 with 'S.I 2010 No.964', which includes an amendment to the permitted maximum trailer widths. Further details are included in Chapter 5 of this report.

- 4.3 'S.I 2010 No.964' is shown in Appendix D of this report. Additionally, an online version can be accessed at: http://www.legislation.gov.uk/ukSI/2010/964/pdfs/ukSI_20100964_en.pdf

Designing Gypsy and Traveller Sites: Good Practice Guide

- 4.4 At the time of the determination of the original planning application, this document was in draft form under the title 'The Draft Guidance on the Design of Sites for Gypsies and Travellers'. In May 2008 it was published by the Department for Communities and Local Government and renamed 'Designing Gypsy and Traveller Sites: Good Practice Guide'.

- 4.5 The document is shown in Appendix E of this report. Additionally, an online version can be accessed at:

<http://www.communities.gov.uk/documents/housing/pdf/designinggypsysites.pdf>

- 4.6 Whilst of limited relevance in regard to the access arrangements, Annex B.3 (Small scale site – urban location) of this publication shows a potential plan of the permitted Church Grove site.

5. VEHICLE INFORMATION

Types of home

- 5.1 Members of the gypsy and traveller community will generally use both a touring caravan, towed onto a pitch by another vehicle, and a larger mobile home (often referred to as a static caravan) as their main residence.
- 5.2 Touring caravans may typically need arrive and depart a site infrequently throughout the year, while larger static caravans typically remain in-situ for several years at a time.

Touring caravan

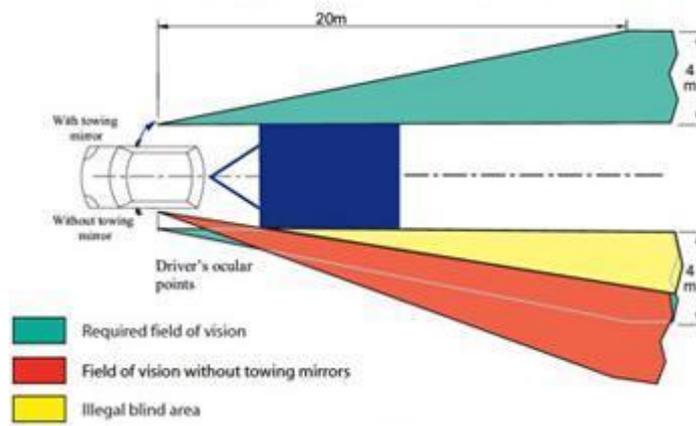
- 5.3 Prior to the 2010 amendment of the 'Road Vehicles (Construction and Use) Regulations', the maximum size of a trailer towed by a vehicle with a Maximum Gross Weight (MGW) of less than 3500kg was 2.30m wide by 7.00m long. For a towing vehicle with a MGW above 3500kg, this increased to 2.55 wide by 12.00m long.
- 5.4 Following the 2010 amendment, the maximum width of trailers for all weights of towing vehicle was increased to 2.55m. The maximum lengths remain unchanged at 7.00m and 12.00m respectively.
- 5.5 After checking current brochures from five caravan manufacturers (Elddis, Swift, Hobby, Bailey and Dunster House), the widest model available was found to be 2.50m wide.

Static caravan

- 5.6 In 2006 an amendment to the 'Caravan Sites Act 1968' increased the maximum (assembled) size of any twin-unit mobile home to 6.80m wide by 20.00m long. These must be moved to site in a maximum of two sections and are normally transported in two long units (i.e. 3.40m by 20.00m). However, the majority of static caravans available through the main manufacturers are single units either 3.05m or 3.66m wide, and up to a length of 12.00m.
- 5.7 It should be noted that the permitted dimensions of these vehicles has not changed since planning permission for the site was granted in 2008.

Visibility requirements

- 5.8 If a caravan or trailer is wider than the towing vehicle, suitable towing mirrors are required. Paragraph 15.2.4.3.2 of 'ECE Regulation 46' states mirrors should allow for a field of vision that is 4m wide at a point 20m back from the driver's ocular point. This creates a triangular visibility envelope, with the parallel edge of this triangle in line with the edge of the vehicle (trailer). The mirrors must be mounted to the towing vehicle, and as a minimum are equal to the width of the trailer. Figure 1, below, shows the field of vision and requirements.



▲ Figure 1 – Towing Mirror Visibility Requirements

- 5.9 Paragraph 15.2.4.3.2 of 'ECE Regulation 46' is shown in Appendix F of this report. Additionally, an online version can be accessed at:
<http://www.unece.org/trans/main/wp29/wp29regs41-60.html>
- 5.10 According to 'Road Vehicles (Construction and Use) Regulations' and 'ECE Regulation 46' the maximum distance any mirror below a height of 2m can protrude beyond the width of the towing vehicle or trailer is 250mm. This means a vehicle towing a 2.55m wide touring caravan could *legally* have a maximum overall width including mirrors of 3.05m in total, while a vehicle towing a 3.40m static caravan unit could *legally* have a maximum overall width (including mirrors) of 3.90m in total.
- 5.11 It should be noted, that on a road with a low usable width such as Church Grove, either the nearside or offside mirror (depending on vehicle direction) could therefore in practically overhang the kerb/footway by 250mm. This is commonly the case with other large vehicles accessing the road.
- 5.12 A diagram illustrating the overall widths (including mirrors) of a vehicle towing a 2.55m trailer is shown in Appendix G of this report.

6. ACCESS

Residential traffic and service vehicles

- 6.1 When used as a school, the site was accessed by staff cars and a bus. There were no known problems concerning traffic and any switch to travellers' vehicles should not cause this situation to change.
- 6.2 Refuse, delivery and removal vehicles, which vary in width up to approximately 2.5m currently access Church Grove on a regular basis. These have to reverse back down Church Grove as there is no turnaround area at the northern end. Should the proposed travellers' site go ahead, this would provide an opportunity to integrate such a facility and give easier access to these vehicles.

Site Entrance

- 6.3 In order to open the site entrance for towing vehicles, it will be necessary to remove the kerb buildout at the northern end of Church Grove, and to provide an appropriate entrance with dropped kerbs, gates and carriageway markings.
- 6.4 The site entrance could allow for provision of a turning area that would ease access and turning for vehicles already servicing Church Grove. The 2008 committee report recognised this as an advantage of the scheme (at Paragraph 6.8 of the report).

Touring caravans

- 6.5 As shown in Appendix G, the maximum width trailer (2.55m) could theoretically travel along Church Grove within the available road width, albeit with either the nearside or offside mirror overhanging the footway.
- 6.6 However, should the bodywork or wing mirrors vehicles parked on-street protrude beyond the 1.8m width bays these would prevent the passage of a maximum width trailer. As such, mitigation measures would be necessary to guarantee access to the site, as detailed later within this chapter.
- 6.7 'Designing Gypsy and Traveller Sites: Good Practice Guide' states "*Access roads and the site design itself should be capable of providing sufficient space for the manoeuvrability of average size trailers of up to 15 metres in length*". As this contradicts the legal maximum trailer size of 12m specified in 'Road Vehicles (Construction and Use) Regulations', the law should take precedence with regards to consideration of design vehicles.
- 6.8 Appendix H includes swept path assessments for a <3500kg MGW vehicle towing a 7m-long touring caravan, and a >3500kg MGW vehicle towing a 12m-long touring caravan. Both have a maximum vehicle path width (excluding mirrors) of 2.55m,

accounted for by the caravan. These swept paths show that both vehicles would be able to access the site subject to acceptance of the following requirements:

- that both vehicles will utilise dry-steering at rest where necessary to complete turning manoeuvres (referred to in AutoTrack as the instantaneous application of lock)
- that both vehicles will need to overrun the opposing carriageway lane of Ladywell Road when turning into or out of Church Grove, with the longer caravan leading to a greater degree of overrun
- that the longer, 12m length caravan will lead to some bodywork overrun of pavements on Church Grove

6.9 It should be noted that the above requirements are very similar to those required by refuse, delivery and removal vehicles that currently access Church Grove, and that movements by touring caravans will in general be less frequent than routine refuse vehicle movements.

Static caravans

6.10 'Designing Gypsy and Traveller Sites: Good Practice Guide' states "*Account needs to be taken of a more recent tendency for members of the Gypsy and Traveller communities to favour the use of a mobile home in place of the traditional caravan, and some mobile homes could be up to around 25 metres in length*". As this contradicts the maximum size of 20m specified in the 2006 amendment of the 'Caravan Sites Act 1968', the law should take precedence.

6.11 To accommodate a 3.40m by 20.00m unit being moved to site it is clear that mitigation measures would be required on Church Grove. Given the very infrequent arrival of such units (likely to be only once every several years) it is considered that these should be treated as exceptional loads in a similar manner to construction plant involved in the construction of a permanent dwelling. As such, no tracking assessment of these units has been undertaken. It is assumed that such loads will have to straddle adjacent carriageway lanes and overhang footways while making turning manoeuvres, but that as an exceptional case that this would prove acceptable.

Mitigation measures

6.12 In order to guarantee access to the site, mitigation measures would be required to temporarily or permanently increase the available road width on Church Grove. Three possible measures are outlined below.

6.13 Residents' parking could be suspended to allow additional width and travel of wide vehicles along Church Grove. This is consistent with existing arrangements for residential removals, building works and suchlike. While this would be reasonable for the arrival of static caravans, the number of touring caravan movements over the course of a year

may make this logistically challenging. Advance notice to residents would need to be given, with residential permit holders using nearby streets within the same Zone (Zone B). Single yellow lines on Ladywell Road would allow for parking of other vehicles subject to the given restrictions.

- 6.14 Although considered likely to be of substantial detriment to local residents and thus inadvisable, parking on Church Grove could theoretically be permanently removed. Should this be considered it would need to be subject to extensive consultation, with wider reaching studies of parking availability within Zone B.
- 6.15 Consideration could be given to converting Church Grove into a Shared Surface, allowing for greater usable width and representing an improvement to the existing narrow footways. Assuming a potential minimum surface width of 7.05m, this surface could accommodate 2.0m metre wide parking bays, an allowance of 0.6m for street furniture and still have a usable width of 4.45m, some 0.55m greater than even the maximum legal static caravan unit (at 3.90m).

**Converted from 2.4m across two footways and the 4.65m wide road.

Emergency vehicles

- 6.16 As with other large vehicles, emergency vehicles such as fire tenders currently have no area in which to turn around when on Church Grove, and have to reverse back down the street. Paragraph 6.7.2 of Manual for Streets states that *"fire service vehicles should not have to reverse more than 20m"*. Fire tenders need to reach a point within 45m of a property.
- 6.17 Paragraph 4.26 of the Department for Communities and Local Government document 'Designing Gypsy and Traveller Sites: Good Practice Guide' states *"Vehicular access and gateways must be at least 3.1 metres wide and have a minimum clearance of 3.7 metres"*. This is common with both Table 20 of 'Building Regulations 2000 B5' and paragraph 6.7.2 of 'Manual for Streets'.
- 6.18 However, paragraph 6.7.3 of 'Manual for Streets' states *"Simply to reach a fire, the access route could be reduced to 2.75m over short distances"*. This information was provided specifically by The Association of Chief Fire Officers. With the 1.8m width of parking bays taken into account, the available width on Church Grove measures 2.80m, which is greater than the 2.75m minimum required.
- 6.19 Table 20 of 'Building Regulations 2000 B5' is shown in Appendix I of this report. Additionally, an online version can be accessed at:
http://www.planningportal.gov.uk/uploads/br/BR_PDF_ADB_2000.pdf
- 6.20 Paragraphs 6.7.2 and 6.7.3 of 'Manual for Streets' are shown in Appendix J of this report. Additionally, an online version can be accessed at:
<http://assets.dft.gov.uk/publications/manual-for-streets/pdfmanforstreets.pdf>

- 6.21 Under the current situation, if the 3.7m minimum clearance was applied, numerous properties at the northern end of Church Grove would not be within the reach of a fire appliance, and are only accessible based on an available width of 2.80m. The residents' parking bay starts approximately 15m from the junction with Ladywell Road and as Church Grove is approximately 100m long, this places approximately twelve properties outside the 45m limit specified in both 'Building Regulations 2000 B5' and 'Manual for Streets'.
- 6.22 The proposal would not make the existing situation any worse, instead allowing for an improvement in the form of a turning head at the northern end of the road. Should a permanent mitigation measure be utilised to address the width of Church Grove this would also further improve emergency vehicle access.
- 6.23 A previous witness statement put forward by the residents of Church Grove concedes that *"the question of access for fire engines has been raised but (in summary) the position appears to be that whilst the fire brigade is not wholly happy with the situation it is prepared to live with it . . . residents accept that this was probably lawfully dealt with by the committee."*

7. CONCLUSIONS

- 7.1 After investigating the site by means of a visit, analysing the collated information, current standards and probable swept paths, this report makes the following conclusions.

Access for touring caravans and static caravans

- 7.2 Guaranteeing access to the proposed travellers' site would require mitigation measures in relation to the limited width of Church Grove, either involving the periodic temporary or permanent suspension of on-street parking, or potentially the conversion of the street to a shared surface.

- 7.3 Swept path analysis of touring caravans shows that these would need to overrun the opposing main carriageway when entering or exiting Church Grove, potentially cause some bodywork overrun of adjacent pavements and utilise dry-steering where required to complete manoeuvres. These requirements are very similar to those of refuse, delivery and removal vehicles that currently access Church Grove.

Access for emergency vehicles

- 7.4 Unless there are modifications to Church Grove itself, ease of access by emergency vehicles to properties at the northern end of the road and to the proposed travellers' site will remain unchanged.

- 7.5 Provision of a turning head or turnaround around area within the site would improve the situation and comply with 'Manual for Streets' requirements.

Access for residential/service vehicles

- 7.6 Access would remain unchanged, but would be eased by implementation of a turnaround area within the proposed travellers' site.







Quality

It is the policy of Project Centre to supply Services that meet or exceed our clients' expectations of Quality and Service. To this end, the Company's Quality Management System (QMS) has been structured to encompass all aspects of the Company's activities including such areas as Sales, Design and Client Service.

By adopting our QMS on all aspects of the Company, Project Centre aims to achieve the following objectives:

- Ensure a clear understanding of customer requirements;
- Ensure projects are completed to programme and within budget;
- Improve productivity by having consistent procedures;
- Increase flexibility of staff and systems through the adoption of a common approach to staff appraisal and training;
- Continually improve the standard of service we provide internally and externally;
- Achieve continuous and appropriate improvement in all aspects of the company;

Our Quality Management Manual is supported by detailed operational documentation. These relate to codes of practice, technical specifications, work instructions, Key Performance Indicators, and other relevant documentation to form a working set of documents governing the required work practices throughout the Company.

All employees are trained to understand and discharge their individual responsibilities to ensure the effective operation of the Quality Management System.



APPENDIX A – PLANNING COMMITTEE REPORT

Committee	PLANNING COMMITTEE (B)		Item No. 2
Report Title	WATERGATE SCHOOL, CHURCH GROVE SE13 7UU		
Ward	Lewisham Central		
Contributors	Chris Brodie		
Class	PART 1	Date	13 MARCH 2008

<u>Reg. Nos.</u>	DC/07/67610 & DC/07/67610A
<u>Application dated</u>	30.11.07, revised 18.2.08
<u>Applicant</u>	Nathaniel Lichfield & Partners (Mr D Lampard) on behalf of London Borough of Lewisham
<u>Proposal</u>	Proposed travellers site for residential use only, accommodating five pitches, including five amenity buildings, pitches for static and transportable caravans, provision of amenity area and associated landscape works at site of former Watergate School, Church Grove SE13.
<u>Applicant's Plans</u>	06.081 L(00)50, L(00)51, D50 Rev: B, D51 Rev: A, D52 Rev: A, D53 Rev: A, D54 Rev: A and D55 Rev: A, D56 and 265.01 Rev. E and 03 Rev: D, Design and Access Statement (bptw, November 2007), Conservation Area Assessment (Nathaniel Lichfield and Partners, November 2007), Planning Statement (Nathaniel Lichfield and Partners, November 2007), Transport Statement (Savell Bird & Axon, November 2007), Flood Risk Assessment (Halcrow Group Limited, November 2007), Phase Two Contamination Survey (Frankham Consultancy Group, November 2007), Acoustic Assessment (Sharps Redmore Partnership, November 2007), Tree Condition Survey Report, (Ireland Associates, October 2007), Reptile Survey (Ecology Consultancy Limited, September 2007), Bat Surveys (A. Fure, August 2007), Statement of Community Involvement (Nathaniel Lichfield & Partners, November 2007)
<u>Background Papers</u>	(1) Case File - LE/864/12/TP (2) Adopted Unitary Development Plan (July 2004) (3) The London Plan (2004)
<u>Zoning</u>	UDP – Archaeological Priority Area, Sustainable Living Area, Major/District Centre

1.0 Property/Site Description

1.1 The site (0.34ha) is an irregular-shaped parcel of land at the north end of Church Grove. The north western boundary follows the course of the River Ravensbourne which abuts it in a deep concrete channel. To the east are gardens to properties in

Wearside Road. To the west and along part of the southern boundary are two properties in Ladywell Road, which are set back from the main street frontage and are off a narrow access road. The remainder of the southern boundary abuts the flanks of the two end houses in Church Grove. Number 11, to the eastern side of the street has a plot of land in front of the house that forms an end-stop to Church Grove and means that access to the site is alongside number 13. The Council's depot lies to the north of the Ravensbourne.

1.2 The site was last occupied as a school and accordingly a large proportion of it is covered by linked single storey buildings, which have been vacant for several years and are in a state of decay. There is a servicing area/car park to the west of the access, to the north of the flank boundary with the properties in Church Grove/Ladywell Road. The remainder of the site has some safe surface play areas which had become overgrown until recent works on the site, with planted areas to the perimeter. There are several specimen trees across the site, though an apple tree and a pear tree have been removed recently.

1.3 Ladywell Road (B236) is a bus priority route. The site is in the Lewisham and Catford/Rushey Green Area of Archaeological Priority. The route of the Waterlink Way passes the site to the east, along Wearside Road. Properties in Church Grove and Ladywell Road are in the St. Mary's Conservation Area.

2.0 Planning History

2.1 For many years, the site accommodated a house, 12 Church Grove, and an associated foundry, the Atlantis Engineering Company.

2.2 Following flooding in 1968, the Council acquired the land at a residential value to extinguish the former industrial use. In 1969, planning permission was granted for the use of the site as a 'Junior Training Centre' for 'sub-normal' children.

2.3 Watergate School was completed in the mid -'70's. Extensions and alterations were approved in 1990 and the school functioned on the site until its relocation to Bellingham in 2003. The use accommodated children with the most profound mental and physical special needs. There were around 60 pupils and 70 staff using the site. Children arrived at the site in mini-buses, coaches or other adapted vehicles; staff arrived by car (many parking on site) or by public transport.

3.0 Present Application

3.1 It is proposed to demolish the existing school buildings and construct residential accommodation for 5 Traveller families. Each family would have a pitch which would accommodate an amenity building comprising a kitchen, living room and bathroom and spaces for a static caravan (also known as mobile homes), which would house bedrooms and a touring caravan. Access to the site would remain in the existing position and two pitches would be sited to the west of a turning area and three to the east.

3.2 The pitches would vary in size. Pitches 1, 3 and 4 would be generally rectangular in form, while the boundaries to 2 and 5 would curved, following the bend in the river. Pitch 1, for example, would measure approximately 30m x 14m.

3.3 Each pitch would have its amenity building to the front of the plot: nos 3 and 4 would follow the building line of properties in Church Grove (no. 5's would be set back), while nos 1 and 2 would be behind the building line due to the alignment of the access. The pitches would have a courtyard area alongside the amenity buildings that would provide parking spaces. A significant proportion of the pitches would be hardsurfaced to enable movement between each of the buildings, though

some of each plot would be grassed.

- 3.4 Because of the absence of soundproofing to the static and touring caravans, a 2.5m high woven willow acoustic fence would be constructed around the perimeter of the site to provide mitigation against noise from the railway and the depot. This would be set in from the boundary with the Ravensbourne by distances between some 2 and 11m. 1.8m high brick walls are proposed between pitches.
- 3.5 While there would be some minor differences in the amenity buildings, their basic form would be the same. The main body of the buildings would measure 9.2m x 4.8m. The floor would be raised and ramped access would be provided. The buildings would be single storey with two sections of monopitch roof. The longer slope would be south-facing and this would be covered in sedum, with two solar thermal panels. This would oversail a shorter tile-covered north facing slope. The buildings would be finished in brick and timber, with stained timber-framed windows. They would be a maximum of 4.6m in height. Pitch 5 is designed to be wheelchair adaptable.
- 3.6 Levels through the site would be raised by some 300 – 400mm to help prevent flooding. The site would be open, allowing public access across the site through to the Ravensbourne and there would be a seat on a viewing platform. The existing 2.6m high railings would be replaced by lower ones of 1.2m in height at this point. Timber panelling would be attached to the river wall to encourage some degree of naturalisation. Loose gravel and aggregate are shown to be placed on the river bed. A sustainable drainage system is proposed.
- 3.7 2 existing trees have been removed since the application was submitted and the plans indicate that 13 new semi-mature ones would be planted. Lighting columns of adoptable standards, which take account of bat movement, would be provided. Nesting boxes for birds, bats and ladybirds would be positioned around the site.
- 3.8 The application relates to the proposed residential use of the site only and no industrial/employment uses are proposed. The applicants are prepared to accept a planning condition which would preclude non-residential use on site.
- 3.9 Despite advice from officers that consent was not required, a separate application for conservation area consent was made in respect of the demolition of a section of boundary treatment to the school which fronts Church Grove. The boundary is between the front garden of 13 Church Grove and the section of garden to 11 Church Grove that terminates the street. It includes a curved section of red brick wall and metal gates to the vehicular access that are set back from the highway. These are attached to another section of 1.8m high wall which follows the line of the front boundaries in Church Grove for a distance of 4.5m and a metal pedestrian gate between the wall and the boundary with 11 Church Grove.
- 3.10 The applications are accompanied by a series of reports as follows:
- 3.11 Design and Access Statement
The Statement notes that the proposal is to relocate the Thurston Road Travellers away from a site which has been their home for over 25 years, despite being supplied as a temporary one. In that time, the area has changed to being one that is isolated, suffering from noise and pollution alongside the railway. An independent assessment suggests that there is no scope for improvement either environmentally or socially and pitches have had to be demolished. The site is predominantly hardsurfaced and is surrounded by high fencing and a better quality of life is demanded. In addition, the site forms part of the land that is required for the Lewisham Gateway development and relocation of the Travellers is essential for that scheme to proceed.

- 3.12 The Design and Access Statement notes that the site has a number of advantages:
- it would be a permanent site;
 - it has low levels of traffic pollution;
 - it would enable the Travellers to continue to access local services;
 - it provides a green and landscaped location;
 - it is currently unoccupied, unused and in a derelict state;
 - it would be put to beneficial use and does not require the relocation of any existing use.
- 3.13 The report describes the site's context, including the relationship with the adjoining conservation area and makes reference to matters covered in the other specialist reports. It describes the factors that influence the design of the development and the evolution of the scheme. The design principles used to guide the development were:
- creating a safe and secure layout;
 - generating a sense of community and removing barriers to the existing community;
 - developing a proposal with a strong identity;
 - increasing the biodiversity of the site;
 - improving public access to the river;
 - creating a sustainable community; and
 - designing a series of low impact buildings with respect to the scale and character of the local context.
- 3.14 Conservation Area Assessment
The Assessment describes the condition of the existing site and the character and appearance of the St. Mary's Conservation Area, relying on the Council's Character Appraisal of March last year. In considering the impact of the existing development on the conservation area, the report notes that the existing school building is not in keeping. However, views of the site are extremely restricted due to its height and intervening buildings and vegetation, so that the Assessment considers that the impact on the setting of the conservation area is neutral.
- 3.15 The development proposals are assessed from three positions; from the southern end of Church Grove, from the northern end of Church Grove and from Ladywell Bridge. The report considers that there would be limited impact and that there would be marginal enhancement from some places, whilst elsewhere the setting of the conservation area would be preserved.
- 3.16 Planning Statement
The report begins by reviewing the need to relocate the Travellers from the existing accommodation in Thurston Road. This is because of the desire to implement the Lewisham Gateway proposals and due to the poor siting of the existing premises which are not fit for purpose. A more detailed report is appended to the text.
- 3.17 The Planning Statement refers the searches for sites that have been undertaken to find alternative accommodation for the Travellers. Three have been in recent years, the last in March 2007. The selection was made on the basis of capacity, suitability and availability. 63 sites were assessed and a shortlist of 5 produced. 3 of these were discounted and further studies were requested of the application site at the lorry park to the rear of Laurence House in Catford. Additional work in the form of Assessments of Health Impact, Equalities and Crime and Safety was undertaken and a public consultation exercise was carried out. In comparing the two sites, some reservations about the Watergate School site were noted. These concerned the width of access to the site along Church Grove, the proximity of the River Ravensbourne and the relationship between the site and the St. Mary's Conservation Area. However, advantages were seen to be the permanency of the site (compared with a maximum of 7 years in Catford), the low levels of traffic

pollution, the lower likelihood of vandalism or casual intimidation and the proximity to existing services that are used by the Travellers. The Mayor and Cabinet endorsed these views and detailed design works began on the selected site.

- 3.18 The Planning Statement then contains a section setting out the national, regional and local planning context, analyses the submission against policy and offers a conclusion
- 3.19 Transport Statement
The Transport Statement describes existing conditions in Church Grove and notes that the carriageway is generally 4.6m wide with footways on both sides. 10 bays for controlled parking are provided, leaving an effective usable carriageway width of 2.6m. There is some off-street parking, but the majority of residents have to park on street. The northern end of Church Grove is kept clear for turning vehicles and access.
- 3.20 The Statement continues with a summary of relevant policies and an analysis of the scheme in relation to them.
- 3.21 The site's accessibility is then discussed. It notes that the site achieves a PTAL rating of 5. This is due to the routing of bus services P4, 122 and 484 along Ladywell Road and the proximity many services along Lewisham High Street. Ladywell Station lies within 300m of the site. The report indicates that the site is well placed for walking and cycling to the High Street.
- 3.22 The report notes the significance of the width of Church Grove in relation to providing access for both the static and touring caravans. Typically, the touring caravans are 2.2m wide, while the static ones are 3.6m wide. This would enable the touring caravans to use the street with limited clearance but on the rare occasions when static ones were moved, residents' bays would need to be suspended. The report suggests that this would be arranged with the prior consultation of residents and could take place in the early evening when residents could park in Ladywell Road. In reality this would occur very infrequently leading to limited inconvenience for residents.
- 3.23 The Transport Statement asserts that because the school and residential properties were served off Church Grove, the proposed use would not worsen any general or emergency access concerns. Traffic generation would be less. One appendix to the report shows how static caravans could be moved on site, while another demonstrates the improvement as a result of the creation of a turning area for refuse vehicles.
- 3.24 Flood Risk Assessment
A Flood Risk Assessment has been undertaken in accordance with advice in PPS 25 and in accordance with Development and Flood Risk, a Practice Guide Companion to PPS 25. The report notes that PPS 25 identifies a category of development, 'Caravans and Camping: Chalets and Mobile Homes (including Gypsy and Traveller Sites)' that are regarded as being 'highly vulnerable' to flooding and that the instability of such structures places their occupants at special risk. The PPS states that the Sequential Test and Exception Test should be used where applicable, remembering that 'highly vulnerable' development should not be permitted in Zones 3 a and 3b. Flood Risk Assessments should pay particular attention to the management of residual risk, flood warning arrangements and evacuation plans should be considered. The site is located in Zone 2 for present conditions and 3a, taking account of climate change in the next 100 years. The report notes that a Strategic Flood Risk Assessment is being prepared by LB's Southwark and Lewisham, but until it is completed, the proposed development should take account of recommendations in the Practice Guide Companion to PPS

25. Three main points are mentioned in respect of the Practice Guide:

- The proposed site is replacing a site which will be developed as part of the Lewisham Gateway regeneration project;
- The site is located on developable, previously developed land;
- It will be safe, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall.

- 3.25 The FRA is based on the 2007 report in relation to the Quercus Ladywell Fields Project. An important aspect is the construction of a flood embankment at North Field that is intended to protect properties to the north of Ladywell Road, including the site, for the 100 year flood event.
- 3.26 The FRA describes the history of flooding in the area and notes major flood events in Lewisham in 1809 and 1852, which were not well recorded. The area was also subject to severe flooding in 1968, an event with an annual probability of 1% (a 100 year return period event). Flood defences on the Ravensbourne were improved as a consequence in the 1970's.
- 3.27 The site is defended for the 100 year plus climate change event by the embankment at Ladywell Fields. The Assessment has to consider what might happen in its absence, were it to be removed, become worn away or breached, and modelling work suggests flood depths would be of the order of 0.2m at the site. The Assessment also considers the failure of defences on the western boundary of the site. Were this to happen, flooding would be shallow and of the order of 0.1 – 0.3m.
- 3.28 The FRA proposes raising the ground of the entire site to 11.5m AOD, with a minimum finished floor level of 11.8m AOD, above the 100 year +20% peak water level of 11.45m at the upstream end of the site. With the raising of the ground, the new development would be located within Zone 2. This change would not increase flood risk elsewhere as the volume of flood plain lost due to ground raising would be very small. The proposed ecological enhancements to the channel would have minimal impact on peak water levels.
- 3.29 Phase Two Contamination Study
The report notes that the historical use as a Foundry, a number of contaminants might be present, with further possible should the foundry was used to make coke. Potentially the contaminants could be absorbed via vegetation, inadvertent soil ingestion or migration through groundwater and into the river. This could be a hazard to humans, flora and fauna and to the water. Testing was carried out by sampling using boreholes in October 2007.
- 3.30 The report concludes that the site is contaminated by copper and zinc and there are 'hot spots' of lead and arsenic. Ammonia was also found, as were water-soluble sulphates on made ground.
- 3.31 The river wall acts as a barrier against leaching into the watercourse and should be retained. The raising of the ground levels means that the impact on humans should be low, though a human health risk assessment is required to confirm this. The design of SUDS should take into account contamination to ensure that pollutants do not migrate.
- 3.32 Acoustic Assessment
The report notes the need for noise assessment due to the effect of noise and disturbance on Travellers and also potential disturbances to existing residents through the movement of Traveller vehicles. It identifies the poor insulation performance of a caravan, likely to be used for night time occupation, and equates in to a conventional dwelling with its windows open. In noisy areas, the means of mitigation is through the choice of boundary treatment.

- 3.33 The Assessment monitored vehicle movement and other activity at the Council depot. The discussion also takes into account the maximum levels of disturbance from train noise. It notes that conventional dwellings would not require any mitigation, but that the provision of a 2.5m high of the type proposed would bring predicted daytime and night-time levels below guidance levels in BS 8233.
- 3.34 Car movement to and from the site would only have a very limited impact on noise and traffic generation compared with the school use would probably reduce. The installation of the static caravans on the site would cause disturbance, but it would be an exceptional event.
- 3.35 Tree Condition Survey
- A survey of trees was carried out both on- and off-site. Two trees, a birch and a cherry, were considered to be of moderate value and quality as were a row of limes along the eastern boundary. Two other trees, an apple and a pear were recommended for removal. Another cherry near the eastern boundary was dominated by others and removal was also favoured.
- 3.36 Reptile Survey
- Seven visits to the site were undertaken in August 2007 following established guidelines. No reptiles were observed. The consultancy advised that the site could become a good reptile habitat as it becomes more overgrown and that vegetation should be reduced to grown level to prevent colonisation prior to development.
- 3.37 Bat Survey
- The report describes the site and the importance of the River Ravensbourne and the railway as a corridor for the movement of wildlife. Ladywell Fields is a Site of Local Importance for ecology, while St. Mary's Church is of Borough Importance. Target species and habitats in Lewisham's Biodiversity Action Plan (BAP) are found onsite and along the northern boundary. The BAP seeks to:
- Ensure that river improvements are sought when a development is beside a river or flood plain;
 - Halt the decline of house sparrows within the Borough;
 - Halt the decline of bats within the Borough
- 3.38 Three surveys were undertaken after sunset and there were desktop and walkover surveys. The report accepts that to meet best practice, surveys should be carried out through the entire season (May – September). Evaluation was made of the vegetation on the site. Overall, the school was considered to be of local value for wildlife, but with nearby water resources and good connections to other sites it would have been assessed at a higher level if a greater diversity of species were recorded during reptile surveys.
- 3.39 Three species of bat were observed during the surveys. None were roosting in school buildings. All had travelled some distance along the river to reach this location. Pipistrelles are dependent on the site for foraging opportunities. Weedy species, such as ivy, buddleia and rough grasses should be included in the landscape design to support insect on which bats would forage. Additionally, mature trees on the site should be retained. The report goes on to note that light pollution from the Council depot might restrict bat activity and that if possible the river should be shaded by trees and ivy. There are detailed notes on the form of lighting that should be used on the site close to the river. The report also recommends a restrictive covenant is placed on tenants preventing them from having cats to protect sparrows on the site and that a letter is sent to the relevant owner reminding them of their duty with regard to the control of Japanese Knotweed.

- 3.40 Statement of Community Involvement
- The SCI refers to Government and local policy that encourages community involvement and makes reference to the RTPI's Good Practice Note on effective community involvement. The draft guidance on the design of sites for Gypsies and Travellers also stresses the importance of addressing concerns of the settled community. Consultation with the Traveller Group themselves is also very much encouraged, and has been on a continuing since October 2004.
- 3.41 Following the choice of site, an initial briefing meeting was held with residents in August 2007. The meeting provided information and literature and heard feedback from the residents. A further meeting was held in October 2007. This involved a larger number of people and was also attended by two Councillors and a representative of the Ladywell Society. The report refers to pre-application meetings with Council officers and outside agencies, including the Environment Agency and the Metropolitan Police.
- 3.42 The planning application has been amended, with the main changes being the reduction of hardsurfacing, the provision of additional planting (including adjustment to the site entrance), the provision of cycle parking, a change to the alignment of structure adjacent to 13 Church Grove and the construction of a 2m high wall alongside the boundary fence to 11 Church Grove and the raising of a section of rigid mesh fencing to 3m alongside the static caravan.
- 3.43 Clarification has been provided on a number of matters. These include:
- confirmation of the residential use of the site solely, reflected in the description of development and in a willingness to accept a limiting condition;
 - commitment to physical managing and monitoring of the site;
 - establishing a programme of community cohesion;
 - acceptance of a condition restricting the use of the central amenity area from being used for the parking of caravans;
 - confirmation that static caravans are likely to be moved about once every five years;
 - confirmation that the Sustainable Urban Drainage System can function properly, taking account of the historic use of the site and possible contamination;
 - indicative details of a static caravan;
 - indicative details of the acoustic fence;
 - indicative details of boundary treatments;
 - updated landscaping details reflecting recent works on site.
- 4.0 Consultations and Replies
- Neighbours & Local Amenity Societies etc
- 4.1 Thirty one neighbours were consulted in respect of the planning application and two received letters in respect of the application for conservation area consent. Notices were placed on site and in the local press.
- 4.2 Twenty eight individually written letters have been received. Most make mention of both applications. The letters are from the occupiers of 1, 2, 3 (2 separate letters from occupiers), 5, 6, 7, 9 (2 separate letters from occupiers), 10 (2 copies of a letter), 13, 15, 16 (2 separate letters from occupiers), 17, 18 (2 separate letters from occupiers), 19 (2 copies of a letter) and 20 Church Grove; top floor flat 27, 55, 57 and 59 Ladywell Road; 20, 36, 38b and 38C Wearside Road; 26A Algiers Road, 11 Cliffview Road and 12c Longton Grove SE26.
- 4.3 The letters raise the following concerns:
- loss of school facility: land should be re-used for educational purposes or other community purpose;

- the plans are misleading and inaccurate, particularly due to the absence of the static caravans;
- the site should be sold for housing and buildings should be in line with others in the street;
- the density of the development is too low and the extent of parking provision too great;
- the proposed development would be harmful to the local environment and its character and would be visually incongruous;
- the proposal is contrary to advice in the St. Mary's Conservation Area supplementary guidance which encourages development of a high quality design;
- the amenity blocks will be large, due to their footplates and bulky, exacerbated by the increase in levels on the site and as a consequence will be obtrusive;
- the site can be clearly seen from the upper floors of properties in Church Grove, which would be detrimental to outlook and would lead to overlooking of properties, contrary to guidance on Travellers sites;
- no. 11 Church Grove has permission to extend, which would lead to further overlooking of the site;
- the amenity blocks would be wider than houses in Church Grove;
- the proposed vegetation will not be maintained and will not camouflage the caravans through the whole of the year;
- the size of plots and the amount of land set aside for parking will be wasteful in terms of land and its value;
- the hardsurfacing is excessive and its use could give rise to disturbance;
- the position of mobile homes next to a conservation area would be contrary to national and local guidance and would not preserve or enhance the character or appearance of the conservation area;
- the static homes and touring caravans would be detrimental to visual amenity;
- the removal of the boundary wall would mean that the communal hardsurfaced area and static homes and caravans would dominate Church Grove;
- the removal of the wall would mean that the annual street party could not take place and children could not play at the end of the cul-de-sac.
- the plans do not meet Environment Agency guidance for an 8m buffer zone alongside the Ravensbourne (could the layout allow a riverside walk in the longer-term?);
- caravans would be very vulnerable to flooding;
- the increase in the levels on the site would lead to a greater risk of flooding in the area;
- an inadequate amount of research has been carried out in respect of biodiversity;
- loss of apple and pear trees is not acceptable – neither is removal of vegetation prior to any grant of planning permission – and this would adversely affect ecology;
- concern about the adequacy of bat and reptile surveys and the absence of a stag beetle survey;
- access along Church Grove is too narrow for caravans, contrary to CLG Draft Guidance, which also suggests that a second access should be provided – parked vehicles in the street were frequently damaged by buses when the school was operational and functions at St. Mary's Church Hall often lead to parking on both sides of Church Grove which causes obstruction;
- vehicular movement to and from the site would be dangerous for other vehicles and pedestrians and would take place in the evenings and at weekends, unlike the school use;
- emergency access is inadequate and is a major cause for concern should gas canisters be kept on site;
- objection to proposed suspension of parking to provide access for Travellers' vehicles;
- the site would give rise to noise from the movement of vehicles, storage and working from the communal area and movement from the amenity blocks to static caravans;
- there would be an increase in light pollution from lighting columns and car headlamps, which would affect residents and wildlife;

- other sites would be more suitable;
- the proceeds from Lewisham Gateway should have paid for another site;
- the selection of a site should have come through the Development Plan process;
- there would be loss of light and overshadowing to 13 Church Grove;
- the development would result in overlooking;
- the site would not permit expansion and families would be fragmented;
- the site was chosen at the expense of others because it could accommodate 8 pitches, yet only 5 are being provided;
- it is unclear whether there is scope for commercial activity to take place – guidance suggests that this possibility should be explored;
- the opening up of the river would be a Health and Safety risk and would be of little use as the river is in a concrete culvert and faces the Council depot;
- the proximity of the railway poses another threat to children and others who would live at the site;
- the site is contaminated and not fit for habitation;
- the siting of a caravan close to poplar trees would be dangerous for its occupants;
- the proposed boundary treatment is unsatisfactory, both visually and as a screen and the acoustic barriers would be unsightly;
- the flank wall of 13 Church Grove should be kept accessible for maintenance and should be protected from children playing ball games against it;
- the Council has a poor record of maintaining sites and buildings and this site could become similarly looked after – there has been no information about who and how the site would be managed;
- the site will generate rubbish;
- potential increase in crime, through gaining access to neighbouring gardens via the tops of caravans;
- consultation about the proposal has been limited and questions remain unanswered;
- inadequate consultation for application for conservation area consent;
- the proposal is being rushed through because of the need to relocate the Travellers from Thurston Road and to avoid financial penalties of delaying the development at Lewisham Gateway;
- the Travellers might not want to move from Thurston Road;
- estate agents' assessments suggest that values of properties will decline;
- the loss of the wall and gates would be contrary to local guidance and specifically contradicts guidance which seeks to retain boundary walls.

4.4 A petition signed by 283 residents and businesspeople has been received. It includes 15 signatures from addresses in Church Grove, 20 from Ladywell Road, 21 from Wearside Road, 3 from Marsala Road, 11 in Algernon Road, 8 in Malyons Road, 12 in Mercy Terrace, 69 from other addresses in SE13, 49 in SE4, 35 from other parts of the Borough, 26 from other parts of Greater London, 11 from outside London and 3 with incomplete addresses. The petition opposes the proposal on the following grounds:

- The Planning Application documents are misleading
- The inclusion of the permanent "mobile" homes on a site abutting a conservation area (with an Article 4 direction) is inappropriate and clearly contrary to policy - both LBC's UDP and the government's PPG 15
- The proposal breaches the 1990 Listed Buildings Act
- Demolishing the boundary wall goes against LBC guidelines
- The site is on a flood plain – contrary to ODPM guidance. The plans do not meet Environment Agency guidelines regarding an 8m buffer zone beside the river
- Access to the site up Church Grove is too narrow for travelling caravans which are an integral part of the intended use of the site
- The nature and effect of the proposed use of site are generally ill-considered
- There are other sites in Lewisham which would be far more suitable to this

purpose

- There has been a lack of proper consultation about this proposal

4.5 174 copies of a letter that has circulated among residents have been received. These are from occupiers of 6 Church Grove, 41, 49 (3 copies), 55, 142 (2 copies) and the pre-school, St. Mary's Centre, Ladywell Road, 2, 3 (2 copies), 6, 11, 20 (2 copies), 24, 33, 35, 50, 51 and 56 Wearside Road, 146, 198B, 218, 253 (2 copies) and 255a Algernon Road, businesses in Mercy Terrace (17 copies), 57 from other addresses in SE13, 28 in SE4, 12 from other parts of the Borough, 18 from other parts of Greater London, 3 from outside London and 14 which have incomplete addresses. The letter notes the possible impact on the St. Mary's Conservation Area and raises matters that are covered in para 4.4 above. In summary these are:

- The nature and effect of the proposed use of site is generally ill-considered and the consequences of this use would negatively impact on the whole area. (Examples of this are the usual need to make available the potential for commercial activity, noise, loss of the school building, the absence of information about management of the site) and lighting.
- The plans are incomplete and misleading (The absence of details of the static caravans is highlighted).
- The inclusion of the permanent 'mobile' homes on a site abutting a conservation area (with an Article 4 direction) is inappropriate and clearly contrary to policy – both LBC's UDP and the government's PPG 15. Replacing the current boundary wall with an enormous paved 'communal area' would leave Church Grove dominated by the view of 'static' homes and caravans. This goes against LBC policy; PPG15 and the 1990 Listed Buildings Act.
- Demolishing the attractive, characteristic redbrick boundary wall and wrought iron gates goes against LBC guidelines
- The site is on a flood plain – contrary to ODPM guidance. The plans do not meet Environment Agency guidelines regarding an 8m buffer zone beside the river.
- Access to the site up Church Grove is too narrow for travelling caravans which are an integral part of the intended use of the site.
- The character of Church Grove as a community focal point will be destroyed and the annual Church Grove summer street party will no longer be possible affecting rights of local people
- Consultation about this proposal has been inadequate

4.6 Although most of the letters referred to above mention both applications, 9 letters have been received solely in relation to the application for conservation area consent. These are from residents of 3, 9 (2 separate letters), 11 (2 copies), 13 and 17 Church Grove and 27A Woodlands Street (2 copies). They object on for the following reasons:

- the St. Mary's Conservation Area supplementary planning document states that permission to demolish boundary walls will not normally be given and at p.9 says that planning permission will not be granted to remove the wall;
- the wall contributes to the special character of Church Grove by enclosing and helping form 'a small cul-de-sac with particular charm' (also taken from the SPD);
- the red brick wall is nearly 50 years old and has aged well, fitting in with brickwork used in the Playtower;
- the wall plays a key role in preserving or enhancing the conservation area and its setting;
- the Travellers would have a greater degree of security if gates could be locked;
- a gated access would slow down traffic speeds;
- the loss of the wall will result in light pollution to houses opposite;
- the loss of the wall would result in more litter being blown by the wind;
- the removal of the wall would lead to more views of the site;
- vegetation growing alongside the boundary wall has already been removed, despite

assurances to the contrary;

- the reason for the removal of the wall is to allow access for static homes;
- inadequate consultation about the removal of the wall and railings.

4.7 Church Grove Residents' Committee

A letter has been submitted on behalf of the Church Grove Residents' Committee, which has been formed to represent the 'legitimate concerns of the local community' and includes as members, occupants of 17 of the 19 properties in Church Grove and other members of the local community. The letter raises objection to the proposals on the following grounds:

- “- that the proposal would harm the character of the St. Mary's conservation area, which would have an adverse effect on the character of the area generally , and in particular its visual and recognised historic character;
- that the development would represent an alien and jarring visual addition to the area, contrary to the proper urban design of the area;
- that the development would have a significant and unacceptable impact on the residential amenities of the local residential area and of the community generally;
- that the proposal would introduce unacceptable levels of additional traffic and vehicular movements through Church Grove and surrounding streets, to the detriment of both residential amenity and road safety;
- that the proposal is in any event premature, inappropriate and inadequate in terms of the provision of proper facilities for travellers as indicated by national policy guidance.”

The letter expands on these points with reference to national and local policy.

4.8 In line with the Planning Service's practice, the number of responses required that an additional consultation exercise was held. Because of the high level of replies, a drop-in event was thought the most practical and one was held on 6 February. This was attended by 25 local residents and Cllr. Andrew Milton. Residents were asked to raise matters that were not covered in their letters or areas where they felt further discussion was needed. Comments that were noted relate to the following matters:

- concern that the provision of static homes and touring caravans would not enhance the setting of the conservation area;
- if the site was to be managed by the Travellers themselves, what would prevent further caravans from being stationed outside defined pitches;
- concern generally about the management of the site, particularly landscaping, and its possible physical deterioration;
- no assurance could be given about there being no future licence for commercial use;
- greater consideration needs to be given to noise from the use of pitches and of the static homes;
- greater assurances should be given about the height of screen planting and the choice of plants to ensure that ugly buildings could not be seen;
- are the measures to prevent flooding adequate and would they affect neighbouring properties;
- why is CLG advice, particularly in respect of access, being ignored;
- concern about views across site and effect that this might have on children who live in properties in Church Grove;
- concern about emergency access, particularly to deal with fire risk;
- concern about safety of viewing platform;
- concern about use of area next to viewing platform for dumping and impact on river channel;
- if the new street is not adopted, the ability to turn vehicles in the street would be removed;
- suggestion for replacement tree planting on the boundary and of fruit trees within the site;
- what would prevent scheme from being altered after permission was granted;
- there has been no survey of stag beetles despite evidence of their existence in the

- neighbourhood;
- bat survey is inadequate – there are bats roosting in a neighbouring property;
 - continuing concern about removal of boundary wall and lack of consultation on conservation area consent application;
 - 'drop-in' session not a satisfactory consultation process;
 - pre-application consultation was inadequate;
 - concerns about decline in property values.
- 4.9 Residents and other interested parties were re-consulted on receipt of the revised plans and supplementary information. At the time of preparing this report, 14 letters had been received from occupiers of 6 (2 letters), 8, 9 (2 letters), 13, 18 (2 letters), 19 Church Grove (2 copies), 55 and 59 Ladywell Road (2 letters), 22 Wearside and 26A Algiers Road. Any new matters arising from additional correspondence will be reported to the Committee verbally. The letters repeat earlier objections and consider the amendments cosmetic and contrary to Government advice in Circular 01/06, CLG Draft Guidance, the St. Mary's Conservation Area SPD and the UDP. Particular areas of concern are in respect of access, the movement of static caravans and the condition of Church Grove, flooding, the impact on the conservation area, site management and maintenance, the site's position next to the Ravensbourne, landscaping and lighting details and their effect on local ecology, the danger of fire, the loss of the existing use, the height of boundary fencing and inadequate liaison, including discussions with the Travellers, plus a number of detailed design queries and matters relating to costs of the scheme and insurance. One of the occupiers of 9 Church Grove has also suggested a number of conditions that might be placed on the decision notice should permission be granted. The extent of consultation on the revised application was also queried.
- 4.10 Cllr. Andrew Milton has written to object to the scheme on the grounds that:
- it is not safe for the only access to the site to be along Church Grove;
 - a site next to the river is potentially dangerous especially for children playing in the area;
 - this is not appropriate development next to a conservation area;
- Cllr. Milton would welcome the opportunity to elaborate on these points to the Committee.
- (Letters are available to Members)
- 4.11 Ladywell Society
No reply.
- 4.12 Ladywell Fields User Group
No reply
- 4.13 St. Mary's Conservation Area
No reply
- 4.14 Amenity Societies Panel
Such low density is out of character with the density and existing urban form in the adjacent conservation area. Object to removal of wall and gate which provides visual closure and contributes to the character of Church Grove.
- 4.15 Highways and Transportation
Church Grove is a narrow cul de sac generally 4.6m wide between kerbs. It is located within the Lewisham Controlled Parking Zone with car parking only permitted along the Eastern side of the carriageway. Cars closely parked against the Eastern footway leave a residual 2.5m of available carriageway width for passing vehicles and the Western kerblines is clear of street furniture except for one telegraph pole which is inset by 250mm.

The Council's standard refuse trucks (Geesink Norba) are 2.5m wide and it is understood that these trucks serviced the site when it was still occupied as a school. In addition, as the site was used as a special school for children with disabilities, it meant that the majority of pupils were transported by local authority buses to and from the school site via Church Grove. The Council's Passenger Services coaches are 2.3m wide.

The widest continental touring caravans are 2.5m wide with a track width of between 2.0m - 2.2m. It is possible therefore for all touring type caravans including the widest continental caravans to gain access (with care) along Church Grove to the site of the former Watergate School site.

Prior to the closure of the school, there had been approximately 20 car parking spaces on site and significant levels of staff and visitor travel by car to and from the school were generated. Since the closure however, traffic levels in Church Grove have been very low.

Caravan movements and other trip generation into and from the existing site at Thurston Road are very infrequent. The proposed use will generate significantly lower levels of traffic than the former school use. The reduction in daily and peak hour traffic flow in Church Grove will apply both to car trips and more importantly; to trips made by large vehicles.

The redevelopment of the site permits the construction of revised access geometry into the school site which will allow greater manoeuvring space to be provided for the benefit of all users and occupiers of Church Grove. In particular, it will permit large vehicles such as refuse vehicles to enter and leave Church Grove in a forward direction thereby eliminating the unsatisfactory and potentially unsafe reversing manoeuvres that currently take place in the cul de sac.

Given the very low levels of existing traffic and the infrequent access/egress needs of caravans there is unlikely to be any significant obstruction caused by caravan movements.

Similarly there are unlikely to be any significant safety concerns raised by traffic generated by the proposed use of the site.

4.16 Environmental Health

The approach to noise mitigation is generally acceptable. Further details in respect of a human health risk assessment and testing for ground gas emanating from made ground would be necessary before the requirement for the standard condition on contamination could be waived. Conditions to mitigate against pollution during construction should be imposed.

4.17 Lewisham Town Centre Manager

No reply

4.18 Ecological Regeneration Manager

Given the physical constraints on site (contamination, canalisation of the river, servicing requirements) it is my opinion that the scheme as currently presented offers some very positive environmental benefits and significant biodiversity enhancements to an important riverine corridor that has previously underperformed as a biological resource.

Although there are significant boundary trees, the vast majority of the site has little 'other' ecological interest. This is because it largely comprises school buildings and surrounding hardstanding area. Ecologically, the canalised river channel provides an important linear corridor for wildlife and is used by birds and bats. Therefore, the area directly adjacent to the river offers the greatest opportunity for meaningful biodiversity enhancement.

Bat and reptile surveys were conducted to determine the presence of these species and identify possible mitigation and/or enhancement possibilities. Both surveys appear to have been thoroughly carried out and followed recognised methodologies. Several species of bats were recorded using the river corridor and the subsequent survey recommendations have been incorporated into the design

and/or taken account of in the submission.

It was deemed unnecessary to conduct an invertebrate survey as there was no significant dead wood habitat to support stag beetle larvae. Furthermore, it was deemed unnecessary to conduct a bird survey as the value of the river corridor for birds has never been in dispute and the creation of a dedicated wildlife corridor adjacent to the river will greatly enhance this habitat for their foraging and nesting. Identified biological enhancements that result from this scheme are as follows:

- Incorporation of silts and gravels in the river channel, improving oxygenation, invertebrate and fish habitat
- Large linear wildlife buffer strip comprising of native planting located directly adjacent to the river corridor. This will benefit invertebrates, birds, and mammals.
- Installation of bird, bat and ladybird boxes
- Living roofs for the amenity buildings, principally befitting invertebrates and birds
- Large linear living acoustic wall, benefiting invertebrates and birds
- Additional soft landscaping and tree planting within the body of the scheme.

I am satisfied, in principle, that the scheme if approved will make a significant biodiversity enhancement to this locality.

4.19 Environment Agency

The Environment Agency does not object to the proposal, subject to the application of appropriate conditions. Flood risk concerns are adequately covered in the report accompanying the application. Details of surface water drainage should show how the sustainable drainage scheme would help ensure that the 1 in 100 year storm event would not lead to flooding of the site or adjoining land. Access should be provided to the river and this has been agreed via the opposite bank. A method statement should ensure that there is no adverse loading on the river walls. This information should be provided as part of a land drainage consent application. Trees should not be planted too close to the river. The EA is satisfied with the treatment of the buffer zone. Other environmental and ecological improvements can be delivered by condition. Further site investigation is required to be satisfied with decontamination works and the prevention of pollution to groundwater and the watercourse. More work should be undertaken once the school is demolished.

4.20 Natural England

Make no formal objection to the proposal, but advise that suitable conditions are imposed on any planning permission to ensure that recommendations for mitigating against adverse ecological impact are met.

4.21 English Heritage

In respect of archaeology, English Heritage considers that, on balance, it does not appear likely that the proposed development would affect any potential archaeological resource. Any pre- or post- determination can be waived.

4.22 In respect of the application for conservation area consent, English Heritage do not wish to offer any comments.

4.23 Metropolitan Police Crime Prevention Unit

The Police's Crime Prevention Adviser confirms that he has had discussions with the architects prior to submission and has no objections to the scheme.

4.24 London Fire and Emergency Authority

No reply.

5.0 Policy Context

Government Policy

5.1 Government advice is summarised in the former ODPM's Circular 01/06. It starts with the premise that everyone should have a decent home and states a

commitment to ensuring that members of the gypsy and traveller communities have the same rights and responsibilities as every other citizen. The Circular was deemed necessary because insufficient provision for sites was being made under the previous regime.

5.2 The guidance indicates that the development plan for an area should identify sites for development sequentially before 'windfall' sites (ie those sites not identified as available in Development Plan Documents). It states that other considerations to be taken into account are the likely impact on the surrounding area, the existing level of provision and the need for sites in the area, the availability (or lack of) alternative accommodation for the applicants and other personal circumstances. The advice continues..."Any facts that may be relevant should be established and considered before determining planning applications".

5.3 Circular 01/06 highlights sustainability as being of importance and not just in respect of transport mode and distance from services. Considerations include: the promotion of peaceful and integrated co-existence between the site and the local community; the wider benefits of easier access to GP and other health services; children attending school on a regular basis; the provision of a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment; and not locating sites in areas at high risk of flooding.

5.4 The Circular advises should a major redevelopment require the permanent or temporary relocation of a gypsy or traveller site, the planning authority and the applicant should work to find an alternative location. In doing this, regard should be paid both to the gypsy and traveller community's social, economic and environmental needs and identified social, economic and environmental benefits that the major development project will bring to the locality and the broader area. Annex C of the Circular sets out Good Practice. It notes that consideration must be given to vehicle access from the public highway, as well as provision for parking, servicing on site and road safety for occupants and visitors. Landscaping and planting with appropriate trees and shrubs can help blend sites into their surroundings, give structure and privacy, and maintain visual amenity. However, enclosure with excessive hardsurfacing or high walls or fencing should be avoided to prevent a sense of segregation.

5.5 Draft Guidance on the Management of Gypsy and Traveller Sites was issued by CLG in May 2007 as a consultation paper. As the guidance remains a draft and relates to the management of local authority sites of a range of sizes, it is of limited benefit to the determination of the planning application.

London Plan

5.5 As the proposal is modest, there is little in the London Plan that is of special relevance. However Policy 3A.11 London's travellers and gypsies sets out the regional advice.

Unitary Development Plan

5.6 UDP policies most relevant to the proposal are: LCE 2 Existing Leisure and Community Facilities; HSG 2 Housing on Previously Developed Land; HSG 20 Travellers' Sites; URB 3 Urban Design; URB 4 Designing Out Crime; URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas, URB 12 Landscape and Development; HSG 5 Layout and Design of New Residential Development; OS13 Nature Conservation; OS 17 Protected Species; OS 6 River Corridors; ENV.PRO 14 Controlling Development in the Flood Plain; ENV.PRO 15 Sustainable Surface Water Drainage in New Development; HSG 4

Residential Amenity; ENV.PRO 12 Light Generating Development; ENV.PRO 11 Noise Generating Development; ENV.PRO 10 Contaminated Land and URB 21 Archaeology.

- 5.7 Policy URB 17 Demolition in Conservation Areas is relevant to the application for Conservation Area Consent.

Local Development Framework

- 5.8 Policies that are most relevant to the proposal in the merging LDF are HCE2 Redevelopment/Change of use of health, education community and leisure facilities; U2 Urban Design; U4 Designing Out Crime; U18 New Development, Changes of Use and Alterations to Buildings in Conservation Areas; H9 Gypsy and Travellers; U6 Residential Development – Layout and Amenity; OS7 Biodiversity; OS 9 River Corridors and the Waterlink Way; SE19 Living roofs for biodiversity; SE4 Flood risk; SE1 Energy Efficiency and Residential Development, SE7 Sustainable Urban Drainage Systems; SE13 Construction materials; U6 Residential Development – Layout and Amenity; SE11 Light attenuation; SE10 Noise and vibration; SE9 Development on Contaminated Land and U23 Archaeology.

- 5.9 Policy U19 Demolition in Conservation Areas applies to the second application.

St. Mary's Conservation Area SPD (May 2007)

- 5.10 Under the heading, 'Former Watergate School', the SPD notes that "the site is outside the boundaries of the conservation area but if redeveloped would have an impact on it, particularly with regard to Church Grove." It continues: "A high quality design that preserves the setting of the conservation area and has particular regard to the small scale character of Church Grove and its views through to the former Ladywell Baths (The Playtower) would be required in this location."

6.0 Planning Considerations

- 6.1 The main planning considerations are whether the loss of the education use is acceptable; if the residential redevelopment of the site is satisfactory, if the site meets criteria for a site for travellers; if the design and layout is acceptable, especially in relationship with the conservation area, if the proposal is satisfactory ecologically, whether the proposed measures mitigate against flood risk, if the development is suitably sustainable, whether the development's physical impact is acceptable and if there is proper mitigation against adverse impacts in relation to noise, contamination and archaeological interest.

Loss of existing premises

- 6.2 Policy LCE 2 Existing Leisure and Community Facilities states that the Council will not grant planning permission for the change of use or loss of valuable existing facilities for leisure and community uses, including educational premises, except in the following circumstances: (a) there is a proven lack of need for such facilities; (b) locational requirements for the facilities are not met; (c) the buildings need updating and this cannot be met at reasonable cost; (d) the buildings are not ancillary to and essential to the operation of a facility covered by the terms of the policy; (e) alternative provision of equivalent benefit to the community is made. Policy HSG 4 Residential Amenity notes the need to protect existing community facilities as a means of safeguarding the character and amenities of residential areas. This clause appears as part of Policy U6 in the LDF.
- LDF Policy HCE2 Redevelopment/Change of use of health, education community and leisure facilities states that a proposal will be permitted if: the facility can equally be replaced at an alternative site with an equal or improved level of accessibility; and the facilities need updating and cannot be achieved at reasonable cost or there is a sound evidence base that indicates that the facility is no longer

needed.

- 6.3 Watergate School was relocated to a new site about 3 miles away in Bellingham that formerly accommodated Council offices and a small amount of residential use. Initially the application site was held as a potential decant site for a local primary school, but this did not proceed. It was not considered economically viable to adapt the premises for educational or other community use and the site was declared surplus to the Council's education requirements. Criteria (c) and (e) in Policy LCE 2 are therefore addressed and the proposal therefore complies with this policy. Emerging Policy HCE 2 is also met because an alternative provision was made in a larger and much improved and updated facility. Therefore there is no policy objection to the loss of the education use.

Alternative Use

- 6.4 Policy HSG 2 Housing on Previously Developed Land states in the interests of achieving sustainable development, the re-use of previously developed land will be promoted. Unless identified for another use, housing will be the preferred alternative land use. Policy HSG 20 Travellers' Sites states that the Council assess future applications for provision of travellers' sites against the following criteria: site size and suitability, including noise and overlooking; access to local shops' services and facilities; the suitability of the site for a mix of uses; highways considerations; and the need for the travellers' sites. In addition, the London Plan says that Boroughs should, in co-ordination with neighbouring boroughs and districts, assess the accommodation needs of gypsies and travellers and review their pitch capacity. LDF Policy H9 Gypsy and Travellers states that sites will be assessed against the following criteria: accessibility to local shops, services and community facilities, in particular, schools and health services; safe and convenient access to the road network; provision for parking, turning, service and emergency vehicles and servicing of vehicles; impact on safety and amenity of occupants and their children and neighbouring residents in terms of noise and overlooking and other disturbance from the movement of vehicles to and from the site; supply of essential services such as water, sewerage and drainage and waste disposal and it should be designed and landscaped to a high standard.
- 6.5 If the loss of the existing building is considered acceptable, then the residential redevelopment of the site as a 'windfall' is the preferred land use. Government advice is clear that it is a major objective to provide decent housing for everybody and that there should be no distinction between gypsies and travellers and others. The number of pitches is modest and the site is capable of supporting the scale of development proposed. The site is conveniently placed for services and shops and is in an established residential neighbourhood. It is not proposed that there should be commercial activity and the development would not deliver a mix of uses.
- 6.6 Access along Church Grove is limited, but concerns about its adequacy and safety are perhaps overstated. Guidance for Gypsy and Travellers sites covers developments of a range of scales and in attempting to address the major national shortfall of provision, envisages much larger greenfield proposals where the potential impact on the road network could be much more significant. In this instance, the proposal is for five pitches and while they might be (infrequent) occasions, when, for example, static caravans need to be moved, this could be compared with the inconvenience caused by a large removals vehicle. Emergency access would not change from when the site was used for education use and the amount of traffic generation would be limited. The redevelopment of the site would allow refuse vehicles to turn and leave Church Grove in forward gear.
- 6.7 While guidance makes it clear that the production of LDF's should make full and proper provision for the needs of Gypsies and Travellers, it is of some significance that proposals for the implementation of the 'Lewisham Gateway' development

require the relocation of the travellers from their long established site on Thurston Road. The application identifies the site as being the only one suitable to support the development proposed and one where residents will have access to, for example, existing GP's and schools. For the key development of Lewisham Gateway to proceed in the manner proposed, the need for a replacement site is irrefutable. Moreover, the accommodation at Thurston Road is in extremely poor condition and the importance of providing new accommodation should not be underestimated. The impact on amenity and the quality of design and landscaping are discussed below.

Design implications and impact on the Conservation Area

- 6.8 Policy URB 3 Urban Design states that the Council will expect a high standard of design in new development whilst ensuring that schemes are compatible with, or complement the scale and character of existing development and its setting. The following factors are of particular relevance: the scale and mass of development; layout and access arrangements (including avoiding large areas of parking and servicing uninterrupted by landscaping); relationship of development to existing townscape; the height of development should be in scale with adjoining buildings; new development should respect the scale and alignment of the existing street, including its building frontages: new building frontages should delineate public routes and design should ensure convenient and safe pedestrian access to local facilities and the public transport network; materials should be of high quality and durability; the preservation and creation of urban form which contributes to local distinctiveness such as plot widths, building features and roofscapes and the contribution to energy and natural resource efficiency. Policy URB 4 Designing Out Crime requires that all new development is designed to provide and improve safety and a secure environment, including that paths, play spaces, entrances and exits are overlooked and not obscured by excessive planting; clear definition of public and private space; avoidance of unassigned pockets of land; provision of adequate lighting and provision of active frontages to the public realm. Policy URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas notes the duty to preserve or enhance the character or appearance a conservation area. It includes a clause that states that the Council will resist development adjacent to a Conservation Area which has a negative impact on the character or appearance of the area. Policy URB 12 Landscape and Development indicates that where appropriate, schemes should be accompanied by landscape proposals which takes note of relevant site features and indicates those, including trees, which are to be retained. Where trees are removed, replacement planting will normally be required and species should reflect what is already on the site, provided this does not conflict with nature conservation interests. The policy also advises that sustainable urban drainage techniques are incorporated in landscaping proposals. Policy HSG 5 Layout and Design of New Residential Development sets the expectation that all new residential development will be attractive, neighbourly and meet the functional requirements of its future inhabitants. The relevant factors are that: a) a satisfactory level of privacy, outlook and natural lighting and amount of private amenity space is provided; b) there is compliance with urban design and conservation policies; c) parking is provided in accordance with the Council's maximum standards; d) there is no differentiation of quality in mixed tenure schemes; e) energy and natural resource efficiency are encouraged; and f) there is satisfactory access for people with disabilities.
- Relevant LDF Policies are U2 Urban Design, U4 Designing Out Crime and U6 Residential Development – Layout and Amenity. U2 is a reworking of UDP Policy URB3. It differs mainly in that it removes reference to energy and natural resource efficiency and includes the quality of landscape proposals for all areas not occupied by buildings. The clause referring to scale is expressed as scale, height, bulk and mass in relation to the existing townscape. Policy U4 closely follows the wording of URB 4. Policy U6 brings forward references in UDP Policy HSG 5 in respect of privacy, outlook and natural lighting, incorporating the need for appropriate amenity

space.

- 6.9 The scale, mass, height and form of the development are all at variance with the properties in Church Grove, the qualities of which are acknowledged in the street's presence in a conservation area and in its Article (4) designation. However, the boundary of the St. Mary's Conservation Area was drawn to exclude the Watergate School site, acknowledging that development there is of a different character and form. The position of the extended front garden to 11 Church Grove dictates that the layout cannot continue in a more conventional street form and, historically, the site has always wrapped around the flank of that property. The fact that the buildings are only single storey, albeit of some extent and exaggerated by the change in level, means that the relationship would not be one of dominance. With appropriate amounts of landscaping, which have been enhanced in the revised submission, it is considered that a sympathetic scheme can be provided, particularly once it starts to mature. Whilst acknowledging that the change in alignment in the street offers some design difficulties, the position of the amenity buildings are well placed to allow for natural surveillance over the central space.
- 6.10 The development is probably not one that was envisaged when the St. Mary's Conservation Area SPD was drafted. However, the buildings are of a simple form and their living roofs would help them be assimilated in the area. Their heights and scale would not jar with the qualities of the conservation area and while the design merits of the proposed buildings are limited, they are considered perfectly acceptable. If the proposal were solely for a development comprising buildings comparable with the amenity buildings, its positive attributes would be clearer. However, the scheme incorporates space for static and touring caravans and associated hardstandings and manoeuvring space and this is the greater design challenge. The amount of space available for the parking of private vehicles has been reduced to allow for the Council's maximum parking standards, which is rather anomalous, given the site's position in what was a Sustainable Living Area in the UDP. However, confirmation that the amenity area would be kept free of parking is helpful.
- 6.11 It is considered unfortunate that trees, shrubs and other vegetation have been removed from the site since the application was submitted. However, there were no controls over this and the trees that were removed were not of amenity value. The reason given for this was to allow the work to take place outside the bird nesting season. The amended scheme shows enhanced planting and this is considered an improvement over the original submission which was dominated by hardsurfacing. In particular, the landscaping proposal shows that 13 new large trees would be planted and this would have some immediate benefit. As a consequence, when viewed from the public domain, the development would present a softer image than was first shown. The commitment to maintenance in addition to the provisions of the standard condition is welcomed.
- 6.12 The duty to assess whether a scheme preserves or enhances the character or appearance a conservation area mentioned in Policy URB 16 is a reference to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This is developed further at para 4.14 of PPG 15, Planning and the Historic Environment, which states that it is also a material consideration for proposals that are outside the conservation area, but would affect its setting or views into or out of the area. As such, the policy is highly significant in the determination of the application. Overall, while Church Grove would be more open at its northern end, other than from elevated positions, there would be very limited views through to the site and the effect on the setting of the conservation area would be minimal. The consultants' report described the effect of the school on the setting of the conservation area as being neutral and it is considered that the same is true of the proposed development. Their opinion that the development would preserve the

character and appearance of the conservation area is also shared.

Ecological impact

6.13 OS 13 Nature Conservation indicates that the Council will seek to protect or enhance the nature conservation value of all sites and the supporting text notes that green roofs can make considerable contributions to local biodiversity. Policy OS 17 Protected Species states that planning permission will not be granted for development which would have an adverse impact upon protected species. Policy OS 6 River Corridors indicates that where appropriate, the Council will seek to protect, enhance and restore the natural elements of the river environment. LDF Policy OS 7 Biodiversity gives further support and advice on the subject, including reference to the need to protect, manage and enhance biodiversity. Policy OS 9 River Corridors and the Waterlink Way develops UDP Policy OS 6 and seeks to improve the course and appearance of waterways, public access to them, to create habitats and enhance the existing nature conservation value of waterways. SE19 Living Roofs for Biodiversity gives further advice on living roofs and notes that the Council will encourage all new developments to incorporate a green/brown system.

6.14 The provision of living roofs, the treatment of the river corridor and channel and the enhanced landscaping scheme would all contribute to a development that would enhance the biodiversity of the locality. Details of lighting should be provided as a condition of planning permission to encourage the use of the site by bats and the provision of native trees should also assist. Lighting to the Council depot is a matter that could be reviewed, but is outside the scope of the application. The opening up of public access to the river is welcomed, though it is accepted that the major benefit would be in views to the site from the opposite bank. Whilst also outside the scope of the application, it is understood that attempts are being sought to discuss the eradication of Japanese knotweed on adjoining sites. A cat covenant is neither thought desirable nor practical on a site of this size.

Flood risk

6.15 UDP Policy ENV.PRO 14 Controlling Development in the Flood Plain states that within areas likely to flood, development for new residential development will not normally be permitted unless it can be demonstrated that the proposal would not, itself or cumulatively: impede the flow of water; reduce the capacity of the flood plain to store water or increase the number of people or properties at risk from flooding.

LDF Policy SE4 Flood Risk states that all new development in Flood Zones 2 and 3 may be required to submit a site-specific Flood Risk Assessment with a planning application. The suitability of the proposed development will be determined by applying the sequential test, and where necessary, the exceptions test, as set out in PPS25. Where necessary, the applicant will be required to contribute to the cost of works to provide, improve and maintain flood defences via condition or legal agreement.

6.16 The site is in a flood risk area and the use is one that PPS 25 describes as being highly vulnerable. Nevertheless, the Environment Agency concludes that the mitigation proposed in the Flood Risk Assessment is satisfactory and suitable for protecting occupiers of the proposed development and adjoining residents. In identifying the site, the Council considered options to relocate the Travellers from Thurston Road and found the Church Grove site to be the only viable option. As a by-product of the search, the sequential test required by Policy SE4 was therefore undertaken at the pre-application stage, demonstrating that the application site was the only suitable and available site for the proposed use. The Environment Agency has also accepted the argument that the Exception Test has been met, which was that:

a) the application provides wider benefits that outweigh flood risks (in facilitating a

sustainable development on previously developed land for an existing group of traveller families to be located close to a community to which it is linked and by freeing up the Lewisham Gateway site for significant regeneration within Lewisham Town Centre);

b) it is located on previously developed land; and

c) development will be safe without increasing flood risk elsewhere and, where possible, will reduce flood risk overall.

Sustainability

6.17 UDP Policy ENV.PRO 15 Sustainable Surface Water Drainage in New Development requires that where appropriate, surface water should be disposed of as close to source as possible, or be attenuated before discharge to a watercourse or surface water sewer.

LDF Policies SE1 Energy Efficiency and Residential Development and SE7 Sustainable Urban Drainage Systems (SUDS) are much more rigorous than their UDP equivalents, ENV.PRO 19 (which has not been saved) and ENV.PRO 15. Policy SE1 states that the Council will require all new dwellings to achieve an energy efficiency rating and an environmental (CO₂) impact rating of 'A' as part of the Energy Performance Certificate. Policy SE7 requires that applicants show how surface water run-off is managed as close to its source as possible and the use of sustainable urban drainage systems will be encouraged for all developments. SE13 Construction materials requires that all development proposals demonstrate how they intend to contribute towards using construction materials from sustainable resources and use recycled and reused materials. In addition, when demolition occurs, the developer will be encouraged to recycle or reuse materials in the proposed development.

6.18 The application proposes a Sustainable Urban Drainage System and details would need to be provided to demonstrate that it could function properly alongside the proposed approach for mitigation against possible contamination. The inclusion of living roofs and south-facing solar panels on the amenity buildings would assist in the energy efficiency of the new buildings. Material from the demolition of the school would be using in the re-grading of the site. The new brick wall would be constructed in reclaimed stocks.

Physical Impact

6.19 Policy HSG 4 Residential Amenity expresses the desire to improve and safeguard the character and amenities of residential areas in a number of ways. These include the siting of new dwellings appropriately, seeking higher standards of design and landscaping in all new development in residential areas, protecting existing community facilities and open spaces and seeking new ones where appropriate and calming and reducing extraneous traffic, restricting parking provision including limiting and regulating on-street car parking and improving the pedestrian environment. Policy ENV.PRO 12 Light Generating Development requires that proposals for obtrusive lighting may be required to be accompanied by a detailed light-impact survey outlining possible attenuation measures.

LDF Policy U6 Residential Development – Layout and Amenity brings forward criteria in HSG 4 relating to the siting of dwellings and the provision of community facilities. It also makes reference to the need of ensure the provision of satisfactory levels of privacy, outlook and natural lighting and the delivery of suitable private amenity space. Policy SE11 Light attenuation repeats advice in ENV.PRO 12 and makes the requirement mandatory.

6.20 Some concerns have been expressed about overlooking of the proposed pitches from existing properties in Church Grove. Most of these arise because residents are familiar with being next to a school site which has been vacant for several years. A fairer comparison would be with a consideration of the extension of properties in Church Grove, where there are perfectly normal relationships between adjoining

terraces properties and across the street. Distances and angles between existing houses and the new dwellings would be no different and in many cases more generous. The only exception to this would be in the relationship of flank windows to 11 Church Grove which would allow views over the adjoining pitch. However, even from the upper floors, the aspect would be towards the living roof of the nearest amenity building. This relationship is not ideal, but would be a constraint in any redevelopment of the site and would not reduce the amenity of the development sufficiently to warrant refusal.

- 6.21 Numbers 8, 9, 10 and 11 Church Grove would face pitches 1 and 2. At ground floor level, views towards the pitches would be interrupted by planting. From the upper floors there would be greater visibility across the pitches. However, at present occupiers of 8 and 9 face the car park, which contains a larger expanse of hardsurfacing. Number 10 would have a vista over hardsurfacing, but mitigated by planting on either side and as with 11, the distances to the caravans and the hardstandings, which would be of lesser visual amenity are of the order of 30m and upwards. It would therefore be difficult to sustain an argument about loss of outlook or unsatisfactory overlooking of the pitches.
- 6.22 The boundary relationships with 11 and 13 Church Grove have been modified in the revised scheme. A new brick wall is proposed adjoining the existing fence to 11 and a section of planted rigid mesh fence would be raised alongside the space allocated for the siting of the static caravan. A space has been identified for a larger shrub or small tree. This should have the effect of removing any visual impact of any static caravan from ground level and partly obscuring it when viewed from windows in the upper floors. The relationship would be different with 13 Church Grove, which is located on the boundary. Here, the amenity building has been re-aligned to run parallel to the boundary, while additional planting is proposed to break the outline of a static caravan when viewed from upper floors. It is important that the choice of boundary treatment should not give the impression of hiding the development or giving it the sense of physical and perceived segregation. It is considered that a satisfactory balance between amenity and visual impact has been achieved. Most of the other areas of the policy are covered above. The pitches are to the north of properties Church Grove and there would be minimal effect on daylight and sunlight. In respect of artificial lighting, further details are required (see also ecological impact).

Noise impact

- 6.23 UDP Policy ENV.PRO 11 Noise Generating Developments notes that the Council may require applicants to submit a detailed noise impact survey when noise-sensitive developments are proposed close to an existing source of noise. LDF Policy SE10 Noise and Vibration strengthens ENV.PRO 11 by making the noise impact survey a requirement in sensitive cases.
- 6.24 The provision of acoustic fencing to protect occupiers from noise from the depot and the railway was necessary because of the lack of sound insulation properties to both forms of caravan. Residents in neighbouring properties in Church Grove have expressed concerns that the lack of soundproofing in the caravans and in the movement between the different elements of the accommodation could lead to noise problems. The siting of brick walls on the boundaries with 11 and 13 Church Grove should reduce any impact significantly but to ensure that neighbours would not experience noise and disturbance from the normal everyday activities of their neighbours, a condition requiring that details of static caravans are provided is recommended.

Contamination

- 6.25 Policy ENV.PRO 10 Contaminated Land states that the Council will require developers to investigate and identify any remedial measures that might be

required to deal with the hazards of contamination. LDF Policy SE9 Development on Contaminated Land adds the need for a contaminated land survey in appropriate cases.

- 6.26 Work carried out in this area so far is considered satisfactory, but because there are outstanding queries, the standard condition requiring investigation should be imposed.

Archaeology

- 6.27 The site is located in the Lewisham and Catford/Rushey Green Archaeological Priority Area and Policy URB 21 Archaeology requires a proper assessment of its archaeological heritage prior to the commencement of any development. LDF Policy U23 Archaeology brings forward the provisions of URB 21
- 6.28 English Heritage was consulted about the development at the pre-application stage and confirms that its proposed form is unlikely to affect any archaeological interest that might exist at the site.

Conservation Area Consent

- 6.29 Policy URB 17 Demolition in Conservation states that there will be a presumption in favour of the preservation of buildings that make a positive contribution to the character or appearance of a Conservation Area. LDF Policy U19 Demolition in Conservation Areas repeats this advice.
- 6.30 It is accepted that the existing boundary treatment provides a degree of enclosure to the northern end of Church Grove, yet historically, there was access to the residential property at 12 Church Grove and the associated commercial use. The nature of the most recent use demanded the type of enclosure that exists at present and it reasonable to expect a new residential development to be properly connected to an existing street and indeed the Council would normal resist gated residential developments.
- 6.31 Despite arguments to the contrary, the wall and gates are of no architectural merit and are contemporaneous with the school. General advice on the retention of front boundaries in Church Grove relates to domestic properties. On the basis that the redevelopment of the site is acceptable, it is considered that there would be no reason to withhold the grant of conservation area consent for the removal of the sections of wall and gates.
- 6.32 As para 3.9 above notes, the applicants were advised that officers' views were that conservation area consent was not required for the demolition of the wall on the basis that wall was outside the conservation area. The position on this was a little unclear as the boundary of the conservation area appears to correspond with the front boundary to the school. In the view of officers, as the conservation area specifically excluded the school, it was consistent that a section of wall dating from the same period and defining part of its boundary should also be outside.
- 6.33 Notwithstanding this view, closer examination of the boundary shows that the majority of the front boundary is set back from the line defining the conservation area and is thus definitely outside it. The remaining section, somewhat under half of its length, follows the line of the conservation area. Since the courts have held that there is no such thing as partial demolition, consent would not be needed for the removal of this length of wall even if the view were taken it was covered by conservation area status. Either way, as a consequence, the local planning authority cannot determine the application for conservation area consent because consent is not need. Were it to be required, officers would have recommended that it be granted for the reasons given in paras 6.30 and 6.31 above.

7.0 Consultations

- 7.1 In response to objectors' comments not covered above:
- the plans are not considered misleading: static caravans were omitted from the proposed drawings as their form can vary;
 - it is accepted that that housing for the settled community would provide a greater number of dwellings;
 - it is not considered that there is no physical reason why the annual street party could not be held; indeed its extent could be greater;
 - replacement fruit trees are not likely to be provided because of the historic industrial use of the site;
 - while the landscaping proposals are very detailed, a final scheme would have to be drawn up and it is recommended that this would be based on principles contained in the submitted material;
 - the alterations to the access would mean that vehicles leaving the site would be at an angle (rather than at 90° as when used as a school) and down a slight ramp. This should mean that car headlights would be of a lesser problem than otherwise would be the case. Movement should be minimal anyway, with only 5 family units proposed;
 - it is accepted that the development has not been designed to permit expansion and any earlier thoughts of accommodating a greater number of units have been modified;
 - the opening up of the river is not uncommon – there is a similar scheme at nearby Curness Street. The viewing point can be designed to meet Health and Safety requirements. There is no reason why the proximity of the river and the railway should make this site less suitable for the occupier group compared with anyone else;
 - the proximity of a poplar tree to the site does not make it inherently unsafe, though it would be prudent for the owner of the property in which it is sited to ensure that it doesn't lead to damage. Nevertheless, the comment has been forwarded to the applicant.
 - the acoustic screens would be sited well away from existing residential properties and, particularly once established, could become attractive visually;
 - the flank wall of 13 Church Grove would be protected by a generous area of planting;
 - conditions can be imposed in relation to the maintenance of landscaping and similar matters, but the applicants re-assurances about management and maintenance are a helpful commitment. This covers concerns about the generation of rubbish;
 - the Crime Prevention Adviser is satisfied with the scheme. There is no inherent reason why the siting of caravans at the rears of plots should make adjoining properties more valuable to burglary compared with access via the roof of a shed at the bottom of a garden belonging to a member of the settled community;
 - comments about the amount and quality of pre-application consultation have been forwarded to the applicant team. Should permission be granted, there would be continuing liaison with residents of Church Grove;
 - planning consultation was in accordance with normal practice for both the planning application and that for conservation area consent. All those who wrote individual letters were consulted on the revised plans.
 - there has been continuing liaison with the Travellers in Thurston Road and it is very important that they should be happy with a move to the application site should permission be granted;
 - loss of value is not a planning matter;
 - a gated access would slow down traffic speeds. However, as the access would have a bend in it and the length of the narrow Church Grove is short, speeding vehicles from five residences is not likely to be a problem;
 - a condition could be imposed to prevent additional caravans from being parked outside the pitches;

- the revised scheme contains more information about boundary treatment and planting, though planting details would be subject to condition;
- it is unclear why children looking into the site would be vulnerable;
- fly tipping is an offence and regrettably it does take place in rivers. There is no inherent reason why it should be a particular problem in this area, which has good natural surveillance;
- the development would permit vehicles to turn, irrespective of whether the road was adopted. So long as a barrier was not placed across the access, residents of Church Grove could turn vehicles at the front of the site if a small section were adopted;
- a tree is shown close to the boundary with properties in Wearside Road;
- should permission be granted, conditions can be imposed to prevent the quality of the scheme from being eroded;
- concerns about the adequacy of a fire hydrant placed on the site would be covered under the Building Regulations;
- concerns about the condition of the surface of Church Grove have been forwarded to the applicant team, as has the suggestion that the Council identifies an officer as a point of contact for the upkeep of the site;
- details of the access would be provided as a condition of permission;
- storage spaces for bins is included within amenity blocks;
- satellite dishes would require the submission of a planning application as the amenity blocks and static caravans would not benefit from permitted development rights.

- 7.2 In respect of other comments raised in relation to the application for conservation area consent, most relate to the merits of the planning application, rather than in the determination of the proposal. Reference in the SPD to the removal of boundary walls relates to proposals for houses. The extent of consultation for the application was in keeping with the Council's normal practice.

8.0 Conclusion

- 8.1 Since Watergate School has been relocated satisfactorily, the residential redevelopment of the site is considered acceptable in principle. The proposal for a specialist form of housing presents some design challenges in respect of its relationship with the adjoining conservation area, most notably in the position of its access, the siting of a number of single storey buildings and caravans and the extent of hard surfacing, however, it is considered that the revised submission addresses the challenges in a sensitive manner so that the proposal would be acceptable both visually and in general environmental terms. The development would provide much needed decent accommodation for Traveller families having followed a sequential test for suitable sites and their relocation to Church Grove would help enable the Lewisham Gateway scheme with its associated regenerative benefits to proceed.

9.0 RECOMMENDATION GRANT PERMISSION subject to the following conditions:-

1. No development shall commence on site until adequate steps have been taken in accordance with BS 5837 to safeguard all trees on the site against damage prior to or during building works, including the erection of fencing. These fences shall be erected to the extent of the crown spread of the trees, or where circumstances prevent this, to a minimum radius of 2 metres from the trunk of the tree and such protection shall be retained until the development has been completed. No excavations, site works, trenches or channels shall be cut, or pipes or services laid in such a way as to cause damage to the root structure of the trees.
2. N10 Dust Minimisation Scheme

3. N11 Wheel Washing
4. C10 Site Contamination
5. Details of a scheme for Sustainable Drainage, including how it would function in relation to the proposed mitigation against possible contamination, shall be submitted to and approved by the local planning authority prior to the commencement of any work on site. The development shall be carried out in accordance with the approved details unless otherwise approved in writing by the local planning authority and maintained in that manner thereafter.
6. No development other than demolition and remediation shall commence until details of the hardsurfacing to the site have been submitted to and approved by the local planning authority. No part of the development shall be occupied until the approved details have been fully implemented to the satisfaction of the local planning authority.
7. Details of the proposed entrance, including boundary treatment and changes of level, shall be submitted to and approved by the local planning authority prior the commencement of any works on site, other than demolition and remediation. The approved scheme shall be fully implemented prior to the occupation of any of the development hereby permitted.
8. Full public access for pedestrians, cyclists and wheelchair users shall be provided across the site to the River Ravensbourne in accordance with details on a plan that shall be submitted to and approved by the local planning authority. Access shall be made available on the completion of works comprising details submitted pursuant to conditions 11, 12 and 13 and in perpetuity thereafter, unless otherwise approved in writing by the local planning authority.
9. The acoustic fencing shall be provided in accordance with principles shown on indicative drawing J06.081/D57 prior to the occupation of the development hereby permitted and shall be maintained permanently thereafter, unless otherwise approved in writing by the local planning authority.
10. No development other than demolition and remediation shall commence on site until details of all facing materials (including their colour and texture) to be used on the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, unless the local planning authority agrees in writing to any variation.
11. Unless the new walls shown on drawing number 265.01 Rev.E are constructed in reclaimed yellow stock bricks, no development other than demolition and remediation shall commence on site until samples of the brickwork to be used in the construction of boundary walls have been submitted to and approved by the local planning authority. All new walls shall be completed to the satisfaction of the local planning authority prior to the occupation of any part of the development hereby approved.
12. Details of the size, form (including its acoustic properties) and appearance and precise siting of each static caravan to be situated on a pitch in the development hereby approved shall be submitted to and approved by the local planning authority. Each approved static caravan shall be situated in accordance with the approved details and there shall be no material departure from this unless otherwise approved in writing by the local planning authority.

13. No development other than demolition and remediation shall commence on site until details of landscaping conforming to principles set out on drawing 265.01 Rev.E have been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed in the first planting season, following the completion of the development, unless the local planning authority has given written consent to any variation. Any trees or plants, which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the local planning authority has given written approval to any variation.
14. No development other than demolition and remediation shall commence on site until details of works to the river channel have been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed in the first planting season, following the completion of the development, unless the local planning authority has given written consent to any variation.
15. No development other than demolition and remediation shall commence on site until details of the viewing platform alongside the River Ravensbourne, including boundary treatment, street furniture and any necessary safety equipment have been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed in the first planting season following the completion of the development, unless the local planning authority has given written consent to any variation.
16. Details of a management plan for the maintenance of the Wildlife Corridor shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development hereby permitted. The Wildlife Corridor shall be maintained in accordance with the management plan unless otherwise approved in writing by the local planning authority.
17. No development other than demolition and remediation shall take place until details of a scheme of lighting, that shall comply with principles set out in applicants' letter dated 14 February 2008, have been submitted to and approved by the local planning authority. The approved scheme shall be completed prior to the occupation of the development hereby permitted.
18. No development other than demolition and remediation shall take place until details of the proposed living roofs, including a section at not less than 1:20, have been submitted to and approved by the local planning authority. The approved scheme shall be completed prior to the occupation of the development hereby permitted.
19. The amenity buildings shall be fitted with solar panels and other measures to deliver Code for Sustainable Homes Level 3, prior to their occupation.
20. No caravans or other vehicles shall be stationed in the area shown as 'communal space' on drawing number 265.01 Rev.E other than for deliveries, servicing or dropping off at the pitches.
21. No touring caravans shall be stationed in any area designated for static caravans on drawing number 265.01 Rev.E unless otherwise approved in writing by the local planning authority.

22. No gate or other barrier that would prevent vehicles from entering the site, whether or not permitted under Article 3 and Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactment thereof, shall be installed without the prior written permission of the local planning authority.
23. The site shall be used for residential purposes only and no business use, including commercial storage, shall take place therefrom unless otherwise agreed in writing by the local planning authority.

Reasons

4. To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical uses of the site, which included industrial processes and to comply with Policy ENV.PRO 10 Contaminated Land in the adopted Unitary Development Plan (July 2004).
5. To comply with the terms of the application and to meet the requirements of Policy ENV.PRO 15 Sustainable Surface Water Drainage in New Development in the adopted Unitary Development Plan (July 2004).
6. To ensure a satisfactory appearance of the site and that the site is suitably drained in accordance with Policies URB 3 Urban Design and ENV.PRO 15 Sustainable Surface Water Drainage in New Development in the adopted Unitary Development Plan (July 2004).
7. To ensure that a safe and satisfactory access that is visually acceptable is provided and to accord with Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004)
8. To allow public access to the River Ravensbourne and to comply with the terms of the application.
9. To safeguard the amenities of the occupiers of the proposed development and to comply with Policy ENV.PRO 11 Noise Generating Development in the adopted Unitary Development Plan (July 2004).
10. To ensure that the local planning authority may be satisfied as to the external appearance of the buildings and to comply with Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).
11. To ensure that the local planning authority may be satisfied as to the appearance of the walls and to comply with Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).
12. To protect the amenities of occupiers of adjoining residential properties and to comply with Policies HSG 4 Residential Amenity and ENV.PRO 11 Noise Generating Development in the adopted Unitary Development Plan (July 2004).
14. To comply with the terms of the application and to accord with Policy OS 6 River Corridors in the adopted Unitary Development Plan (July 2004).
15. To ensure the satisfactory appearance and safety of this part of the site and to accord with Policy URB 3 Urban Design in the adopted Unitary Development Plan (July 2004).

16. To ensure that the Wildlife Corridor is properly maintained and to accord with Policies OS 6 River Corridors and OS 13 Nature Conservation in the adopted Unitary Development Plan (July 2004).
17. To ensure that the site is adequately lit, having regard to possible adverse impacts on light pollution and ecology and to accord with Policies URB 4 Designing Out Crime and ENV.PRO 12 Light Generating Development in the adopted Unitary Development Plan (July 2004).
18. To ensure the satisfactory appearance of the site and the proper functioning of the living roofs in accordance with Policies URB 3 Urban Design and OS 13 Nature Conservation in the adopted Unitary Development Plan (July 2004).
19. In the interests of sustainability and to comply with the terms of the application.
20. In order that the area functions as an open space and to protect the visual amenities of the adjoining St. Mary's Conservation Area and the locality in general in accordance with policies URB 3 Urban Design and URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas in the adopted Unitary Development Plan (July 2004).
21. To protect the amenities of occupiers of adjoining residential properties and to comply with Policy ENV.PRO 11 Noise Generating Development in the adopted Unitary Development Plan (July 2004).
22. To allow vehicles the ability to turn at this end of Church Grove.
23. To ensure that any other use of the site would be suitable in this predominantly residential area and to protect the amenities of the occupiers of adjoining premises and the area generally and to comply with Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).

Informatives

1. Construction Sites Code of Practice, or such codes as are applicable at the time that the proposed works are carried out.
2. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the brink of the Ravensbourne main river. Contact Robert Williams on 020 7091 4016 for further details.

APPENDIX B – JUDICIAL REVIEW TRANSCRIPT



R (oao Parker) v London Borough of Lewisham

[Transcript information](#)

Transcript Date:
24/11/2008
Court of First Instance:
High Court
Label:
Permission
Judge(s):
Cranston J

Neutral Citation Number: [2008] EWHC 3361 (Admin)
IN THE HIGH COURT OF JUSTICE Case No CO/5700/2008
QUEEN'S BENCH DIVISION
ADMINISTRATIVE COURT

Royal Courts of Justice
The Strand
London
WC2A 2LL

Monday 24 November 2008

B e f o r e:

MR JUSTICE CRANSTON

THE QUEEN
on the application of

VERENA PARKER
Claimant

- v -

LONDON BOROUGH OF LEWISHAM
Defendant

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190 Fleet Street, London EC4
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(Official Shorthand Writers to the Court)

Mr Alexander Booth (instructed by Richard Buxton, Cambridge
CB1 1JP) appeared on behalf of the Claimant
Miss Saira Kabir Sheikh (instructed by Lewisham Legal Services)
appeared on behalf of the Defendant

J U D G M E N T
(As Approved by the Court)

Monday 24 November 2008

MR JUSTICE CRANSTON:

1. The claimant seeks to challenge the council's decision to grant planning permission. The proposal concerns the use of a former school site as a site for travellers and gypsies. The claimant is a resident of Church Grove, which provides access to the site. The concern is that the width of Church Grove is such that it will be difficult for caravans to access the site without mounting the kerb. The claim has been put this morning by Mr Booth with conspicuous clarity: that the members of the planning committee were not taken to the relevant guidance and that on that basis there is an arguable case that the council, in granting itself planning permission, has acted in breach of the law.

2. The Draft Guidance on the Design of Sites for Gypsies and Travellers was published in May 2007. I am told this morning that it has never been adopted in final form. Paragraph 4.6 is entitled "Access for Emergency Vehicles". Paragraph 4.6.2 reads as follows:

"Essential to enable this, suitable roads must be provided with no caravan or park homes more than 50 metres from a road. Roads must have no overhead cable less than 4.5 metres above the ground. Vehicular access and gateways must be at least 3.1 metres wide and have a minimum of 3.7 metres."

Paragraph 4.6.3 reads:

"Essential roads must be not less than 3.7 metres wide, or, if they form part of a one-way traffic system, 3 metres wide."

3. Further guidance published in 2008 is entitled "Model Standards 2008 for Caravan Sites in England". The Model Standards contain a provision in the introduction which reads:

"These standards only apply to those sites which contain caravans that are used as permanent residential units. They do not apply to sites used exclusively for holidays or touring caravan sites, for which separate model standards have been issued. The standards do not apply to sites occupied by gypsies or travellers or caravan sites which house agricultural works."

The explanatory memorandum to the Model Standards contains a provision headed "Roads, Gateways and Overhead Cables". It reads:

"Roads shall be designed to provide adequate access for emergency vehicles and routes within the site, for such vehicles must be kept clear of obstruction at all times.

....

New two-way roads shall not be less than 3.7 metres wide, or if they are designed for and used by one-way traffic, not less than 3 metres wide.

....

Where existing two-way roads are not 3.7 metres wide, passing places shall be provided where practical.

Vehicular access and all gateways to the site must be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres."

The explanatory notes to the Model Standards say at paragraph 13 that the standards represent good practice. They do not apply to sites which are used for gypsies and travellers.

4. The present proposal was considered by council officers who had regard to a report prepared by Savell Bird & Axon ("the Savell report"). At paragraph 3.8 that report said that the Secretary of State had published draft guidance on the design of sites for gypsies and travellers. In other words, the Savell report took into account the draft guidance. At paragraph 3.9 the Savell report said that appropriate weight should be attached to that draft guidance as a document at an early stage in its consultation process, a point subject to explicit recognition in the guidance.

Paragraph 3.13 of the Savell report said that the width of Church Grove was under the width recommended for emergency vehicular access. At paragraph 3.25 reference was made to the width of Church Grove, although reference was also made to the fact that it had had long-standing use to serve existing residential properties and the school, and that "its use to access the traveller site is considered acceptable". Paragraph 5.4 of the Savell report referred to the width of Church Grove and the ability of caravans and static homes to access it as a key issue. Paragraph 5.5 said that the typical sizes of expected caravans are 2.2 metres wide and of static homes 3.6 metres wide.

5. The officers prepared a report on the basis of the Savell report and other considerations ("the officers' report"). At 3.19 of the officers' report there is a reference to the existing conditions in Church Grove. The officers note that Church Grove is generally 4.6 metres wide with footpaths on both sides, which leaves an effective usable carriageway of 2.6 metres. They note that the majority of residents have to park on the street. In particular paragraph 4.15 notes that Church Grove is generally 4.6 metres wide between kerbs and that cars are closely parked against the eastern footpath, which leaves a residual 2.5 metres of available carriageway width for passing vehicles.

6. Both the Savell report and the officers' report went before a meeting of the Lewisham Planning Committee which was held on 13 March 2008. At that meeting the local councillor, Councillor Milton, objected to the proposal. He raised the issue of restricted access to the site. One of the residents, Mrs Clare Burnley-Jones, who attended that meeting, kept detailed minutes of what occurred. Her notes record that on a number of occasions the access issue was raised. When Councillor Milton made his objection, Councillor John mentioned the concerns in relation to access to the site, in particular the width of caravans. There was also reference to the size of continental caravans. The point was made that a large continental caravan was too big for Church Grove. Static caravans were also a problem. There would be a need to suspend parking bays. The informal minutes kept by Mrs Burnley-Jones record the acknowledgement by one of the councillors that the road was very narrow and only just wide enough for the average caravan. There was some discussion of measurements.

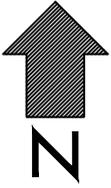
7. I can well understand why the local residents are concerned about access to this site by large vehicles. I have seen photographs which demonstrate that, because of parked cars, it is necessary for their vehicles to mount the pavement. The photographs show that that causes

considerable damage to the footpath. That is a matter which is underlined in the witness statement of Mr Terry Edge, another resident of Church Grove.

8. However, as a matter of law the fact is that the two documents -- the Model Standards and the Draft Guidance for Gypsy Sites -- do not directly apply in this case. The Draft Guidance is precisely that, a draft. However, it was mentioned in the Savell Report, which went to the councillors. Similarly, the Model Standards make clear that they do not apply to this sort of site. Nevertheless, it is clear both from the official minutes and those kept by Mrs Burnley-Jones that the issue of the width of the road was clearly considered by the members of the planning committee. They took into account this material consideration. It was up to them to give it what weight they thought it deserved.

9. I have listened carefully to Mr Booth's cogent submissions, but at the end of the day there is no arguable case as a matter of law. I refuse the application.

APPENDIX C – SITE LAYOUT



APPENDIX D – 'S.I 2010 NO. 964'

2010 No. 964

ROAD TRAFFIC

**The Road Vehicles (Construction and Use)(Amendment)(No. 2)
Regulations 2010**

<i>Made</i>	- - - -	<i>23rd March 2010</i>
<i>Laid before Parliament</i>		<i>26th March 2010</i>
<i>Coming into force</i>	- -	<i>20th April 2010</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 41(1), (2) and (5) of the Road Traffic Act 1988(a).

Representative organisations have been consulted in accordance with section 195(2) of that Act.

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Construction and Use)(Amendment)(No. 2) Regulations 2010 and shall come into force on 20th April 2010.

Maximum width of trailers

2.—(1) The table in Regulation 8(1) of the Road Vehicles (Construction and Use) Regulations 1986(b) is amended as follows.

(2) For the words in column 2 of item 4 substitute “A trailer drawn by a motor vehicle other than a motor cycle.”.

(3) Omit items 5, 6 and 7.

Signed by authority of the Secretary of State

23rd March 2010

Paul Clark
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 8 of the Road Vehicles (Construction and Use) Regulations 1986 specifies the maximum permitted widths of road vehicles. It is an offence to tow a trailer which exceeds the relevant width. A maximum width of 2.3 metres is (with certain exceptions) specified in the case of a trailer drawn by a motor vehicle having a maximum gross weight of 3500 kg or less.

These Regulations amend the 1986 Regulations so that a maximum width of 2.55 metres applies to all types of trailer except for a trailer drawn by a motor cycle. 2.55 metres is the width referred to in section 7.3.2.1 of Annex I of Directive 97/27/EC of the European Parliament and of the Council of 22 July 1997 relating to the masses and dimensions of certain categories of motor vehicles and their trailers (OJ L 233, 25.8.1997, p.1).

The Department for Transport has produced an Explanatory Memorandum and an Impact Assessment, showing the effect this instrument will have on the costs of business and public sectors. These documents are available from the Transport Technology and Standards Division, Department for Transport, Zone 2/04a, Great Minster House, 76 Marsham Street, London SW1P 4DR or may be accessed via the Office of Public Sector Information website at www.opsi.gov.uk. A copy has been placed in the library of each House of Parliament.

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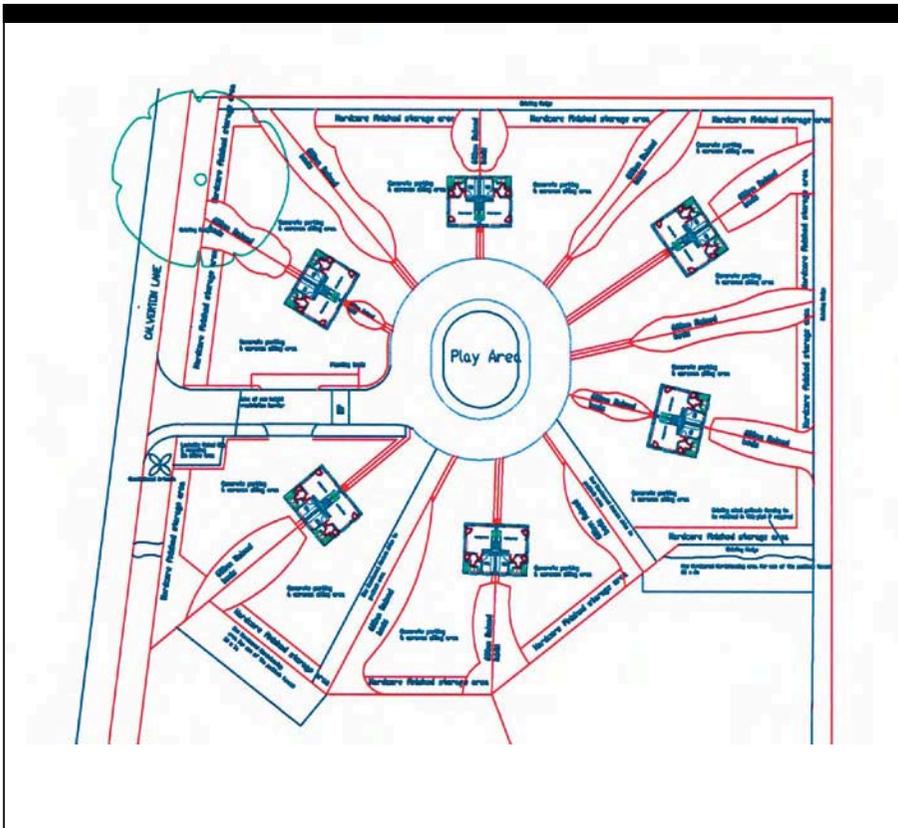
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(a) 1988 c.52.

(b) S.I. 1986/1078, the table in regulation 8(1) was amended by regulation 4(2) of S.I. 1995/3051; other instruments have amended 1986/1078, but none is relevant.

APPENDIX E – ‘DESIGNING GYPSY AND TRAVELLER SITES: GOOD PRACTICE
GUIDE’

Designing Gypsy and Traveller Sites Good Practice Guide



Designing Gypsy and Traveller Sites Good Practice Guide

Communities and Local Government
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Contents

Chapter 1

Introduction	7
Context	8
Scope	9
How the guidance was developed	10

Chapter 2

Context	12
Addressing the shortage of sites	12
The need for site design guidance	13

Chapter 3

Site location/selection – permanent sites	14
Location	14
Relationship to surrounding land use	16
Scope to provide essential services	17
Health and safety considerations	17

Chapter 4

Site layout, access and orientation – permanent sites	20
Introduction	20
Size and layout of site	20
Site perimeter boundaries	21
Orientation of pitches	22
Health and Safety	23
Access for emergency vehicles	24
Security	25
Play areas	26
Landscape design	27
Car parking	27
Density and spacing of caravans and trailers	27
Inclusion of space for work/animals	27

Chapter 5

Site services and facilities – permanent sites	29
Introduction	29
Water supply	29
Electricity supply	29
Connection points	30
Gas supply	30
Oil fired central heating	30
Drainage	30
Sewerage	31
Lighting	33
Waste disposal, scrap and storage	33
Post	34
Communal facilities	34

Chapter 6

Health, safety and accessibility – permanent sites	36
Introduction	36
Risk assessment	36
Fire safety	36
Accessibility	38

Chapter 7

Individual pitches – permanent sites	39
Layout of pitches	39
Hard standing	39
Size of pitch	40
Amenity buildings	41

Chapter 8

Transit sites	45
Introduction	45
Site selection/location	45
Site layout, access and orientation	45
Site services and facilities	46
Health and safety	47
Individual pitches	47

Chapter 9

Temporary Stopping Places	49
Introduction	49
Site selection/location	49
Site layout, access and orientation	49
Site services and facilities	50
Health and safety	50

Chapter 10

Consultation	51
Introduction	51
When to consult?	51
Methods of consultation	52
Feeding back on the results of consultation	55
Consulting with the settled community	55

Annex A

Key References	57
----------------	----

Annex B

Site design examples	58
----------------------	----

Chapter 1

Introduction

- 1.1 The Government believes that everyone should have the opportunity of a decent home. Decent homes are a key element of any thriving, sustainable community. This is true for the settled and Gypsy and Traveller communities alike.
- 1.2 *Planning Policy Statement 3: Housing (PPS3)* sets out the Government's national planning policy framework for delivering its housing objectives. It applies equally to site accommodation provided for the Gypsy and Traveller communities.
- 1.3 Paragraphs 12-19 of PPS3 stress the importance of good design in developing high quality new housing and identify the key issues which must be considered to achieve this. Paragraphs 20 to 24 identify the key characteristics of a mixed community and make it clear that this can only be secured by achieving a good mix of housing, including accommodation for Gypsies and Travellers.
- 1.4 The guidance contained in this document is intended to concentrate more closely on these issues, in the context of Gypsy and Traveller site provision, to familiarise developers with the key elements necessary to design a successful site and to identify good practice using case study examples to illustrate different approaches.
- 1.5 In particular, this guidance is intended to help:
 - Local authorities who wish to develop a new site, or refurbish the whole or part of a site
 - Registered social landlords who wish to develop or refurbish a site
 - Private developers or architects working with site developers
 - People who will be living on a site and are participating in its design.
- 1.6 It will be particularly relevant to local authorities and registered social landlords wishing to bid for Gypsy and Traveller Site Grant. In assessing applications for grant in future bidding rounds, we will consider whether the elements identified in this guidance as essential are met, and how the remainder of the guidance is addressed.

- 1.7 This guidance makes clear that there is no single, appropriate design for sites, any more than there is for general housing development. Early and regular consultation with prospective residents is a crucial element in getting the design right for any new site, taking into account the needs of residents and the physical characteristics of the site itself.
- 1.8 This guidance has been developed in consultation with members and representatives of the Gypsy and Traveller communities, together with those managing public sites. It draws attention to those elements which have been found to work best in developing sites which will be sustainable in the long term, and which meet residents' traditional and cultural needs.
- 1.9 Good practice in site design will evolve in the light of experience as it does for housing generally. As authorised site provision increases, new ideas, modern methods and innovations should arise. This document will be revised from time to time to reflect these. Updates will be provided on the Communities and Local Government website.

Context

- 1.10 There are currently around 300 socially rented Gypsy and Traveller sites in England. However, there is a national shortage of authorised sites, with around one in four Gypsy and Traveller households having nowhere to call home. The Government has established a new framework of housing and planning systems designed to increase site provision to meet the accommodation needs of Gypsies and Travellers, reducing the number of unauthorised sites and promoting good relations with the settled community.
- 1.11 In addressing this challenge it is important to ensure that these sites:
 - Are sustainable, safe and easy to manage and maintain
 - Are of a decent standard, equitable to that which would be expected for social housing in the settled community
 - Support harmonious relations between Gypsies and Travellers and the settled community.
- 1.12 It is recognised that it will not be possible to meet all aspects of this guidance in every respect on every site. Local authorities and registered social landlords will need to take decisions on design on a case by case basis, taking into account local circumstances such as the size, geographical and other characteristics of the site or prospective site and the particular needs of the prospective residents and their families.

- 1.13 In the case of small private site development there will be similarities but it should be recognised that those sites are designed to meet the individual and personal preferences of the owner and may contain elements which are not appropriate or popular for wider application in respect of social provision. It would not therefore be appropriate to use this good practice guidance in isolation to decide whether a private application for site development should or should not be given planning permission.

Scope

- 1.14 The guidance is primarily intended to cover social site provision for Gypsies and Irish Travellers and covers a range of sites including:
- **Permanent sites** – providing residents with a permanent home. The bidding guidance for Communities and Local Government’s Gypsy and Traveller Site Grant explains that for permanent sites ownership should remain with the local authority or registered social landlord and continue in use as a Gypsy and Traveller site for at least ten years, although consideration will be given to sites of a shorter term nature where there is a sound business case that demonstrates value for money.
 - **Transit sites** – permanent sites used to provide only temporary accommodation for their residents. Lengths of stay can vary but are usually set at between 28 days and three months, although practice on private transit sites tends to be more relaxed in respect of the amount of time people are permitted to stay. The requirements for transit sites reflect the fact that they are not intended for use as a permanent base for an individual household.
 - **Temporary stopping places** – pieces of land in temporary use as authorised short-term (less than 28 days) stopping places for all travelling communities. They may not require planning permission if they are in use for fewer than 28 days. The requirements for emergency stopping places reflect the fact that the site will only be used for a proportion of the year and that individual households will normally only stay on the site for a few days.
- 1.15 This guidance may not be appropriate for all New Traveller sites and early and regular consultation should be conducted with members of this community where they are prospective residents of a site, to ensure it contains the key elements which meet their particular needs.
- 1.16 Further material on the development of sites designed specifically for travelling showpeople will be produced at a later date.

How this guidance was developed

- 1.17 This guidance is based on work undertaken initially by consultants which considered:
- Existing research on the design features that work effectively on Gypsy and Traveller sites
 - Views of residents drawn from visits to a range of sites
 - Consultation with organisations representing the views of Gypsies and Travellers
 - Interviews with site managers and developers from the social housing and private sectors
 - Interviews with professionals and organisations working with Gypsies and Travellers, including traveller education services, health advocates, planners, the police, fire and other emergency services.
- and a consultation exercise on the outcome of that work with stakeholders.
- 1.18 It is intended to incorporate standards that are comparable to those required of publicly funded developments of housing for the rest of our society. The main source of guidance on this has been the Scheme Development Standards required of new social housing developments funded by the Housing Corporation. In translating the standards for social housing to Gypsy and Traveller sites we have had regard to:
- The different demographic profile of Gypsy and Travellers
 - The cultural needs of Gypsies and Travellers
 - The intended use and longevity of the site (normally a minimum of ten years unless the land is only available for a shorter period)
 - The need to make best use of land and other resources available to develop sites
 - The need for site design to facilitate economic and effective management of the site
 - The Model Standards for Park Homes, and in particular the standards to apply to sites accommodating dwellings made from combustible materials.
- 1.19 The case study below shows that an old site can be successfully refurbished to meet the types of modern day design standards included within this guidance.

Case Study 1

Star Hill, Hampshire

The Star Hill site in Hampshire is a long established county council run permanent site which was recently refurbished to bring it up to modern day standards.

Existing residents were extensively consulted about the refurbishment plans before commencement. Now, each of the 20 pitches can accommodate two trailers/caravans and has ample parking space. Every pitch has a brick built amenity building containing high standard facilities and incorporating good insulation and heating. Each one has a bath, shower, toilet, kitchen and airing cupboard. There is space and connections for washing machines and freezers.

Each pitch is demarcated by a 4ft wooden fence and has gated access. The fence height is increased to 6ft between amenity buildings to ensure privacy.

Chapter 2

Context

Addressing the shortage of sites

- 2.1 It is widely accepted that there is a national shortage of authorised sites for Gypsies and Travellers. This has led to an increasing incidence of both unauthorised encampments and unauthorised developments and has sometimes created tensions between Gypsies and Travellers and the settled community.
- 2.2 The Government has introduced a number of measures to address this.
- 2.3 The Housing Act 2004 introduced a new obligation on local housing authorities to assess the accommodation needs of Gypsies and Travellers in their areas, and to develop a strategy to address these needs.
- 2.4 Office of the Deputy Prime Minister Circular 01/2006¹ explains that Regional Planning Bodies must determine how many pitches are needed and, through the Regional Spatial Strategy, how many are needed in each local authority area. Local planning authorities must identify sites in Development Plan Documents and if they fail to do so they can be directed by the Secretary of State.
- 2.5 Communities and Local Government provides Gypsy and Traveller Site Grant for the provision of new sites, and the refurbishment of existing sites. The grant is available to local authorities and registered social landlords. Where potential developers have little experience in the provision of Gypsy and Traveller sites, they may wish to work with neighbouring local authorities or other RSLs that have greater experience in this area.

¹ *Local authorities and Gypsies and Travellers – Guide to responsibilities and powers*, ODPM

The need for site design guidance

- 2.6 The Select Committee for the Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions Thirteenth Report² (October 2004) concluded that:

“The current guidelines relating to site design and standards urgently need updating in the light of modern space standards and services, health and safety provisions and requirements for catering for disability.”

The Committee recommended that the guidance should cover residential ie permanent sites, transit sites and stopping places.

- 2.7 In October 2004, research showed that many existing local authority sites were of a poor standard. The estimate for maintenance and improvement of these sites to bring them up to standard and to maintain them was £16.7m over the next five years. Research has also showed that skimping on initial site design and construction often means more investment is needed later to rectify problems arising from this³.
- 2.8 The guidance issued by Government recognises the specific cultural and accommodation needs of Gypsies and Travellers, as well as the increasingly settled lifestyle of some Gypsy and Traveller households that facilitates, for example, access to education for families with children. This creates challenges for site design because of the need to incorporate features that not only facilitate continued periods of travelling but are also consistent with settled living. Many older sites were developed on an assumption that households would not live on them for long periods, and the facilities on those sites are increasingly out of keeping with accepted standards for family living.

² Paragraph 163

³ Niner, P (July 2003) The provision and condition of Local Authority Gypsy/Traveller sites in England, ODPM – summary of full report Local Authority Gypsy/Traveller sites in England

Chapter 3

Site location/selection – permanent sites

Location

- 3.1 Selecting the right location for a site is a key element in supporting good community relations and maximising its success. As with any other form of housing, poorly located sites, with no easy access to major roads or public transport services, will have a detrimental effect on the ability of residents to:
- Seek or retain employment
 - Attend school, further education or training
 - Obtain access to health services and shopping facilities.
- 3.2 Easy access to local services, and to social contact with other residents in the community, should help deal with the myths and stereotypes which can cause community tension and instead encourage a greater sense of community with shared interests.
- 3.3 It is essential to ensure that the location of a site will provide a safe environment for the residents. Sites should not be situated near refuse sites, industrial processes or other hazardous places, as this will obviously have a detrimental effect on the general health and well-being of the residents and pose particular safety risks for young children. All prospective site locations should be considered carefully before any decision is taken to proceed, to ensure that the health and safety of prospective residents are not at risk.
- 3.4 Office of the Deputy Prime Minister (now Communities and Local Government) *Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites* provides advice on site location and selection. It identifies factors which are important for the sustainability of a site, for instance:
- Means of access, availability of transport modes and distances from services
 - Promotion of integrated co-existence between the site and local community
 - Easy access to General Practitioner and other health services

- Near to a bus route, shops and schools
 - Ground conditions and levels of land
 - Not locating sites in areas of high flooding risk (for medium and low risk areas see paras 3.21–3.23).
- 3.5 It should also provide visual and acoustic privacy, and have characteristics which are sympathetic to the local environment. When selecting locations for permanent sites, consideration needs to be given to the relatively high density of children likely to be on the site.
- 3.6 Sites should not be identified for Gypsy and Traveller use in locations that are inappropriate for ordinary residential dwellings, unless exceptional circumstances apply. These circumstances would be where the location is unsuitable for housing, for practical or technical reasons which would not adversely affect the health and safety of Gypsy and Traveller residents or the sustainability of the site, and where the location has prospective residents' support. This could relate for example to a situation where:
- Prospective residents are happy to live in a location which is not attractive to housing developers
 - Existing land is available to meet immediate need on a short term interim basis, pending a longer term solution, but not be available for a long enough period to justify housing development
 - Land is suitable for low level single storey development but not for multi storey construction requiring deeper foundations.

In such rare cases prospective residents should be made aware of these exceptional circumstances at the outset.

- 3.7 Where possible, sites should be developed near to housing for the settled community as part of mainstream residential developments. As one way of helping to address shortages of site provision local authorities and registered social landlords can consider the feasibility and scope for providing a site for Gypsies and Travellers within their negotiations to provide affordable housing as part of significant new build developments. Even where smaller scale developments are planned they could consider including a small scale site of three to four pitches which are known to work well for single extended families.

Evidence provided to Select Committee on the importance of site location:

“What is working [in Ireland] are small sites. And they are not placed under flyovers or pylons, or beside sewers, canals or tips; they are placed on proper positioned land, bang within the middle of a settled community, and they are working.” [204]

“We would make a strong plea for safeguards to be put in place to ensure that future site development is not located in polluted or hazardous locations, as... many sites are. Not only does this have a negative impact on Gypsies and Travellers health and access to services but it has a profound impact on how they feel they are perceived and treated by the wider community, likewise such locations reinforce the prejudiced perceptions that many in the settled community have of Gypsies and Travellers, such locations are therefore a major impediment to the social inclusion of Gypsies and Travellers.” [205]

Relationship to surrounding land use

- 3.8 Consideration must be given to the relationship of sites to the surrounding community. For this purpose it is important to ensure that proposals to develop a site link in with other broader strategies in place for improving community cohesion and be regarded as a key issue within them.
- 3.9 The site must be sustainable, offering scope to manage an integrated coexistence with the local community. This will include consideration of noise and possible disturbance to Gypsy and Travellers living on the site, and possible noise and disturbance to the wider community, in particular from movement of Gypsy and Traveller vehicles.
- 3.10 Many Gypsies and Travellers express a preference for a rural location which is on the edge of or closely located to a large town or city consistent with traditional lifestyles and means of employment. However, characteristics that make a location unpopular for the settled community are likely to hold similar fears for Gypsies and Travellers. Sites adjacent to light industrial areas therefore tend not to be popular because of their isolation, distance from local facilities and because of safety fears (when walking home at night for instance).
- 3.11 Similarly, where joint commercial/residential use is envisaged for a site (as in the case of showpeople's sites because of the need for residents to store and maintain fairground equipment), it is important that the compatibility of both of these uses with the surrounding land uses is given careful consideration.

- 3.12 The case study below is a good example of a site integrated into the heart of an urban community.

Case Study 2

Wallman Place, London

The Wallman Place site is in Haringey, North London, and was refurbished in 1996 to provide a six pitch site for an extended family.

It is behind the civic centre, next door to a school, opposite a health centre, and close to a wide range of shops.

The site has a single access road through the middle, with three pitches on each side. There is space for a trailer, touring caravan and amenity building on each pitch. The brick built amenity buildings include central heating, bathroom and toilet facilities.

Whilst being close to all facilities the site also provides privacy for its residents and is well integrated into the surrounding community.

Scope to provide essential services

- 3.13 It is essential that sites are provided with access to mains water, electricity supply, drainage, and sanitation. Chapter 5 considers this in detail in respect of individual pitches.
- 3.14 Sewerage for permanent sites should normally be through mains systems. However in some locations this may not always be possible and in that case suitable alternative arrangements can be made, for example a biodisc sewage plant system.
- 3.15 All sanitation provision must be in accordance with current legislation, regulations and British Standards.

Health and safety considerations

- 3.16 Sites must not be located on contaminated land. Only where land has been properly decontaminated should development be considered on that land. Remedial work should only be undertaken by approved contractors in accordance with relevant standards, to ensure the contamination has been remedied to the standard on which housing development would take place. These processes can be prohibitively expensive and should be considered only where it is financially viable from the outset.

- 3.17 Brownfield sites may be suitable; however the same considerations should apply when appraising such sites as for conventional residential housing. For instance, sites adjacent to a rubbish tip, on landfill sites, close to electricity pylons or any heavy industry are unlikely to be suitable.
- 3.18 When considering sites adjacent to main roads, flyovers and railway lines, careful regard must be given to:
- The health and safety of children and others who will live on the site; and
 - The greater noise transference through the walls of trailers and caravans than through the walls of conventional housing, and the need for design measures (for instance noise barriers) to abate the impact on quality of life and health.
- 3.19 The proposed site must be relatively flat and suitable for purpose. Sites should not be developed on exposed sloping sites where there is risk of caravans being overturned or where there is a high probability of flooding risk.
- 3.20 Where there is a risk from flooding the degree of risk must be determined prior to considering allocation or development of a site by reference to *Planning Policy Statement 25: Development and Flood Risk* (PPS25), the Environment Agency's Flood Map and the local planning authority's Strategic Flood Risk Assessment.
- 3.21 Annex D of PPS25 sets out a risk based sequential approach to be applied at all stages of the planning process. A Sequential Test is to steer new development to areas at the lowest probability of flooding. Table D.1 of that annex specifies three flood zones of low, medium and high probability. PPS25 table D.2 makes it clear that caravan sites for permanent residence are considered "highly vulnerable" and should not be permitted in areas where there is a high probability that flooding will occur (Zone 3 areas). Caravan sites which are occupied on a short term occupancy basis are classified as "more vulnerable" and proposals for their development in Zone 3 areas would need to pass the Exception Test outlined in PPS25, Annex D, if there are no other sites at a lower flood risk.
- 3.22 It is recognised that in some areas a high proportion of land is at risk from flooding (Flood Zones 2 and 3) but the requirements of PPS 25 should still be taken fully into account before taking any development proposal forward. Where a flood risk exists, advice from the Environment Agency should be sought at the earliest possible stage on the likelihood of flooding, depths and velocities that might be expected and the availability of warning services, to see whether the proposals might be acceptable.

- 3.23 Where the Exception Test needs to be applied there may be opportunities to consider design issues, such as raising the level of a site so that accommodation will be above the expected flood level, taking climate change into account. This would protect amenity buildings, service provision etc that cannot be removed from the site when a flood warning is issued. However, a key consideration is that residents can safely evacuate the site in response to flood warnings and that emergency services would be able to reach the site to ensure residents' safety. This is an essential requirement to pass the Exception Test.

Chapter 4

Site layout, access and orientation – permanent sites

Introduction

- 4.1 Sites should be developed in accordance with existing planning policies and designations, with particular regard made to:
- Convenience for residents
 - Safety for residents
 - Visual and acoustic privacy – both for people living on the site and those living nearby
 - Aesthetic compatibility with the local environment
 - Scope for social integration with the local community.
- 4.2 This is an area where consultation with the local community of Gypsies and Travellers and with members of the settled community living in close proximity to a site can be particularly valuable and ensure best and most convenient use of available space.

Size and layout of site

- 4.3 For practical reasons, caravan sites require a greater degree of land usage per household than for smaller houses and Gypsy and Traveller sites are no exception. In making comparisons it needs to be recognised that there is for example no equivalent on a site to two or more storey accommodation in housing.
- 4.4 Gypsy and Traveller sites are designed to provide land per household which is suitable for a mobile home, touring caravan and a utility building, together with space for parking (see also Chapter 7 regarding individual pitches). Sites of various sizes, layouts and pitch numbers operate successfully today and work best when they take account of the size of the site and the needs and demographics of the families resident on them.

- 4.5 Consultation on this guidance has shown that many Gypsies and Travellers prefer a circular or horseshoe design rather than the more traditional linear layout of pitches. An example of a circular site, the result of close consultation between a local authority and representatives of the prospective residents for that site is featured at Annex B.1 of this document. This was originally intended to be a horseshoe site but was later extended to produce further pitches and the circular design resulted. An example of a more traditional site design is featured at Annex B.2 although these can differ considerably depending on the particular characteristics of the available land.
- 4.6 Consultation with the local Gypsy and Traveller community is crucial in deciding how best to proceed with the overall layout of the site and to get full value from the investment in it. It is a key element in obtaining the trust and full support of the prospective residents at the very outset of the project and can help deal swiftly with subsequent consultation on individual aspects of the design as and when they arise.
- 4.7 There is no one ideal size of site or number of pitches although experience of site managers and residents alike suggest that a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage. However, smaller sites of 3-4 pitches can also be successful, particularly where designed for one extended family. These can be advantageous in making good use of small plots of land, whilst retaining the qualities described in this guidance and expected by families on modern sites. An example of a small scale site, in an urban environment, is featured at Annex B.3.
- 4.8 Sites should ideally consist of up to 15 pitches in capacity unless there is clear evidence to suggest that a larger site is preferred by the local Gypsy or Traveller community. Nevertheless, where a larger site is unavoidable, or where one exists already, in a few cases smaller 'closes' have been created within the site for extended families, thereby retaining the sense of community and creating defensible space.
- 4.9 An example of this design approach is at Annex B.4. This arrangement could also open up possibilities for facilitating inter site transfers, where for example families may be offered the opportunity to move closer to other family members or elderly and dependant relatives where a pitch in a certain close may become available.

Site perimeter boundaries

- 4.10 The site boundary must provide clear demarcation of the perimeter of the site, so as to prevent nuisance for existing residents created by others seeking to move on to the site without permission. Boundaries should take into account adjoining land uses, and be designed with the safety and protection of children in mind.

- 4.11 Where an existing site may be located near an industrial area or process, or a main road, fencing and planting may be used to screen out unpleasant characteristics. A range of different boundaries may be used including fences, low walls, hedges and natural features. The aim should be to achieve a boundary that is sympathetic to, and in keeping with, the surrounding area. Boundaries can also be used to provide shelter for more exposed sites.
- 4.12 More open boundaries may be used in residential areas so as to promote integration and inclusion with the surrounding community, although the degree of integration which can be achieved will be in part governed by the degree of community cohesion already experienced in that location. A balance needs to be struck between providing privacy and security for the site residents and avoiding a sense of enclosure through for example, the use of high metal railings.
- 4.13 Measures to protect the safety of site residents from fire are of paramount importance, and it is essential that a clear gap of 3 metres⁴ is provided within the inside of all site perimeter boundaries as a fire prevention measure. Where owners of existing sites are experiencing difficulties in achieving this requirement because of current space constraints it is strongly advised that they consult their local fire authority as a matter of urgency to identify ways in which the residents safety can be properly safeguarded.

Orientation of pitches

- 4.14 As with housing for the settled community, site layout and design should ensure a degree of privacy for individual households (for instance by ensuring that neighbours cannot directly overlook each other's living quarters), but without inhibiting the important sense of community.
- 4.15 Consultation has identified that in general terms, particularly where site residents are members of an extended family, there is a preference for members of individual households to be able to have reasonable vision of the site in general to help improve security. This is an advantage of the circular or horseshoe site see example at Annex 1 which also allows clear views of the central play area to ensure children are safe (for more information on play areas see paras 4.38–4.41.).
- 4.16 On larger sites however, or those with a broader spectrum of residents, more seclusion and privacy may be preferred. In these cases, and irrespective of the general layout, preferences over the degree or privacy required can be addressed in part by the height of fencing provided between individual pitches, particularly to shield the amenity building, and by use of other soft landscaping approaches (see Chapter 7).

⁴ Model Standards for Park Homes

- 4.17 In designing the layout of a site enough space must be provided to permit the easy manoeuvrability of resident's own living accommodation both to the site and subsequently on to a pitch. Account needs to be taken of a more recent tendency for members of the Gypsy and Traveller communities to favour the use of a mobile home in place of the traditional caravan, and some mobile homes could be up to around 25 metres in length.
- 4.18 In order to overcome this, the site design should strike a balance between enabling a variety of accommodation to be catered for, and making best use of available space. Access roads and the site design itself should be capable of providing sufficient space for the manoeuvrability of average size trailers of up to 15 metres in length, with capacity for larger mobile homes on a limited number of pitches where accessibility can be properly addressed in the light of the land available. (For information on individual pitch sizes see Chapter 7).
- 4.19 In addition to movement of families on and off the site, site residents will sometimes wish to change the trailer accommodation they own and this movement can sometimes cause problems when boundary fences or gates do not allow for this. This could be overcome by use of movable fencing and gates adjacent to the roadside which are capable of short term removal.

Health and Safety

- 4.20 When designing the layout of a site, careful consideration must be given to the health and safety of residents, and in particular children, given the likelihood of a high density of children on the site and relatively high levels of vehicle ownership amongst some groups of Gypsies and Travellers for towing caravans and employment purposes.
- 4.21 It is important to ensure that appropriate traffic calming measures are considered for all sites. Care should be taken when introducing speed humps and other measures, particularly to existing sites, to ensure that appropriate drainage is accommodated within the scheme to allow for the effective passage of surplus water.
- 4.22 Clear and effective signage should be introduced where a speed restriction or other traffic calming measure is to apply. Similarly, clear directions should be in place to indicate the location of hydrants and other access points for the fire service etc when attending an emergency on site.
- 4.23 The need for separate vehicular/pedestrian access should be considered.

Access for emergency vehicles

- 4.24 It is essential that consultation with local fire and rescue service officers take place at a very early stage of designing a site. Some authorities are reported to differ in advice as to a minimum turning and reversing requirements of emergency vehicles in confined spaces for example, which may impact on the number of pitches permitted. Subject to this, general good practice from recognised sources is outlined in the paragraphs below which can be used as a starting point prior to discussions with local emergency services.
- 4.25 In designing a site, all routes for vehicles on the site, and for access to the site, must allow easy access for emergency vehicles and safe places for turning vehicles.
- 4.26 To enable this, suitable roads must be provided, with no caravan or park home more than 50 metres from a road⁵. Roads must have no overhead cable less than 4.5 metres above the ground. Vehicular access and gateways must be at least 3.1 metres wide and have a minimum clearance of 3.7 metres⁶.
- 4.27 Roads must not be less than 3.7 metres wide, or if they form part of a one way traffic system, 3 metres wide⁷.
- 4.28 One way systems should be clearly sign posted.
- 4.29 To increase potential access points for emergency vehicles, more than one access route into the site is recommended. Where possible, site roads should be designed to allow two vehicles to pass each other (minimum 5.5m⁸). Specific guidance should be sought from the local fire authority for each site.
- 4.30 Although roads on sites do not require adoption, it is recommended that all roads are constructed to adoptable standards to avoid future maintenance costs, and in anticipation of increased wear and tear due to frequent movement of heavy vehicles. Details of the relevant standards can be obtained from the local highways authority.
- 4.31 More guidance on aspects relating to aspects of street design and traffic flow can be found in the Department for Transport's *Manual for Streets*.

⁵ Source: *Building Regulation B5 (2000) – 'Access And Facilities for the Fire Service'*

⁶ Model standards for Park Homes

⁷ *Model Standards for Park Homes, also Manual for Streets* – Department for Transport, March (2007), and Statutory Instrument 2000 no.2531, The Building Regulations (2000). London TSO. Part 2, paragraph B5: Access and facilities for the fire service

⁸ *Manual for Streets*, Department for Transport (2007)

Security

- 4.32 Consultation has shown that site layout can play an important role in avoiding a sense of enclosure and isolation amongst Gypsies and Travellers. The aim should be to 'design out' crime and social exclusion and 'design in' community safety and social inclusion through openness of design, allowing ease in passing through, whether walking or driving. Care also needs to be taken to ensure that proper concern is shown for the safety of residents and children where car traffic passes through.
- 4.33 Before pursuing this approach however prospective residents should be consulted at the outset to ascertain the level of community cohesion already prevalent in the area, and to establish the degree to which those who are to live on the site are comfortable with this approach and if it meets the degree of privacy and security which is acceptable.
- 4.34 Site layout should maximise natural surveillance enabling residents to easily oversee all areas of the site. Scheme specific advice on security provision for the site should be obtained from the Police Architectural Liaison Officer for the area, and reference should be made to 'Secure by Design'⁹ standards to inform detailed planning of the site.
- 4.35 In cases where a site manager's office is provided on a site this should ideally be in a location which can be easily found by visitors and ideally situated at the front of the site ensuring that it has a view which increases security but is not intrusive to residents. An example of the facilities needed in a typical site manager's office include an office area, storage space and also washing facilities, which may be required where work on minor maintenance on site, possibly in bad weather will be needed. A plan of a typical site manager's office can be seen at Annex B.4.
- 4.36 To avoid disputes and provide defensible space, it is important to provide clear delineation of public communal areas eg play areas and private space, with boundaries that indicate clearly where individual pitches begin and end. It is recommended that communal areas without a clear usage are avoided in the design as they may attract vandalism, fly tipping or unauthorised caravans.
- 4.37 It is recommended that local needs and preferences are taken into account, as well as the requirements of the local highways authority and fire and rescue services, when designing the entrance to the site. Many Gypsies and Travellers are in favour of controlled access to sites, for example using a lockable gate. Their experience has been that such controls can prevent unauthorised parking and unauthorised caravans being pitched on the site. However, the presence of such gates can sometimes act as a psychological barrier to effective social inclusion.

⁹ ODPM and Home Office (2004) *Safer Places: The Planning System and Crime Prevention*. London: Thomas

Play areas

- 4.38 It is recommended that the inclusion of a communal recreation area for children of all ages is considered where suitable provision is not available within walking distance on a safe route or using easily accessible public transport, and for larger sites. Specially designated play areas should be designed where possible in consultation with children and parents, to ensure they provide equipment which will be best used, together with the site manager in view of ongoing maintenance issues.
- 4.39 Where recreation areas are provided, it is important to ensure they are designed and located with the safety of children in mind (taking account of the proximity of busy roads) and where they allow for natural supervision. Play areas should meet normal local authority standards.
- 4.40 Consultation has shown that locating play areas in secluded areas of the site and near boundary perimeters is not favoured as children could be subject to outside harassment and the play area and equipment open to vandalism. The location of the play area in the site design at Annex 1 avoids this and builds safety into account. Perimeter fencing is included to ensure that children are safe from passing site traffic.
- 4.41 For further guidance on play issues and related guidance please see *Better Places to Live by Design: A Companion Guide to PPG3*, DTLR, 2001 and *Time for Play* (dcms) 2006.

Landscape design

- 4.42 Many Gypsies and Travellers express a strong preference for soft landscaping (for example grassed areas, shrubs and trees) as opposed to hard landscaping such as paved or concreted areas although this can have an impact on the maintenance budget. Nevertheless provision of more attractive landscaping can enhance resident satisfaction and pride with the site on which they live and encourage participation with site management to help maintain the surroundings in which they live.
- 4.43 Soft landscaping can be used to ensure spatial separation which prevents movement of trailers to positions which would breach fire safety distances from the adjoining pitch. When designing a site to include soft landscaping, consideration needs to be given to preventing it from being used for unauthorised parking or unauthorised pitching of caravans.

Car parking

- 4.44 A key element for the site is the provision of adequate parking space for resident's use. Parking spaces must be a minimum of 2.4 x 4.8 metres¹⁰.
- 4.45 Resident parking should largely be provided for on individual pitches (see 7.3) but a site could also contain additional parking facilities for visitors, as parking on the roadside could otherwise impede access of fire and other emergency services. However separate parking areas may present security considerations for residents in some cases and should therefore be situated in an area in good sight of the warden's office and site residents generally.
- 4.46 More information on residential car parking and related issues can be found in section 8 of the Department for Transport's *Manual for Streets*.

Density and spacing of caravans and trailers

- 4.47 To ensure fire safety it is essential that every trailer, caravan or park home must be not less than 6 metres from any other trailer, caravan or park home that is occupied separately.
- 4.48 Other structures are allowed in the separation zone if they are made of non-combustible materials (such as a brick built amenity building), as long as they do not impede means of escape. For further guidance refer to the Model Standards for Park Homes.

Inclusion of space for work/animals

- 4.49 Gypsy and Traveller sites are essentially residential and those living there are entitled to a peaceful and enjoyable environment. Draft Communities and Local Government guidance on site management proposes that working from residential pitches should be discouraged and that residents should not normally be allowed to work elsewhere on site.
- 4.50 Where significant commercial or other work activity is still envisaged for a site it is very important to ensure that the site is delineated so that residential areas are separated from areas for commercial or work use.

- 4.51 This also applies to the inclusion of space for keeping animals. Where there is demand for space for animals and where the site provider is satisfied that it may be reasonable and practicable to include this, a grazing area for horses and ponies could be provided, to reflect the cultural use of the horse as a traditional means of transport.
- 4.52 However grazing may be problematic and an adequate supply of grass difficult to sustain through over use when demand is high. Site managers may also enquire whether owners of land on the periphery of the site have surplus land for this purpose that could be provided at a reasonable rent.

¹⁰ *Manual for Streets*, Department for Transport (2007)

Chapter 5

Site services and facilities – permanent sites

Introduction

- 5.1 As for any other kind of accommodation, consideration must be given to the infrastructure needed to support Gypsy and Traveller sites so that they meet the needs of residents and support good relations with people living nearby.

Water supply

- 5.2 It is essential for a mains water supply suitable for drinking to be provided for each pitch on the site, sufficient to meet the reasonable demands of residents. Water supplies must comply with current legislation, regulations and British Standards. Ideally water meters will be provided in amenity buildings by the relevant local authority for each pitch and must be for domestic usage.
- 5.3 Water pressure must be sufficient to enable the use of fire hydrants by the emergency services which should be at a convenient place near to the front of the site.
- 5.4 Provision of an outside tap on each pitch is strongly recommended.

Electricity supply

- 5.5 The provision of mains electricity to each pitch is essential, sufficient to meet the reasonable requirements of the residents, and with separate meterage for each pitch. Ideally electricity meters will be provided in amenity buildings for each pitch by the relevant supplier directly and must be for domestic usage.
- 5.6 It is essential that underground cabling is adequately earthed and complies with current electrical installation regulations. Electrical installations must be inspected annually. All electrical work must be carried out by competent and appropriately qualified personnel.

Connection points

- 5.7 Consideration may be given to providing more than one electricity and water access point on each pitch to allow for trailers to be realigned either through resident's choice, family expansion or to cater for visitors.
- 5.8. Every effort should be taken to ensure that systems are in place to provide services to individual households, for payment purposes, and not sold from a central distribution point on site (see Chapter 5 with regard to metering).

Gas supply

- 5.9 It is essential that gas installations, supplies and storage meet statutory requirements, relevant standards and codes of practice. Storage facilities compliant with health and safety regulations for Liquid Propane Gas cylinders must be provided¹¹. Since the guidance on storage is complex, developers and managers of sites are advised to see advice from their local environmental health services.
- 5.10 It is essential that any mains gas installation is inspected and certified as safe on an annual basis.
- 5.11 Provision of a mains gas supply is recommended for amenity buildings on pitches and, if supplied, must be compliant with current gas installation regulations¹².

Oil fired central heating

- 5.12 Installations for oil fired central heating should meet Part L of the Building Regulations 2007 together with appropriate storage and safety arrangements in case of oil leaks.

Drainage

- 5.13 Surface water drainage and storm water drainage must be installed. All drainage provision must be in accordance with current legislation, regulations and British Standards¹³.

¹¹ LP Gas Association: *Code of Practice 7: Storage of Full & Empty LPG Cylinders and Cartridges*

¹² *Safety in the installation and use of gas systems and appliances Approved Code of Practice and guidance* L56 HSE Books (1998)

¹³ *Planning Policy Statement 25: Development and Flood Risk (PPS25)* and *Manual for Streets* Department for Transport (2007) Chapter 11.

- 5.14 This should be given early consideration in both site selection and scheme design.
- 5.15 Smaller drain covers could be considered as these can assist in preventing foreign objects becoming accidentally lodged in soakaways and gulleys.
- 5.16 Gypsy and Traveller sites may offer opportunities for implementing a Sustainable Drainage Systems (SUDS) approach for dealing with surface water drainage management whereby surface water runs off to either natural water courses or municipal systems.
- 5.17 More information on this and other surface water drainage issues can be found in section 11 of the Department for Transport's *Manual for Streets* (2006).
- 5.18 It is recommended that consideration be given to the inclusion of interceptors within the drainage system to ensure protection against petrol, oil and other absences within the surface of the water case system.

Sewerage

- 5.19 Wherever possible, each pitch should be connected to a public sewer when it is economic to do so. Where this is not possible provision must be made for discharge to a properly constructed sealed septic tank. All sanitation provision must be in accordance with current legislation, regulations and British Standards¹⁴.
- 5.20 Consideration should also be given to additional waste disposal connection points as an outfall from resident trailers to avoid any problems over unauthorised connections.
- 5.21 The case study below illustrates the important influence that essential services have on quality of life.

Case Study 3

Abbey Close site, Hackney

The story of the Abbey Close site in Hackney, East London illustrates the importance of good services to the lives of Travelling communities.

In 1995 there were sixteen Irish Traveller families living on three tolerated sites in the Borough with no running water or toilets. When the area was due for regeneration, the families made representations and the council found a piece of land to be used as a temporary site until funding could be found to upgrade it and a second piece of land to adequately accommodate all the families. Sixteen families moved onto the temporary site. There was only a cold water standpipe provided for the families to share, and a portaloo for each family. The site was overcrowded, with no proper demarcation between pitches and poor drainage.

By 1999 the Travellers had secured strong support from the local community and the local councillor, who was also the Deputy Mayor. Despite this a shortage of funding delayed significant improvements. Some families moved off as they could no longer tolerate the lack of facilities, and others were given pitches on a nearby official site when they came vacant. The remaining families continued to campaign for better conditions with support from local community organisations and some improvements were made, for instance the provision of electricity, hardstanding and additional standpipes.

In 2002 funding was secured to refurbish the site and families were relocated during building works. The refurbished site provides each family with a clearly demarcated pitch with a private detached or semi-detached brick-built utility block, including a modern fitted kitchen and bathroom. The utility buildings, site boundaries and pitch boundaries are entirely in keeping with the architecture and features on surrounding estates and blend in well. The families were involved in all aspects of the site design and kept fully informed throughout, thereby able to ensure that design mistakes were kept to a minimum. In order to accommodate all the families left on the temporary site the pitches are small for growing young families, but the location and community support is ideal.

In September 2003 the remaining six families returned to the site, a 'Welcome Home' banner at the local school, and an opening ceremony that was attended by neighbours from the adjacent estates.

¹⁴ Part H of the *Building Regulations* (2000), and *Sewers for Adoption – Water UK* (2006) *Sewers for Adoption* 6th edition Swindon WRc plc

Lighting

- 5.22 Sufficient lighting must be provided on the site to enable safe access and movement through the site at night for both pedestrians and vehicles.
- 5.23 The street lighting arrangements should be planned to minimise the risk of damage through vandalism and avoid problems of light pollution to the homes on the site through light shining directly into caravans, amenity buildings or park homes. It should be planned to properly illuminate access roads and access to residential pitches.
- 5.24 Consideration should also be given to the introduction of three quarter length light pillars where there is a prospect that the site may create light pollution for the neighbouring community residing outside the site.
- 5.25 It is recommended that external lighting is provided on each amenity building to ensure safe access.
- 5.26 Solar powered street lights have been considered for inclusion on some sites to reduce energy use but have been found to be very expensive. It is recommended that a cost analysis case be undertaken to verify the financial viability of installation before proceeding.
- 5.27 More information on street lighting issues can be found in section 10 of the Department for Transport's *Manual for Streets*.

Waste disposal, scrap and storage

- 5.28 Residents of Gypsy and Traveller sites should receive the same waste disposal arrangements at their home as any other member of the community. Standard domestic waste disposal arrangements must be provided for each pitch in accordance with local authority requirements for the disposal of domestic waste¹⁵. A key element in designing the layout of the site is to ensure that sufficient space exists for local authority refuse collection vehicles to reach an appropriate point from which waste can be collected from individual pitches, as well as any communal refuse areas.
- 5.29 More information on this issues can be found in section 6 of the Department for Transport's *Manual for Streets*.

- 5.30 It is recommended that consideration be given to including a recycling collection point on the site where it is not in close proximity to one in the neighbouring vicinity.
- 5.31 Experience on some sites has shown that communal refuse areas can actually encourage fly-tipping and the accumulation of non-domestic waste. If a communal refuse area is deemed necessary (in addition to individual refuse collection for each pitch), this should be designed and located so as to be convenient, accessible, robust and inconspicuous. It should be located away from close proximity of individual pitches and from access points to the site, to ensure that fire service vehicles can enter the site and deal with any fire which might break out there.

Post

- 5.32 The site should be designed so that post can be delivered separately for each pitch. Experience has shown that postal deliveries to pitches can be disrupted by complaints about harassment by dangerous dogs so the provision of an individual box at the entry to a pitch would be advisable.
- 5.33 Consultation has shown that a simple but key element in helping to avoid discrimination against the residents of a Gypsy and Traveller site is to allocate site and pitch addresses which are of a similar nature to those for the settled community – and which do not highlight that the accommodation is site based.

Communal facilities

- 5.34 Paragraphs 3.1–3.7 of this guidance outlined the key factors necessary for the right location for a sustainable site. Where these factors have been met it is likely that site residents will be in reasonable proximity of the facilities enjoyed by the community generally.
- 5.35 Where a site is isolated from local facilities however, either by distance or through lack of adequate public transport facilities and/or is large enough to contain a diverse community of residents rather than one extended family, provision of a communal building is recommended. This facility can be an important resource in sustaining a more remote site, offering an opportunity for visits by health visitors, youth workers and education services, as well as for use by site management and residents alike.

¹⁵ *Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10) and Schedule 1, Part H of the Building regulations (2000)*

- 5.36 Any such building should include:
- Community room
 - Toilets (male and female)
 - Kitchenette.
- 5.37 Ideally it should be situated in a location towards the front of the site, to be accessible to all the community, not just site residents, and if promoted and managed well can help encourage good relations between the Gypsy and Traveller and neighbouring communities.

Chapter 6

Health, safety and accessibility – permanent sites

Introduction

- 6.1 Everyone should be able to live in a home that is safe, whether that home is a house, a flat or a trailer. Health and safety considerations and requirements for sites are included throughout this guidance. Additional guidance is provided below.

Risk assessment

- 6.2 It is essential that site owners undertake a risk assessment of the site during the initial design stage, including the homes on the site.

Fire safety

- 6.3 Fire safety law changed in October 2006 with the introduction of the Regulatory Reform (Fire Safety) Order 2005 (the Order). The Order applies in England and Wales. It covers 'general fire precautions' and other fire safety duties, which are needed to protect 'relevant persons' in case of fire in and around most 'premises'. The Order requires fire precautions to be put in place 'where necessary' and to the extent that it is reasonable and practicable in the circumstances of the case.
- 6.4 Caravan sites come under the scope of the Order ("premises" includes 'any place') and is not excluded by article 6. (1). The only areas excluded by article 6. (1) are those covered by the interpretation of "domestic premises" ie *premises occupied as a private dwelling (including any garden, yard, garage, outhouse, or other appurtenance of such premises which is not used in common by the occupants of more than one such dwelling)*. Caravans are considered private dwellings and as such fall under the category "domestic premises" and are therefore excluded from the Order. Any common areas on the site used by the occupants of more than one caravan come under the Order. The Order also applies to any amenity buildings on the site.

- 6.5 Responsibility for complying with the Order rests with the ‘responsible person’. In the case of a caravan site, this could be an employer or any other person who may have control of any part of the site, eg occupier or owner, manager etc.
- 6.6 The ‘responsible’ person must carry out a fire risk assessment, which must focus on the safety in case of fire of all ‘relevant persons’. It should pay particular attention to those at special risk, such as children, and must include consideration of any dangerous substance liable to be on the site. Fire risk assessment will help identify the risks that can be removed or reduced, and to decide the nature and extent of the general fire precautions that need to be taken.
- 6.7 The significant findings of the assessment should be recorded if the site is licensed or the site operator (eg the local authority) employs five or more staff, however, it is good practice to record the significant findings in any case.
- 6.8 The Order requires the ‘responsible person’ for the site to take such “general fire precautions” as will ensure, so far as is reasonably practicable, the safety of any of his employees and other relevant persons. General fire precautions include measures to reduce the risk of fire on the premises and the risk of the spread of fire on the premises (eg on the caravan site). Further guidance can be found in the Model Standards, for Park Homes. For example:
- i. Pitches should be no more than 30 metres from a fire point. Fire points must be housed in a weatherproof structure, easily accessible and clearly and conspicuously marked ‘Fire Point’. A clearly written and conspicuous notice should be provided and maintained at each ‘Fire Point’ to indicate the action to be taken in the case of fire, including details of the muster point. The Model Standards for Park Homes provide more detailed guidance.
 - ii. Water standpipes, hydrants, or fire extinguishers should be provided on each site as determined by the risk assessment and as informed by consultation with the local fire officer. All equipment should conform to relevant British/European standards. The Model Standards for Park Homes provide more detailed guidance.
 - iii. A means of raising the alarm in the case of fire should be provided at each fire point. This must be appropriate to the size and layout of the site and informed by consultation with the local fire officer. The Model Standards for Park Homes provide more detailed guidance.

- iv. All alarm and fire fighting equipment should be installed, tested and maintained in working order by a competent person. All equipment susceptible to frost should be suitably protected.
- 6.9 The level of necessary safety (or service) must be dictated by the findings of the risk assessment. The responsible person must be prepared to show that what has been done complies with any requirements or prohibitions of the Order irrespective of whether you have relied on a particular standard.
- 6.10 A series of guides and checklist have been developed which may assist the ‘responsible person’ to comply with the fire safety law and provide help to carry out a fire risk assessment. These guides and checklist are available from the Communities and Local Government website.

Accessibility

- 6.11 All private or communal buildings on the site must be provided to mobility standards as specified within Part M of the Building Regulations 2000. Developers must also have regard to the requirements of the Disability Discrimination Act 2005 both when designing the site and during refurbishment planning.
- 6.12 When considering the extent to which pitches, parking spaces and amenity buildings should be suitable for wheelchair users, reference should be made to local Gypsy and Traveller Accommodation Needs Assessments. Where no need has been identified it is recommended that at least one pitch in 20 on a site of such size, or one pitch per site where smaller, be constructed to meet the needs of a disabled resident as a contingency for future demand. Where provided, these should be consistent with the standards for housing for wheelchair users as set out in the Housing Corporation’s Design and Quality Standards and other related guidance¹⁶.

¹⁶ *Meeting Part M and Designing Lifetime Homes* The Joseph Rowntree Foundation (1999), *Wheelchair Housing Design Guide*, Construction Research Communications Limited (1997), *Inclusive Mobility*, Department of Transport, (2005)

Chapter 7

Individual pitches – permanent sites

Layout of pitches

- 7.1 The layout of pitches will be dependent on the layout of the overall site. There will be different views about whether to have grassed areas and amenities at the front, back or side of the pitch. Discussion with the local Gypsy and Traveller community will be useful, however developers need to consider future as well as current or prospective residents.
- 7.2 Each pitch should be clearly demarcated to make it entirely clear what each individual household may occupy in return for the fee paid and their responsibilities for the pitch they occupy. A range of different boundaries may be used including fences, low walls, hedges and natural features. The aim should be to achieve a boundary that is clear but which is sympathetic to, and in keeping with, the surrounding area.
- 7.3 Pitch boundary fences should provide a balance between good neighbourliness and privacy. For example fencing between pitches could be up to 6 feet in height, particularly where amenity buildings would otherwise be overlooked, whereas 4 foot high fencing around the front of the pitch will offer good surveillance of the road and the site in general.
- 7.4 More information on designing for privacy can be found in *Better Places to Live by Design* and section 6 of *Manual for Streets*, Department for Transport (2007).¹⁷

Hard standing

- 7.5 Each pitch must include a hard standing area constructed of concrete or a similar suitable hard wearing material which extends over the whole area to be occupied by a trailer, touring caravan or other vehicle. These standings must be constructed in accordance with the industry code of practice¹⁸ and project a sufficient distance outwards to enable occupants to enter and leave safely. The base must be sufficient to bear the load placed on it by the home or vehicle and its contents, and the anticipated level of vehicle movement.

- 7.6 Hardstanding should be part of the landscape design. The pitch width need not be entirely paved but could be designed to break monotonous design with soft landscape. Where soft landscaping is adopted in the design consideration should be given to the inclusion of a storage facility on each pitch for residents to keep equipment to maintain it.
- 7.7 Local authorities and other developers should consider the environmental impact of the site and the measures that might be taken to improve sustainability. For example, the inclusion of separate identifiable containers for the collection of recyclable waste and provision of water butts is recommended.

Size of pitch

- 7.8 In common with some other ethnic minority communities, some Gypsies and Travellers often have larger than average families, for instance where members of an extended family live together. For this reason there is likely to be much greater demand amongst these communities for large family units, and small pitches may become quickly overcrowded. Larger than average family sizes, alongside the need for vehicles for towing trailers and for employment also creates particular requirements for parking.
- 7.9 There is no one-size-fits-all measurement of a pitch as, in the case of the settled community, this depends on the size of individual families and their particular needs. In designing a new site, account should be taken of the likely characteristics of families on the waiting list and identified as a result of the Gypsy and Traveller Accommodation Needs Assessment, as there may be a larger element of families with children approaching teenage years, who are likely to need to supplement their accommodation with one or two additional small touring caravans on the pitch as separate sleeping accommodation, until their children are old enough to move on to a separate pitch.
- 7.10 Some families may also be in possession of larger mobile homes and one or two pitches should be designed where possible to cater for that possibility (see also paragraphs 4.17–4.19 re manoeuvrability).
- 7.11 Alternatively, potential residents may be single or elderly members of the community, who would not need a pitch of the same size.
- 7.12 Nevertheless, as a general guide, it is possible to specify that an average family pitch must be capable of accommodating an amenity building, a large trailer and touring caravan, (or two trailers, drying space for clothes, a lockable shed (for bicycles, wheelchair storage etc), parking space for two vehicles and a small garden area.

¹⁷ *Better Places to Live by Design: A Companion Guide to PPG3*, DTLR, 2001

¹⁸ The 'Gold Shield' which specifies compliance with BS 3632:2005 Residential park homes

- 7.13 Smaller pitches must be able to accommodate at least an amenity building, a large trailer, drying space for clothes and parking for at least one vehicle).
- 7.14 Individual parking spaces should be a minimum of 2.4 × 4.8 metres¹⁹.
- 7.15 Where space permits the inclusion of a garden or playspace on each pitch is recommended.
- 7.16 Drainage falls must comply with Part H of the Building Regulations 2000. Ideally the pitch should be level apart from drainage falls.

Amenity buildings

- 7.17 It is essential for an amenity building to be provided on each pitch, although this can be provided across two pitches as two separate and entirely self contained semi-detached units. The amenity building 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. The access to the toilet should be through a lobbied area or by separate access direct from the pitch.
- 7.18 The amenity building must include: secure storage space for harmful substances/medicines; enclosed storage for food, brooms, washing, cleaning items etc; and space for connection of cooker, fridge/freezer and washing machine. The provision of a gas hob could be considered.
- 7.19 The inclusion of a day/living room in the amenity building for family meals is recommended. The day/living room could be combined with the kitchen area to provide a kitchen/dining/lounge area. It is desirable that the day/living room should not be part of essential circulation space, nor contain essential storage. Many existing amenity buildings do not of course contain this facility but inclusion in new sites would replicate the provision of a living room as enjoyed as standard by other sectors of the community. A plan of a typical modern amenity building is featured at Annex B.6.
- 7.20 The design and construction of amenity buildings must meet the requirements of the current Building Regulations, the Institution of Electrical Engineers regulations²⁰, and the Local Water Authority and should also meet the Housing Corporation Design and Quality Standards. Materials used must comply with the relevant British Standard Specifications and Codes of Practice and must provide for durable and low maintenance buildings. Its construction should be sympathetic to local architecture, attractive and of a domestic nature and meet the requirements of PPS3.

¹⁹ *Manual for Streets*, Department for Transport, (2007)

²⁰ *IEE Wiring Regulations* (16th Edition) available at www.iee.org

- 7.21 It is recommended that amenity buildings incorporate cost effective energy efficiency measures. The building layout and construction should be designed to maximise energy conservation and the use of passive solar gain. All mechanical and electrical systems should be as energy efficient as possible. Consideration should be given to the insulation of plumbing systems, the use of low energy light fittings and appropriate heating and ventilation systems. Any opportunities for using energy from renewable sources should be considered. It is desirable to produce an assessment of materials and construction techniques proposed for the site against standards set out in *The Green Guide to Housing Specification*²¹.
- 7.22 Adequate and sensibly situated electrical outlets, switching and controls should be installed throughout the amenity building.
- 7.23 Means of heating should be installed throughout the amenity building which provides temperatures suitable for room use, which is economical and capable of individual control for each room.
- 7.24 The width of main entrances, doorways and passageways must comply with building regulations to ensure mobility standards.
- 7.25 Fixtures and fittings in the amenity building should be of a domestic nature, but robust.
- 7.26 In line for standards for social housing other recommended features²² include:
 - Glazing lines in living/dining areas that are no higher than 810mm above floor level
 - Hot water taps to baths with a thermostatically controlled supply
 - Adequate screening and wall tiling provided where showers are provided over baths
 - A worktop-cooker-sink-worktop sequence that is not broken by doors, passages or tall units
 - A 1.2 metre run between the cooker and sink
 - A 500 millimetre minimum clear work top each side of the cooker, and wall units set back minimum 100 millimetres
 - A space for additional equipment such as a microwave
 - Walls in bathrooms and WCs must be designed to take support aids
 - Smoke/fire detectors.

²¹ *The Green Guide to Housing Specification* available from the Building Research Establishment at www.bre.co.uk

²² Design and Quality Standards, Housing Corporation

Case Study 4

Severalls Lane Site, Colchester

Work on the proposed new site at Severalls Lane, Colchester began in 1999 with planning consent given in November 2006. The aim was to provide a site to accommodate Gypsies and Travellers living in or regularly travelling to the Colchester area. The Gypsy and Traveller community was involved in the design from the very start. They worked with the surveyors on the drawings and visited sites of different designs to highlight what did and didn't work on these existing sites. The site plans were finalised with the agreement of the Gypsy and Traveller community – both those working closely with the surveyors and other people living on existing sites.

The site is within easy access of a major trunk road, whilst still offering both privacy and good access to local services. The access road will be a bituminous macadam road surface. The internal oval road block will be paved and have strategically placed speed restricting ramps. The road layout allows for manoeuvring static units on and off all pitches. There will be a site manager's office with good storage space and a secure refuse/recycling area.

The new design provides a 12 pitch site around an oval shaped road, with a central fenced play area, creating a safe environment for children to play where they can be seen from all 12 pitches. Close boarded fencing will be provided between each pitch to give privacy and avoid loose debris, such as leaves, being blown across the site and into pitches. The delineation of individual pitches was regarded as a 'must', and Gypsies and Travellers were keen to avoid a 'no mans' land' which could encourage fly tipping.

Pitch sizes allow for the accommodation of up to three caravans, or one large static trailer plus a touring caravan to allow for travelling during the year. There will be different surfaces within the pitches. Apart from the necessary concrete hard standing there will be tarmac areas and a red brick paved patio and footpath around the amenity buildings. Each pitch will have a small garden area to the rear of the pitch where there will be a footpath access and hard standing for a shed or kennel and a position to stand a rotary line for washing. The Gypsies and Travellers requested this to allow for a place to hang the washing that would not impact on the look of the site from the access road.

Each pitch will have a semi-detached single story amenity building. These will be larger than those on the majority of existing sites, with a kitchen and separate lounge/dining area, plus a bathroom and storage space. The living area will look out to the front of the site to allow for views across it. To avoid the 'institutional' look of the amenity buildings on the existing site, a variety of building materials will be used.

Some will be brick built, others will be half-brick, half-weather boarding. The material for the roof will be either plain tiled or slate. There will be hardwood domestic front doors to each amenity building. There will be a post box at the front of the pitch to allow for individual delivery of mail without a need to access the pitch.

Chapter 8

Transit sites

Introduction

- 8.1 Although transit sites may be in use all year round, they are not intended or designed to be used as permanent accommodation by individual households. The guidance below therefore reflects that expectation. However developers should note that, in the past and due to the shortage of permanent sites, some transit sites have become permanent sites by default, even though the standard of facilities provided are not conducive to long term stays.
- 8.2 Views are mixed on the extent to which transit pitches can be successfully provided on permanent sites. Where this has been successful the transit pitches are usually provided adjacent to the main site, or at one end of it.

Site selection/location

- 8.3 The guidance for permanent sites largely also applies to transit sites except that the importance of proximity to community facilities is primarily in respect of the need for access to schools.
- 8.4 The presence of children on the site, and potential health and safety risks for them and other residents should receive equal consideration for transit sites.

Site layout, access and orientation

- 8.5 **Number of pitches** – For a transit site to be easily managed it has been shown that the number of pitches should not normally exceed 15.
- 8.6 **Site boundaries** – The guidance for permanent sites applies.
- 8.7 **Orientation of pitches** – The guidance for permanent sites applies.

- 8.8 **Health and safety** – The guidance for permanent sites applies.
- 8.9 **Access for emergency vehicles** – The guidance for permanent sites applies.
- 8.10 **Security** – The guidance for permanent sites applies.
- 8.11 **Balance between soft and hard landscaping** – The guidance for permanent sites applies although soft landscaping on transit sites can be more difficult to maintain. As transit sites are only intended for short stays there is less need for soft landscaping but this does not rule out maintaining the general ambience of the site to a limited and cost effective degree.
- 8.12 **Parking** – In the light of experience it is recommended that parking space for at least two vehicles is provided on each individual pitch at a minimum size of 2.4m x 4.8 metres each.
- 8.13 **Density and spacing between vehicles** – The guidance for permanent sites applies, except where the local Fire Officer has agreed alternative arrangements that provide the same degree of fire safety.
- 8.14 **Inclusion of work/animal space** – The guidance for permanent sites applies.

Site services and facilities

- 8.15 **Accommodation for a Resident Manager** – Transit sites may present particular management challenges and depending on local circumstances and sufficient usage, it is recommended that provision is generally made for a resident manager. As the resident manager will be living on the transit site on a semi-permanent basis, facilities for the manager should comply with the guidance for permanent sites, including the provision of an amenity building. A plan of a typical resident manager's accommodation, with office area, is at Annex B.7.
- 8.16 **Water supply** – The guidance for permanent sites applies.
- 8.17 **Electricity supply** – Where possible, the guidance for permanent sites applies, although in practice a central electricity supply administered by the site management may be provided, which would entail residents paying by meter or being charged cash retrospectively.
- 8.18 **Gas supply** – Mains gas supplies are not applicable to transit sites.
- 8.19 **Drainage** – The guidance for permanent sites applies.
- 8.20 **Sewerage** – The guidance for permanent sites applies.

- 8.21 **Lighting** – The guidance for permanent sites applies.
- 8.22 **Waste disposal** – Waste disposal for individual pitches on transit sites is recommended. Communal refuse disposal should be provided which is convenient (but away from pitches and associated dwellings on site), fenced off, robust and inconspicuous.
- 8.23 **Sluice** – A sluice should be provided on each site.

Health and safety

- 8.24 **Risk Assessment** – The guidance for permanent sites applies.
- 8.25 **Fire Safety** – The guidance for permanent sites applies.
- 8.26 **Accessibility** – The guidance for permanent sites is optional.

Individual pitches

- 8.27 **Hard standing** – The guidance for permanent sites applies.
- 8.28 **Size of pitch** – It is important to ensure that wherever possible each pitch is of a size sufficient to accommodate two touring caravans, two parking spaces and private amenities.
- 8.29 **Private amenities** – It has been found that the majority of Gypsies and Travellers prefer private amenities on each pitch including a toilet, wash basin and shower with hot and cold water supply. An illustration of a simple fixed utility building for a transit site is at Annex B.8).
- 8.30 Depending on the degree of usage, consideration could be given to providing portable facilities on a transit site to meet these needs. Where transit sites are empty for lengthy periods there is a risk of vandalism to facilities and it may be preferable for these to be removed until the site is reoccupied. In adopting this approach, it is sensible to ensure that permanent waste and water pipework is in place for facilities to be easily reinstalled.

Case Study 5

Clearwater Site, Chichester

The Clearwater site, near Chichester, is an example of a privately owned and run site which incorporates both permanent and transit pitches. It is a very attractive, green site on the edge of a village in a rural location, and with good access to the road network. The owner has planned the site specifically to enable future growth in both the number and size of households, without members of the extended family having to be overcrowded, displaced to another site or left homeless.

The owner recently received planning permission to add six transit pitches to the existing permanent site. It will not operate as an openly available transit site but will be available to family and other visitors of existing residents. Each transit pitch will have its own amenity building with toilet, shower and kitchen. Pitches will have space for two trailers, and planting is used to mark the boundary between each.

There are four permanent pitches on the site, with space for a further four to accommodate future needs. The pitches are spacious, and each incorporates an amenity building which is 10' wide by 20' long, with kitchen/laundry and bathroom.

There is a children's play area on the site. Residents are able to graze animals on the adjoining field.

Chapter 9

Temporary Stopping Places

Introduction

- 9.1 Temporary stopping places accommodate intermittent needs for site accommodation for which a charge may be levied as determined by the local authority concerned. They are not occupied all year around but may be made available at times of increased demand, such as fairs or cultural celebrations that are attended by Gypsies and Travellers.
- 9.2 The guidance below sets out the important features of temporary stopping places.

Site selection/location

- 9.3 Temporary stopping places should provide safe and convenient access to road networks and be located so as to cause minimum disruption to surrounding communities.
- 9.4 When considering the suitability of different sites, the potential presence of young children and any risks that may arise due to adjoining land uses must be considered.

Site layout, access and orientation

- 9.5 It is important to provide markings or barriers to encourage residents to park safely, allow access for emergency vehicles, and enable maximum use of the site in accordance with its intended capacity and fire safety standards. Particular regard must be given to the need to ensure a safe distance between trailers/caravans and other structures made of combustible materials. The advice of the Local Fire Officer must be sought during the planning of temporary stopping places.
- 9.6 The road to and from the site must be of sufficient quality and size to enable access onto and off the site by heavy vehicles such as trailers.
- 9.7 There must be a clear barrier around the emergency stopping place to discourage unauthorised expansion of the site.

Site services and facilities

- 9.8 It is essential for a cold water supply to be provided for the use of site residents which may be by use of water standpipe or bowser.
- 9.9 Portaloos must be provided for the use of residents, with separate provision for men and women. There must be at least one portaloos for every four households on the site.
- 9.10 It is essential for a sewerage disposal point to be provided.
- 9.11 Refuse disposal facilities should be provided.

Health and safety

- 9.12 The guidance for permanent sites applies.

Chapter 10

Consultation

Introduction

- 10.1 This guidance is not intended to replace local consultation with Gypsies and Travellers and other key agencies. Local consultation should include:
- Gypsies and Travellers from the communities whose needs will be met on the site, including if possible, the families who will move onto the site at first let
 - Planners – from the very first stages of site identification
 - The Fire Officer
 - The Police, for advice on site security
 - The Local Highway Authority
 - Site managers and maintenance officers who can advise on the design features that can promote good management and keep costs to a minimum.
- 10.2 The same principles apply to consultation on Gypsy and Traveller sites as with other refurbishment projects and new developments. Very few architects and developers will have first hand experience of living on a site as part of a Gypsy or Traveller community, and consultation with Gypsies and Travellers will be crucial to ensuring the site works successfully.
- 10.3 The needs and preferences of those who will live on the site should be given full consideration and should be met as far as is possible within available resources. People who have lived on sites for most or all of their lives are in the best position to advise on what works well and what doesn't for a particular community. However, the needs of those people who will move onto the site at first let, will need to be balanced with the needs of those who may live on the site at a later stage.

When to consult?

- 10.4 Gypsies and Travellers should be consulted throughout all stages of the design process, including site identification through the local authority's Local Development Framework. Local communities can be aware of factors which, despite site shortages, could prevent take up of site places in particular areas.

Consultation

Evidence provided to Select Committee

"Gypsy and Traveller families often wish to have small compact and well-managed sites located in areas where they have historically resided and have a network of local family support. Local authorities have in the past tended to provide accommodation in inappropriate areas and the sites have therefore not always been used to their full potential. As with the settled community, Gypsy families prefer clean well-managed sites where there is no fear of retribution from problem families and they can enjoy a peaceful coexistence. [...]. Caution should be used when seeking locations for sites to ensure that they are based on need in a particular area and not the availability of inappropriate land for alternative uses. Traditionally, Gypsy sites have been located on land which is inappropriate for alternative uses and this, in itself, has caused problems both for the Gypsy community and for Site Managers."[210]

- 10.5 There is no reason why Gypsies and Travellers cannot be included in all design meetings with architects, so that expensive design mistakes are not made and so that professional perceptions of what will work well can be challenged if necessary at an early stage.

Methods of consultation

- 10.6 Local authorities should now have an established record of joint working with the Gypsy and Traveller community following the conduct of Gypsy and Traveller Accommodation Needs Assessments. It is recommended that an RSL wishing to work with these communities for the first time consult with the appropriate local authority at the outset to secure its own introductions.
- 10.7 Where difficulties remain introductions can usually be secured through other organisations which already have a good working relationship with members of these communities. This is often the case for the Traveller Education Service and health advocates, but may not necessarily be the case for existing site managers/ liaison officers, some of whom may have an enforcement role that has brought them into conflict with the communities in the past.
- 10.8 Participation will be greatly improved by holding the consultation in familiar and informal surroundings that are easy to get to, comfortable and warm. The office of a local organisation working with Gypsies and Travellers, or a local community building might be appropriate for instance.

- 10.9 There are low levels of literacy in some sections of the community. It is important therefore that consultation does not rely on written methods such as leaflets, surveys or feedback forms. Face to face consultation which enables Gypsies and Travellers to influence rather than just respond to the consultation agenda is important. Provision of models and computer generated images of proposed site development will also help prospective residents visualise the outcome and help identify useful refinements which may not otherwise be immediately apparent.
- 10.10 In some cases it may be appropriate to use a small number of people from the communities to represent their interests, however there is a danger with this type of approach that the perspective of some parts of the community will be missed – for instance children, women or men, or older people.
- 10.11 It would be beneficial to ensure as far as possible that sympathetic and knowledgeable architects and contractors are employed in the site design process. Local authorities could offer an “awareness raising” session on Gypsy and Traveller culture at an early stage with representatives of the local Gypsy and Traveller community, as a means of opening the dialogue and ongoing consultation needed with prospective residents to best ensure the successful design and construction of the site and best value for the money invested in it. Project managers could use suitably qualified and trained tenant liaison officers as used in social housing development.
- 10.12 The timing of the consultation will be important. For instance women are more likely to be able to take part in consultation that takes place on sites during the day (and outside school pick up hours) whereas men may be more likely to be able to make evening meetings.
- 10.13 One to one interviews are one method of consulting, but they can be time-consuming and do not provide an opportunity to attempt to resolve differing opinions. Focus groups can be a good way to encourage discussions around matters where there are differing perspectives and where there is a need to achieve a consensus position. If some tensions between different members of the community are anticipated then small meetings or group discussions will work better than large meetings.
- 10.14 Where prospective site residents or those already living on a site which is to be refurbished have appropriate skills, consideration could be given to proposing their involvement in the work required, provided they are included on the appropriate register of preferred contractors.
- 10.15 Gypsy and Traveller Accommodation Needs Assessments may gather views on site design and ask about satisfaction with existing sites. This information should be drawn upon where available.

Case Study 6

South Liberty Lane site, Bristol

Bristol County Council used ‘Planning for Real’ methods to consult with Gypsies and Travellers on the design for a new permanent site. This method of consultation involves making a three dimensional model of the area to be developed/improved. This encourages consultees to consider the area as a whole and how the different elements of their environment impact upon one another. They started by getting Gypsy and Traveller children to make models of the site, and made this into a fun event. The parents then became curious and got involved too. Consultation was carried out on a range of existing sites and at Stowe Fair.

The result of this consultation has been a ‘state of the art’ 12 pitch site. Many of the features were directly influenced by the consultation, including:

- Semi-detached utility buildings that incorporate a day room, kitchen, bathroom/toilet and separate toilet
- Boiler and central heating in utility buildings
- A variety of power points on each pitch to enable flexible positioning of trailers and caravans and avoid trailing wires
- The use of built-up flower beds to prevent trailers being positioned too close to each other
- Low walls and gates separating each pitch and creating ‘defensible’ space
- Parking on individual pitches
- Communal playspace for children.

Feeding back on the results of consultation

- 10.16 It will not always be possible to meet the needs and preferences of everyone and, if the reasons for this are explained clearly, this will normally be understood by participants. As a common courtesy the results of any consultation should always be fed back to the individuals and/or communities concerned. Where it has not been possible to meet the expressed preferences of the community the reasons for this should be clearly explained.
- 10.17 Once the site has been developed, this consultation process offers the basis of a permanent resident's forum, which can help sustain a good co-operative spirit of consultation between site managers and residents, a key element in managing a site successfully.

Consulting with the settled community

- 10.18 As for other kinds of development, it is important that members of the local community, whether Gypsies and Travellers or settled residents, are able to feed in views on plans for new sites.
- 10.19 Misinformation and limited contact between Gypsies and Travellers and the settled community can feed distrust and misconceptions, and these must be challenged and addressed proactively. Opposition from the settled community can delay, and in some cases prevent, the issue of planning permission for new sites. Councils and other developers need to plan for the possibility of such opposition at an early stage in the development and provide accurate information to help overturn negative stereotypes and allay concerns.
- 10.20 It will be important to demonstrate the need for new site provision in any consultation with the settled community, and the steps that the council or private developer will take to address concerns and deal with problems should they arise.

Case Study 7

Transit Site Development, Southampton

Southampton City Council has recently granted cabinet approval to allow a planning application to be made for a six pitch transit site on the outskirts of the city.

Local residents were sent a letter and information sheet setting out the proposed nature of the development and inviting them to attend public meetings. A phone hot line, email address and postal address were set up to receive comments.

The proposal was processed through both a full cabinet meeting and cabinet consultation meeting – all of which were open to the public. Local community representatives and individuals spoke at each meeting, as did a member of the Romani Rights Association.

Cabinet decided to defer the final decision for three weeks until after a public information day had been held.

The information day consisted of two drop-in events which were held in different locations both close to the proposed site and a public meeting in the larger of these two venues.

All events were held on the same day, a Saturday between 9 am and 4pm, and were attended by out of area speakers, including the Head of Kent Gypsy and Traveller Unit and the South East Regional Advisor on Gypsies and Travellers, as well local police and council officers from planning, community safety, inclusion, education and other teams.

A series of question and answer sheets were prepared for an Information Day that was attended by 450 local people. These covered: site selection and costs (which included evidence of need for the site); design and environmental matters; security, crime and community safety and having Gypsies and Travellers as neighbours. As well as providing information about the proposed development the sheets also tackled common prejudices head on. Objections from the local settled community focused on fears of increased anti-social behaviour and 'hawking', impact on local traffic conditions, potential overspill onto surrounding land; safety issues linked to the adjoining railway line, and potential negative impacts for local small businesses.

The consultation process demonstrated that the council was prepared to listen to the views of local people and devote resources to addressing concerns raised. As a result of the consultation, the council has set up a management group that includes representatives from local businesses and residents as well as agencies such as the police and schools, which will respond to any issues as they arise. It has also increased security proposals for the site, including the installation of closed circuit television and escalating charges for pitches on the site to discourage overstaying.

Annex A

Key References

Niner, P (July 2003) The provision and condition of Local Authority Gypsy/Traveller sites in England, ODPM – summary of full report Local Authority Gypsy/Traveller sites in England

ODPM (Feb 2006) Local authorities and Gypsies and Travellers – Guide to responsibilities and powers

ODPM Circular 01/2006 (Feb 2006) Planning for Gypsy and Traveller Caravan Sites
ODPM

ODPM and Home Office (2004) Safer Places: The Planning System and Crime Prevention

CLG – Planning Policy Statement 3: Housing (PPS3)

CLG – Planning Policy Statement 25: Development and Flood Risk (PPS25)

CLG – Model Standards for Park Homes (April 2008)

Commission for Racial Equality. Common Ground – Equality, good practice and race relations and sites for Gypsies and Irish Travellers

Select Committee on Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions (Oct 2004) Thirteenth Report

East Sussex and Brighton and Hove Gypsy and Traveller study – draft final report 2005

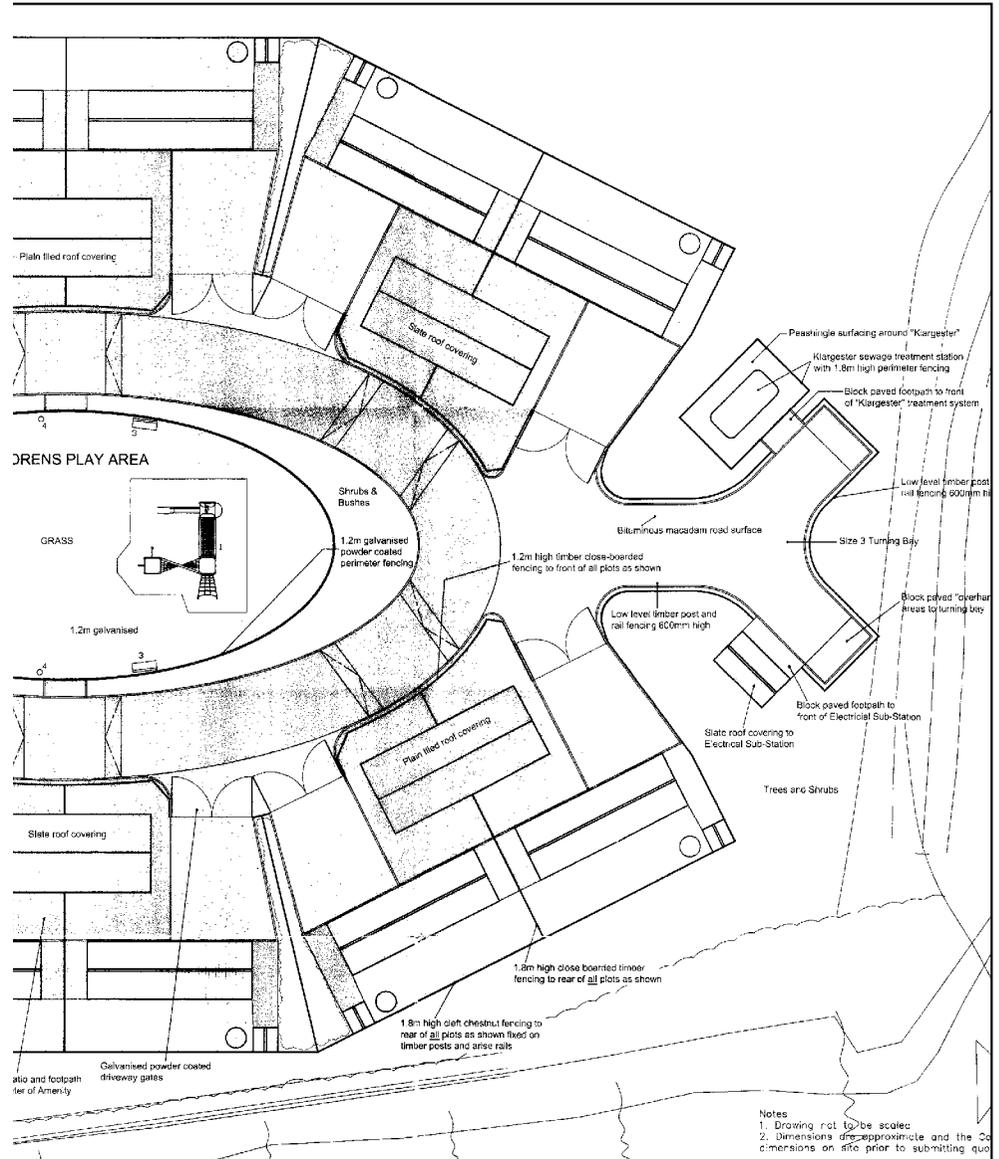
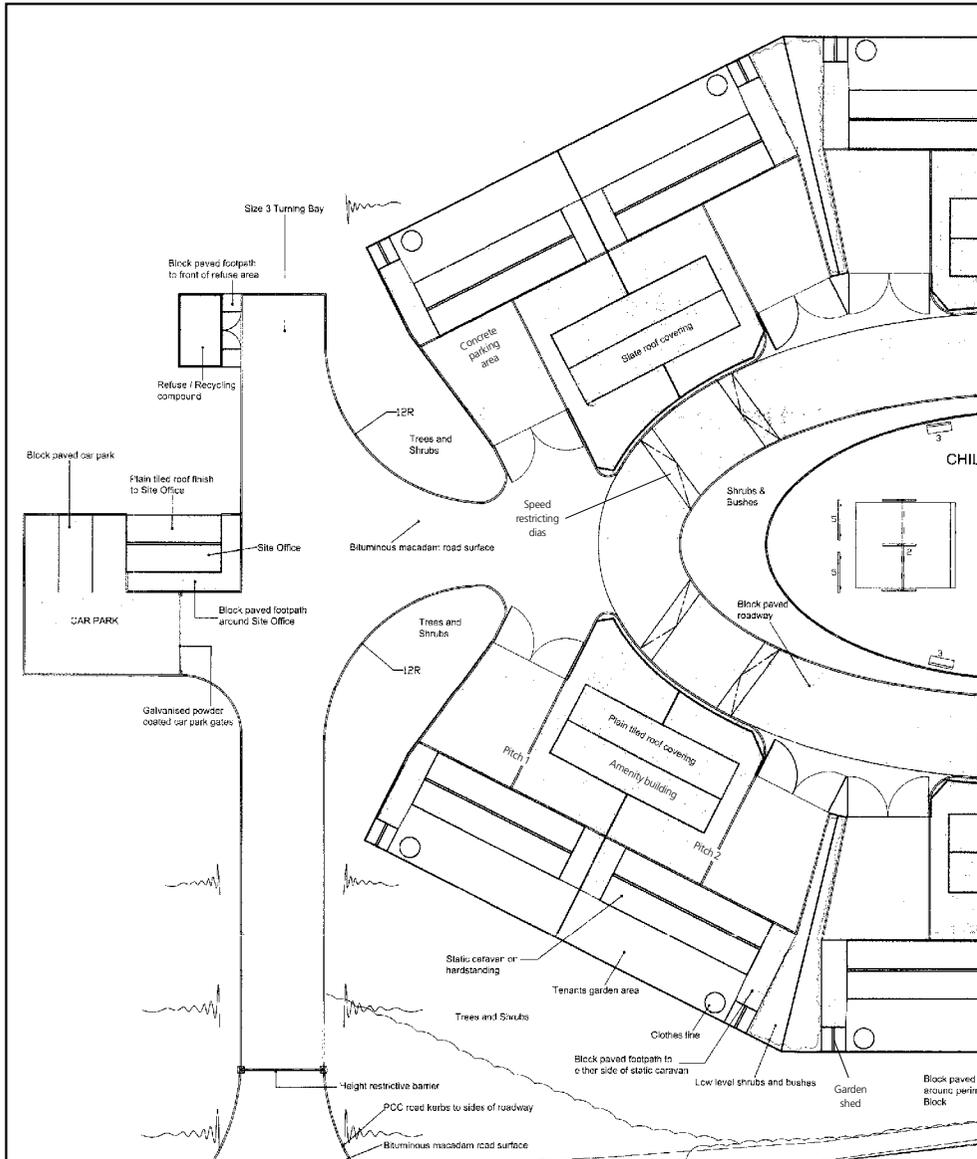
Housing Corporation Scheme Development Standards (April 2003)

Department for Transport – Manual for Streets (March 2007)

DTLR – Better Places to Live by Design: A Companion Guide to PPG3, 2001

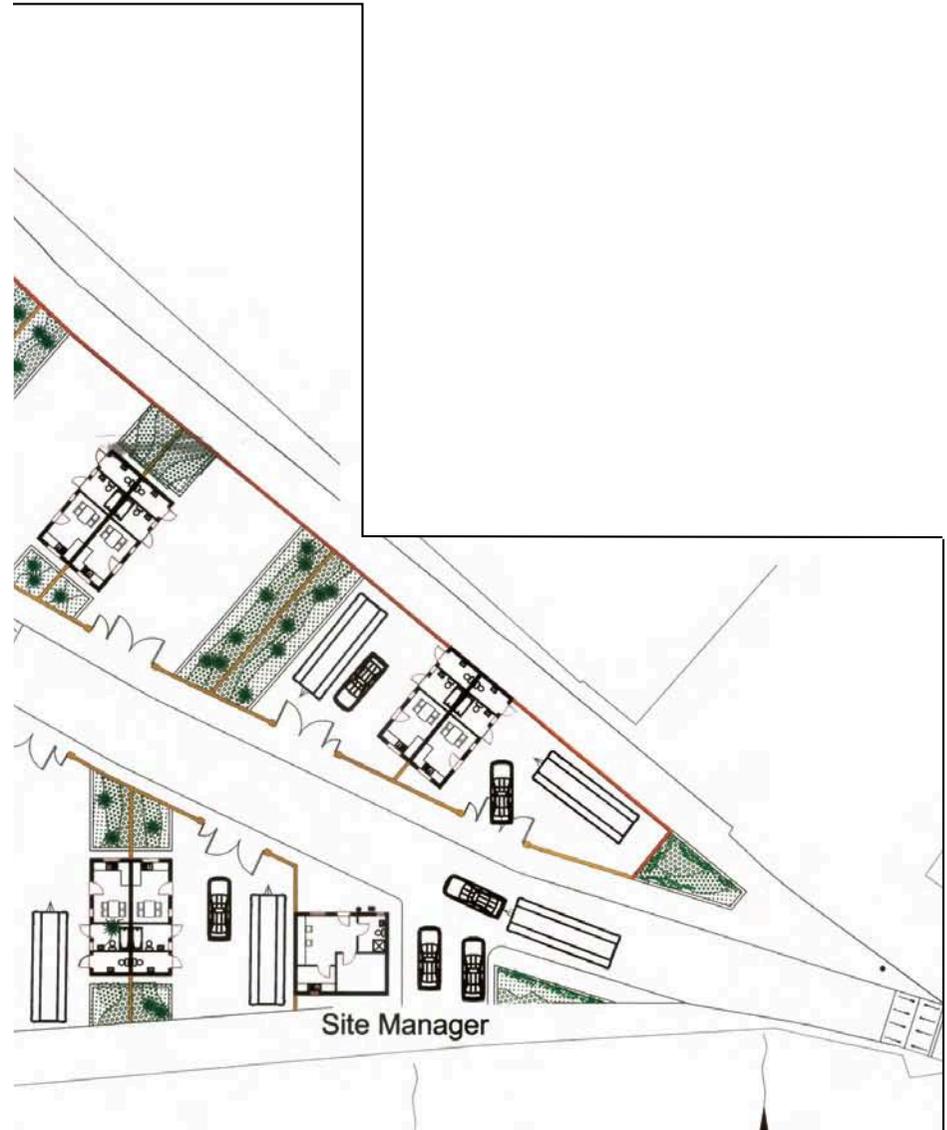
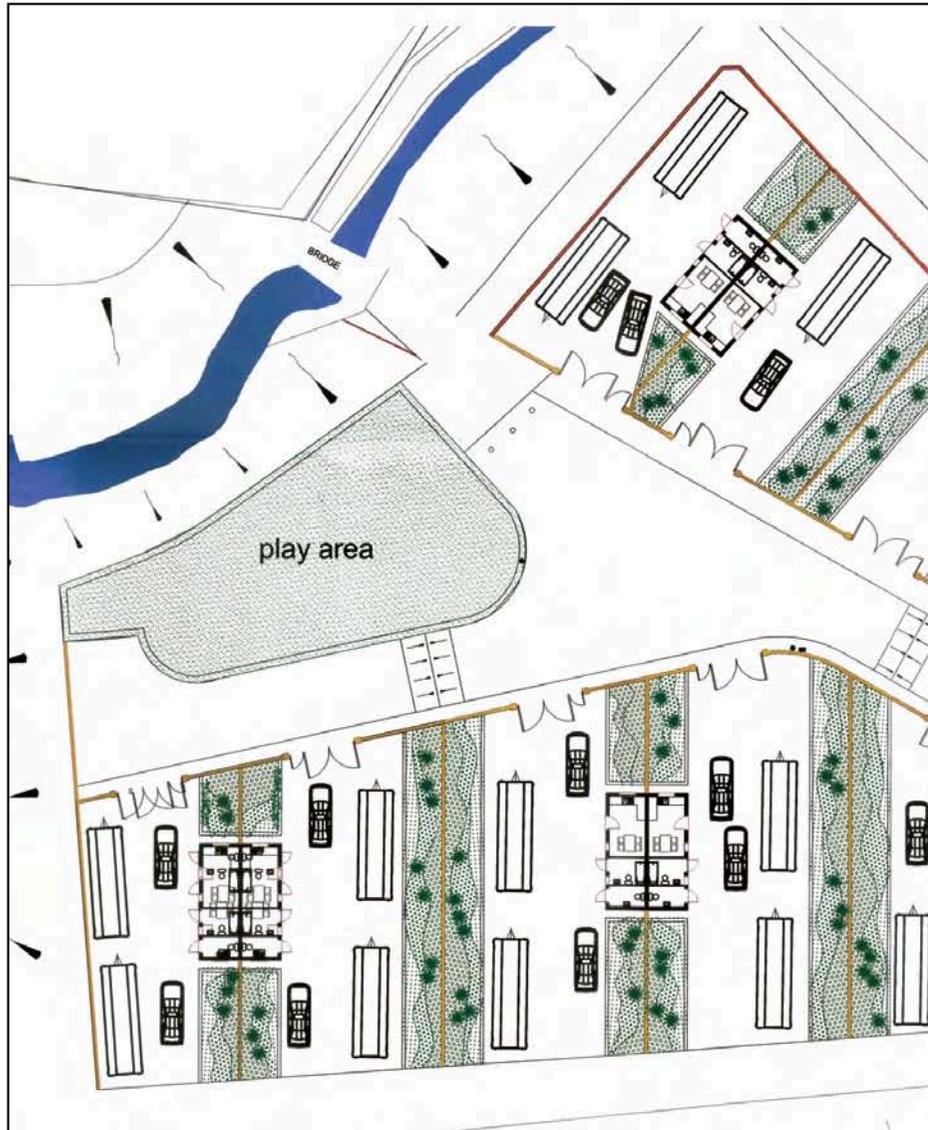
Travelling Showpeople's Sites – A planning focus. Model Standard Package'. Available from the Showmen's Guild of Great Britain, Guild House, 41 Clarence Street, Staines, Middlesex TW18 4SPY. Tel: 0784 461805

Annex B.1 Circular site design (see para 4.5)

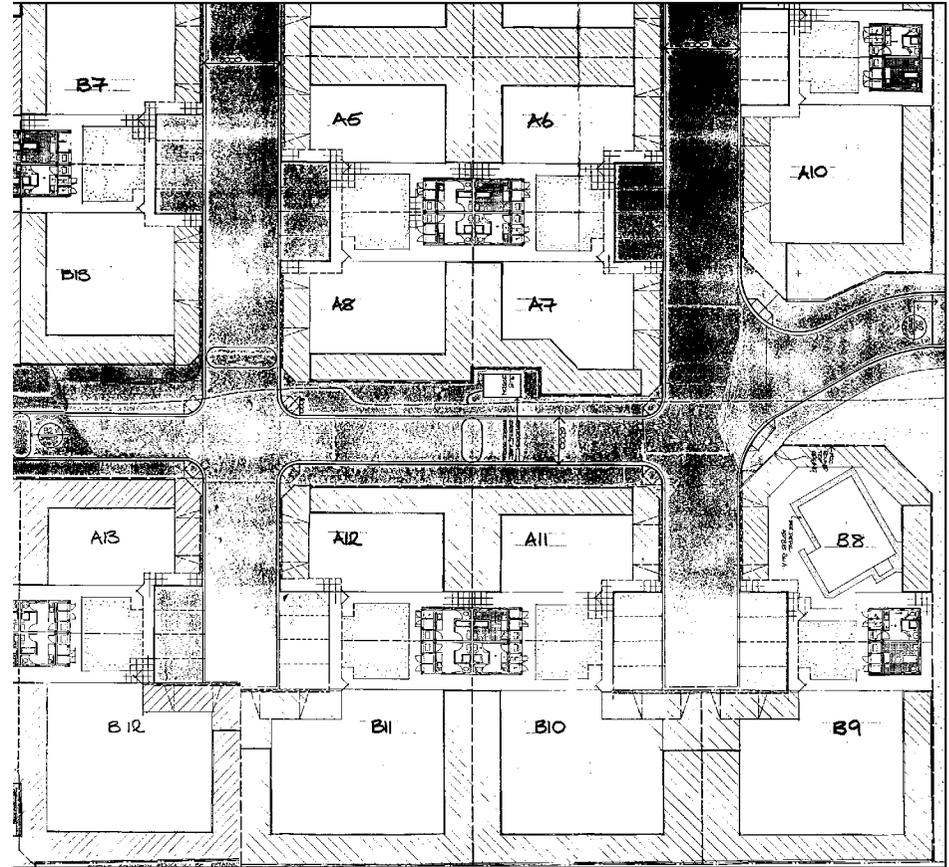
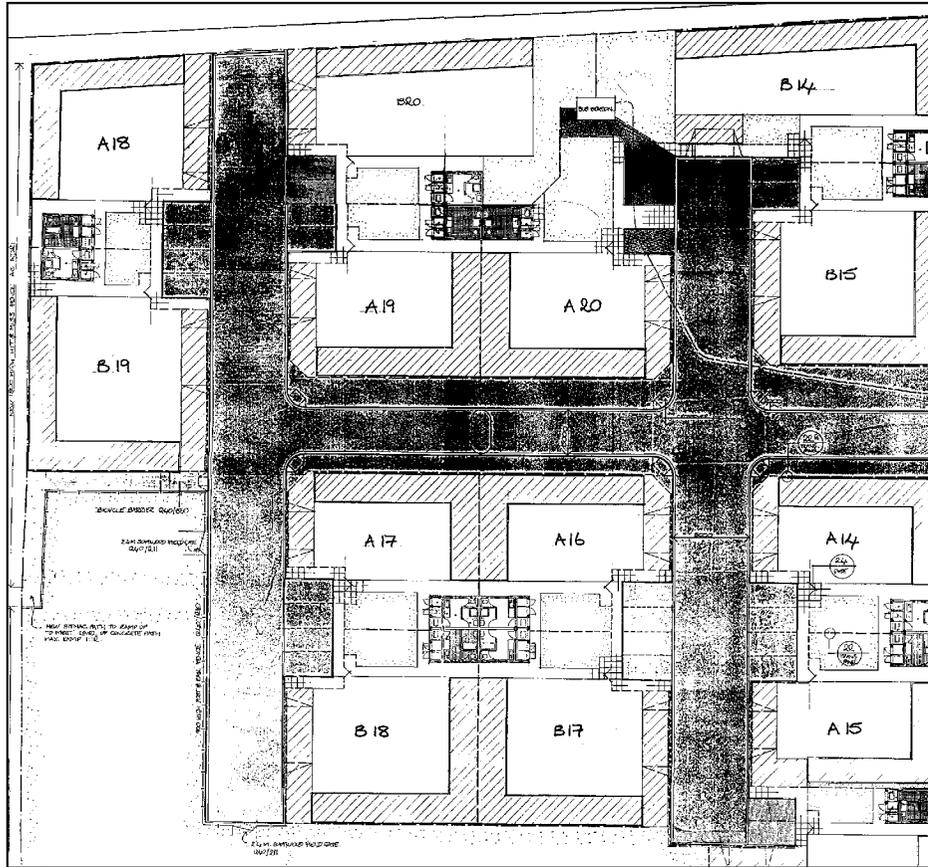


Notes
 1. Drawing not to be scaled
 2. Dimensions of approximate and the dimensions on site prior to submitting quo

Annex B.2 Traditional site design (see para 4.5)



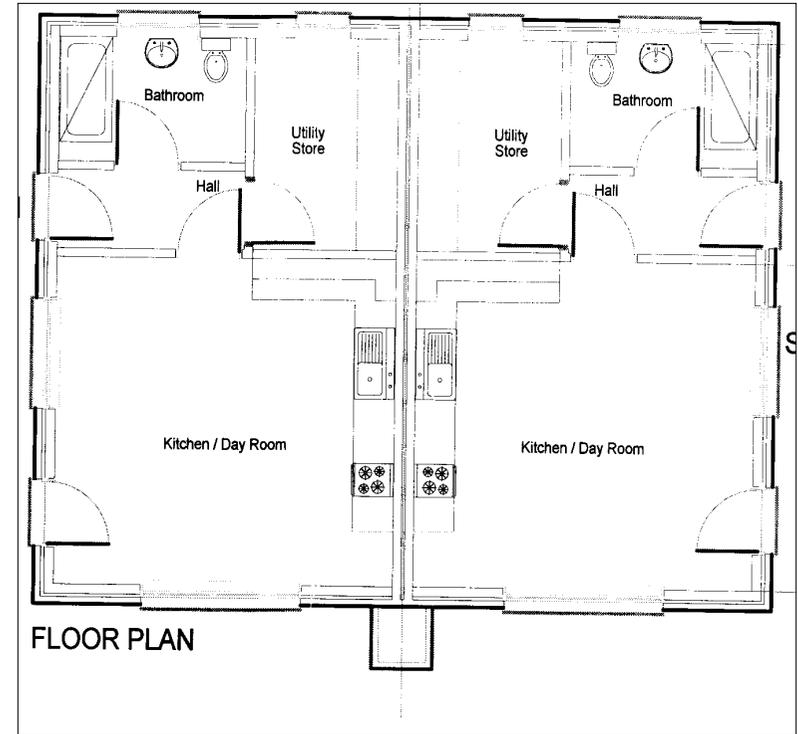
Annex B.4 Large site with small individual "closes" (see para 4.9)



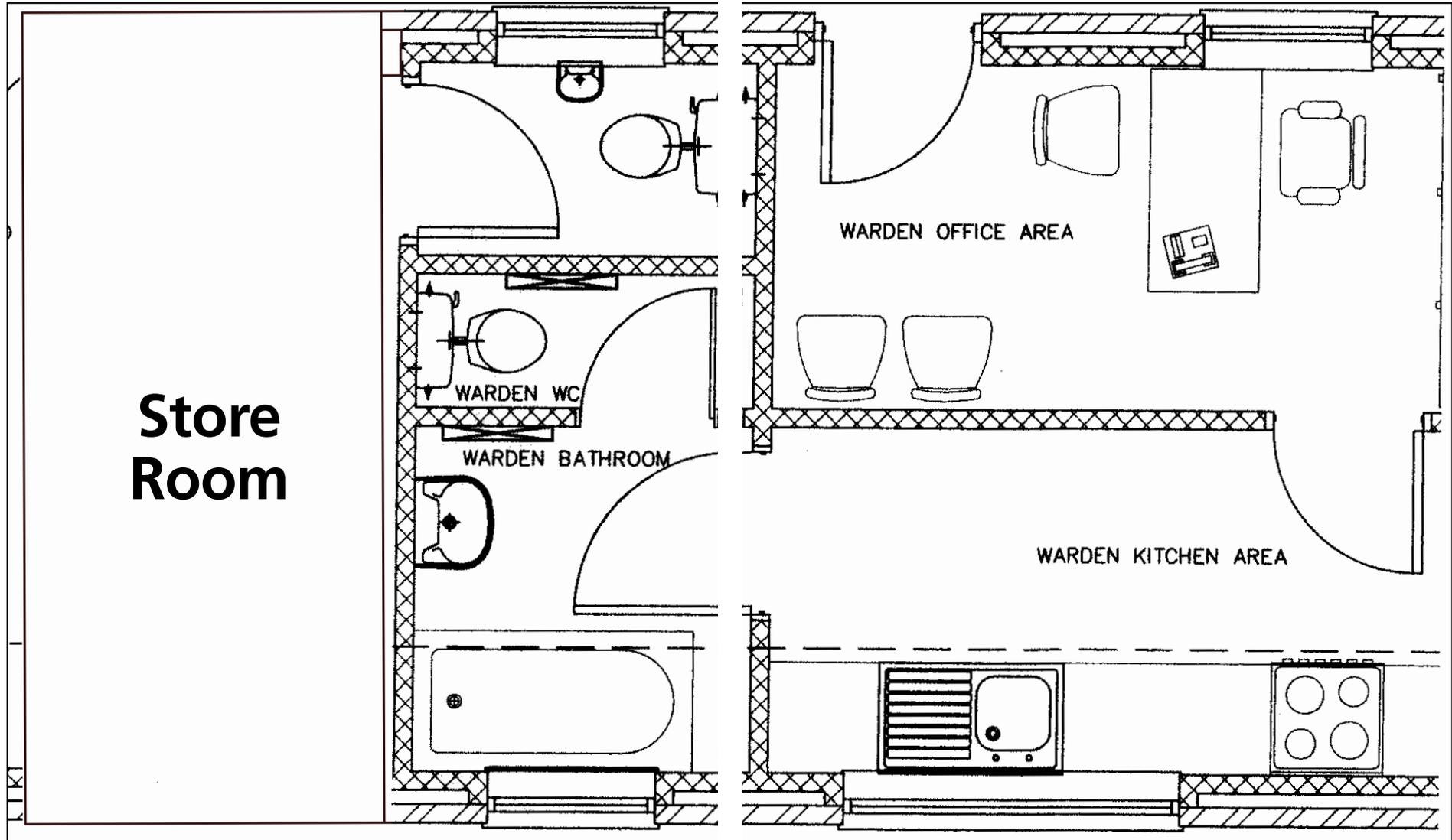
Annex B.5 Site manager's office – permanent site (see para 4.35)



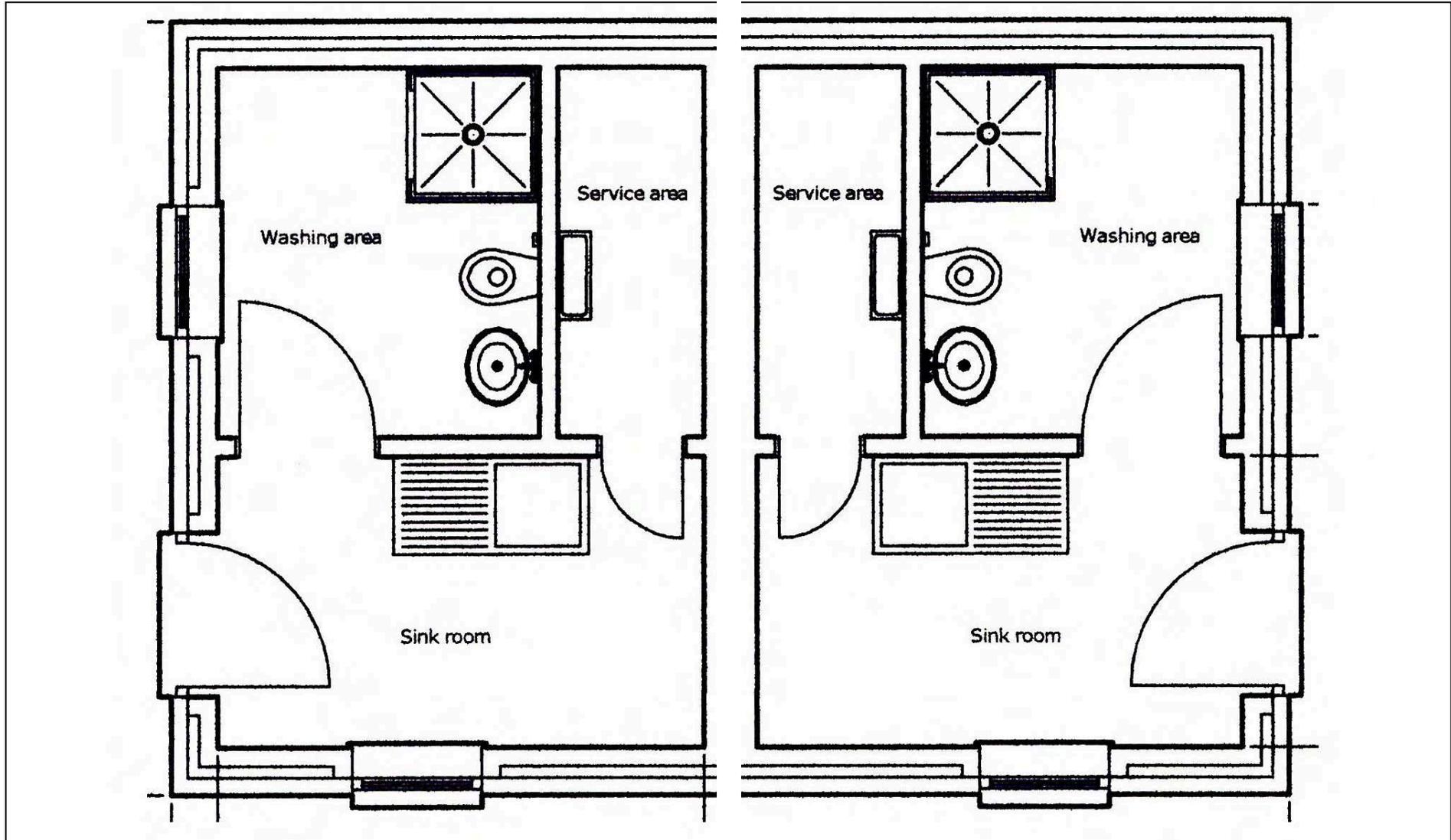
Annex B.6 Pair of amenity buildings – permanent site (see para 7.19)



Annex B.7 Resident warden's office and accommodation – transit site (see para 8.15)



Annex B.8 Pair of amenity buildings – transit site (see para 8.29)



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APPENDIX F – ‘ECE REGULATION 46’

15.2.4.3. Main exterior rear-view mirrors Class III

15.2.4.3.1. Exterior rear-view mirror on the driver's side

The field of vision must be such that the driver can see at least a 4 m wide, flat, horizontal portion of the road, which is bounded by a plane parallel to the median longitudinal vertical plane and passing through the outermost point of the vehicle on the driver's side of the vehicle and extends from 20 m behind the driver's ocular points to the horizon (see Figure 6).

In addition, the road must be visible to the driver over a width of 1 m, which is bounded by a plane parallel to the median longitudinal vertical plane and passing through the outermost point of the vehicle starting from a point 4 m behind the vertical plane passing through the driver's ocular points.

15.2.4.3.2. Exterior rear-view mirror on the passenger's side

The field of vision must be such that the driver can see at least a 4 m wide flat, horizontal portion of the road which is bounded by a plane parallel to the median longitudinal vertical plane passing through the outermost point of the vehicle on the passenger's side and which extends from 20 m behind the driver's ocular points to the horizon (see Figure 6).

In addition, the road must be visible to the driver over a width of 1 m, which is bounded by a plane parallel to the median longitudinal vertical plane and passing through the outermost point of the vehicle starting from a point 4 m behind the vertical plane passing through the driver's ocular points.

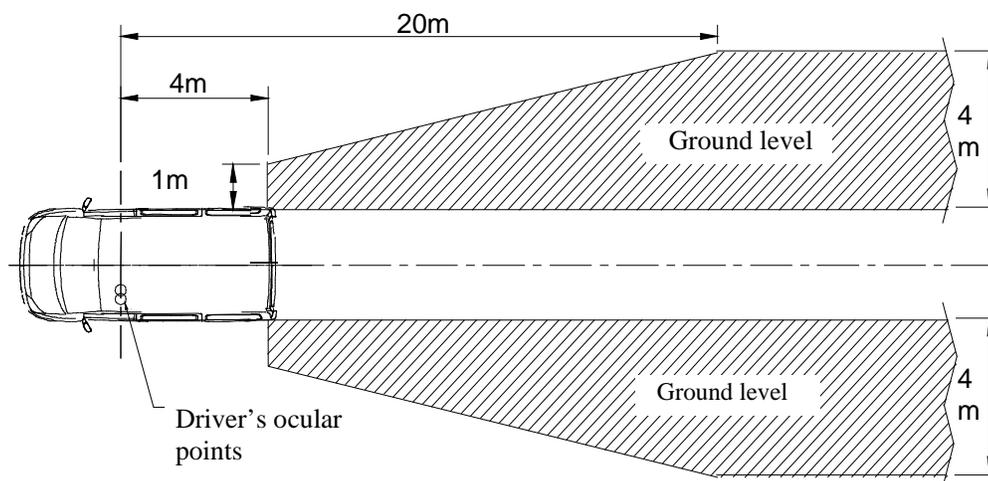
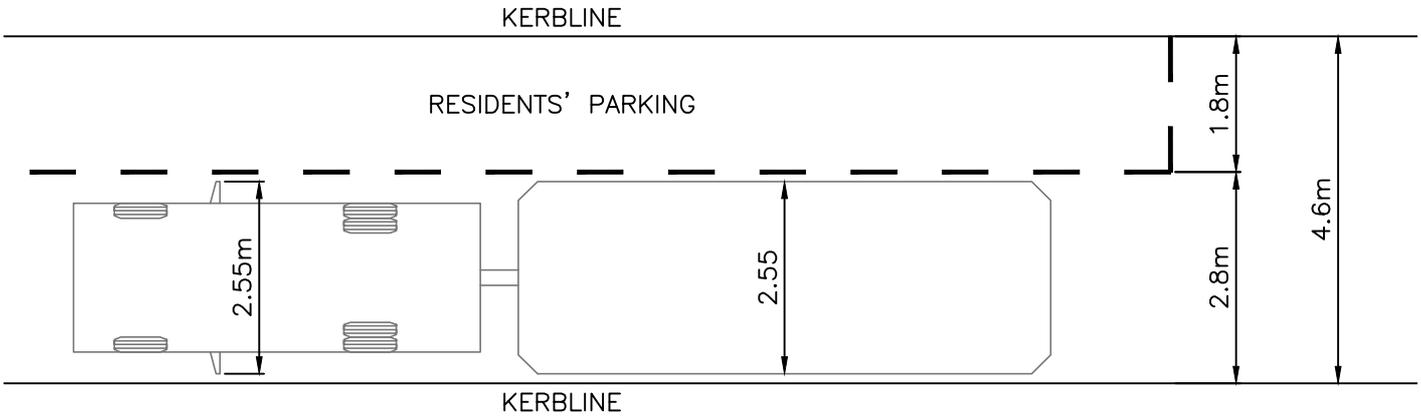
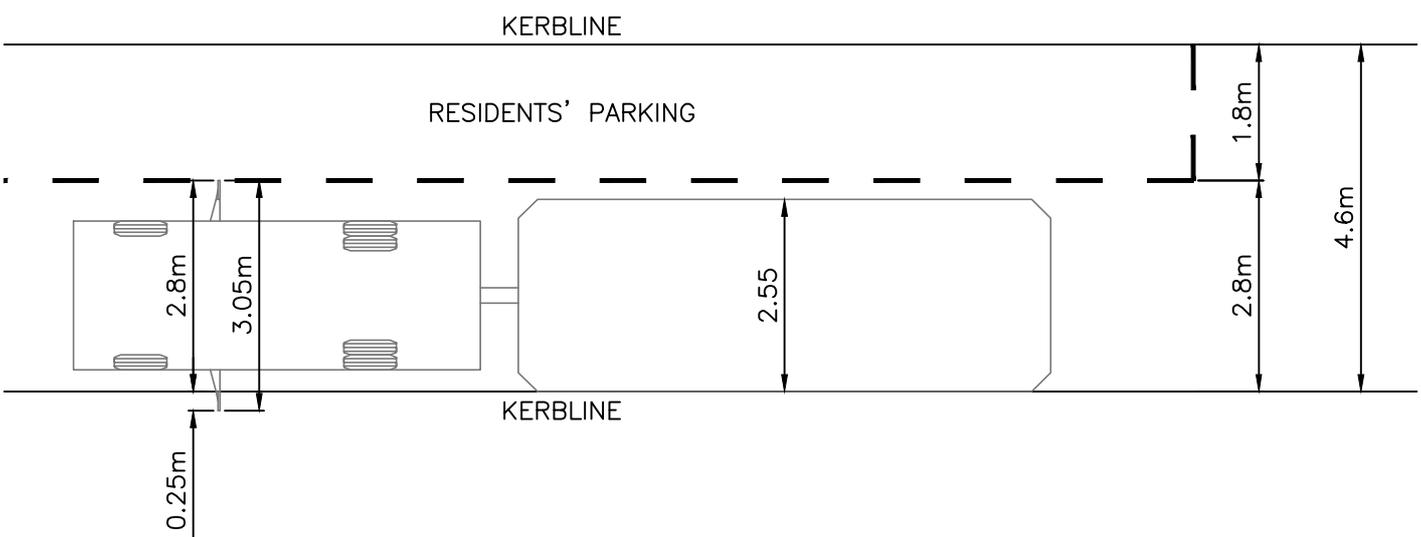


Figure 6: Field of vision of Class III mirrors

APPENDIX G – VEHICLE SIZE DIAGRAM



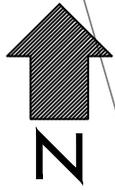
MINIMUM WIDTH (INCL. MIRRORS) TO ACHIEVE FIELD OF VISION



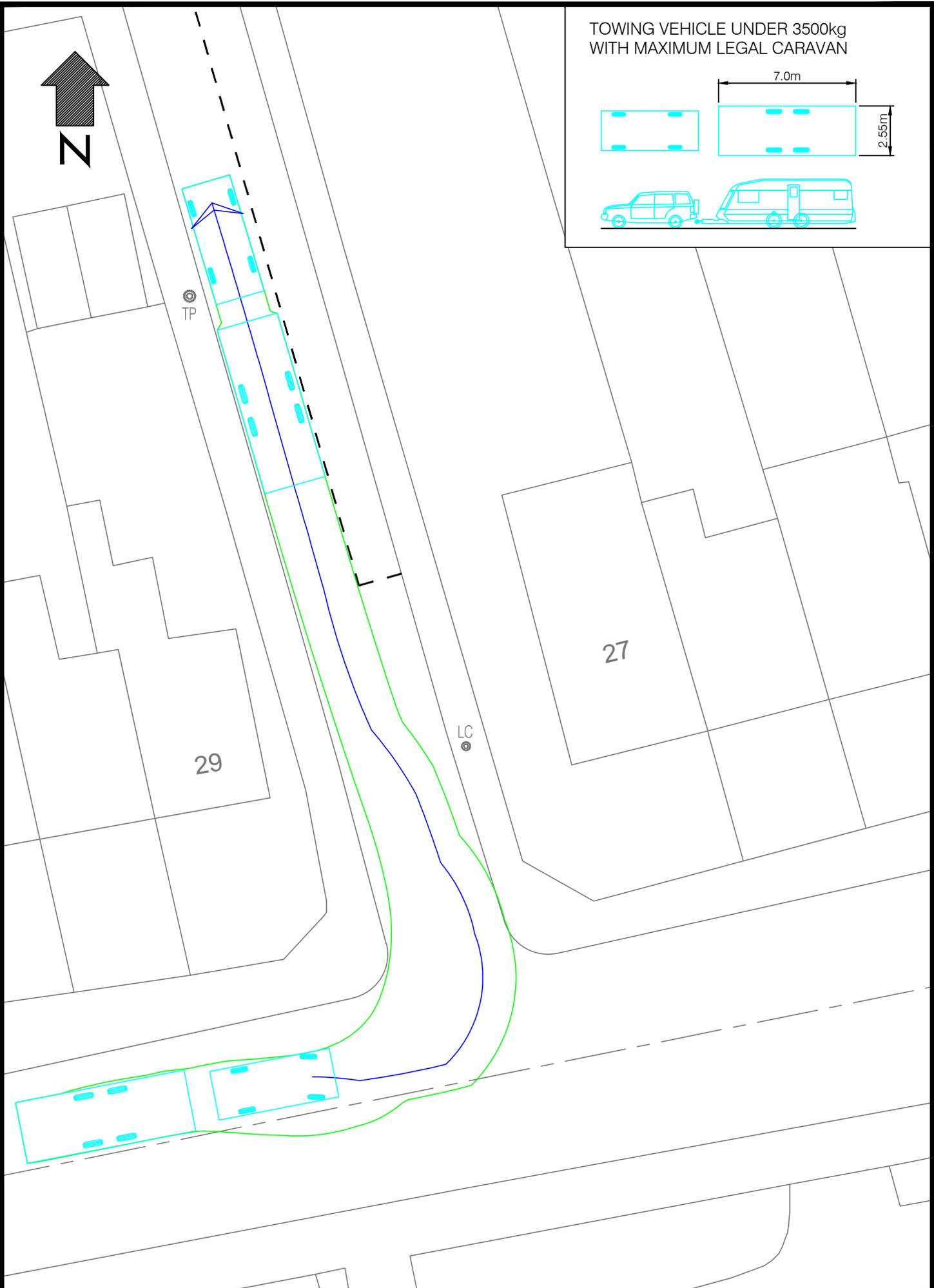
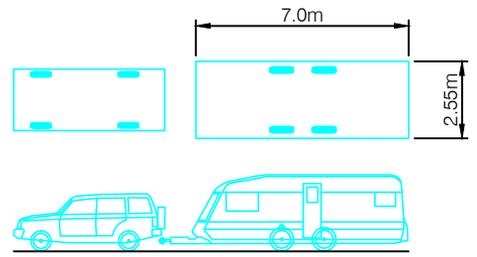
MAXIMUM LEGAL WIDTH (INCL. MIRRORS)



APPENDIX H – SWEPT PATH ANALYSIS FOR TOURING CARAVANS



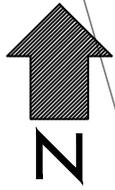
TOWING VEHICLE UNDER 3500kg
WITH MAXIMUM LEGAL CARAVAN



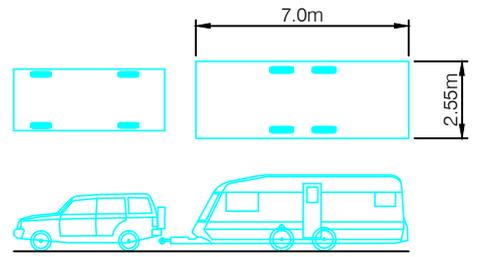
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CHURCH GROVE

APPENDIX H
SHEET 1 OF 10



TOWING VEHICLE UNDER 3500kg
WITH MAXIMUM LEGAL CARAVAN



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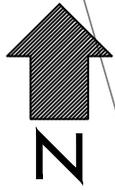
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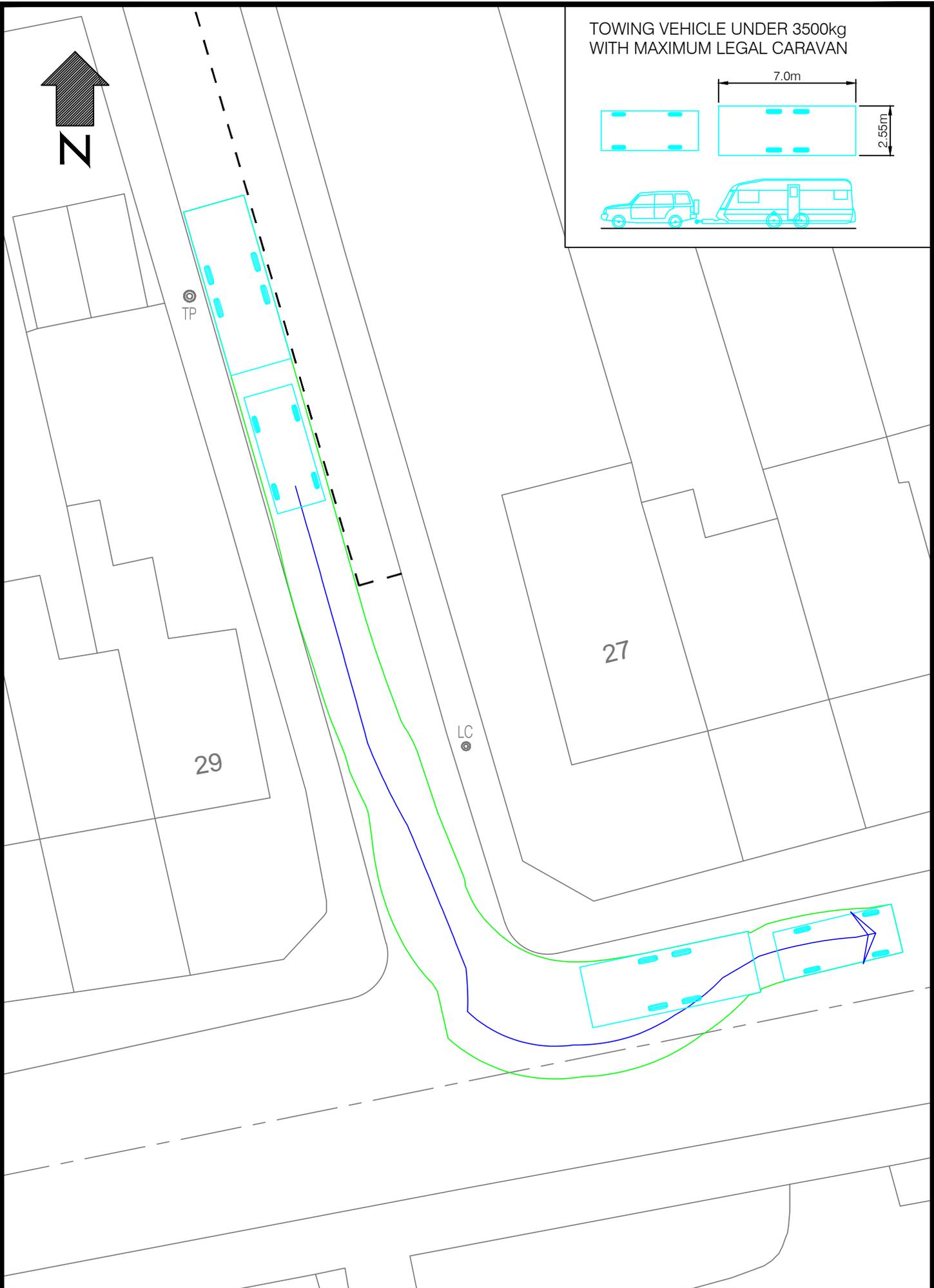
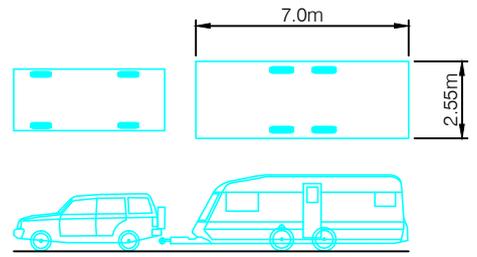
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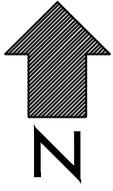
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APPENDIX H
SHEET 2 OF 10

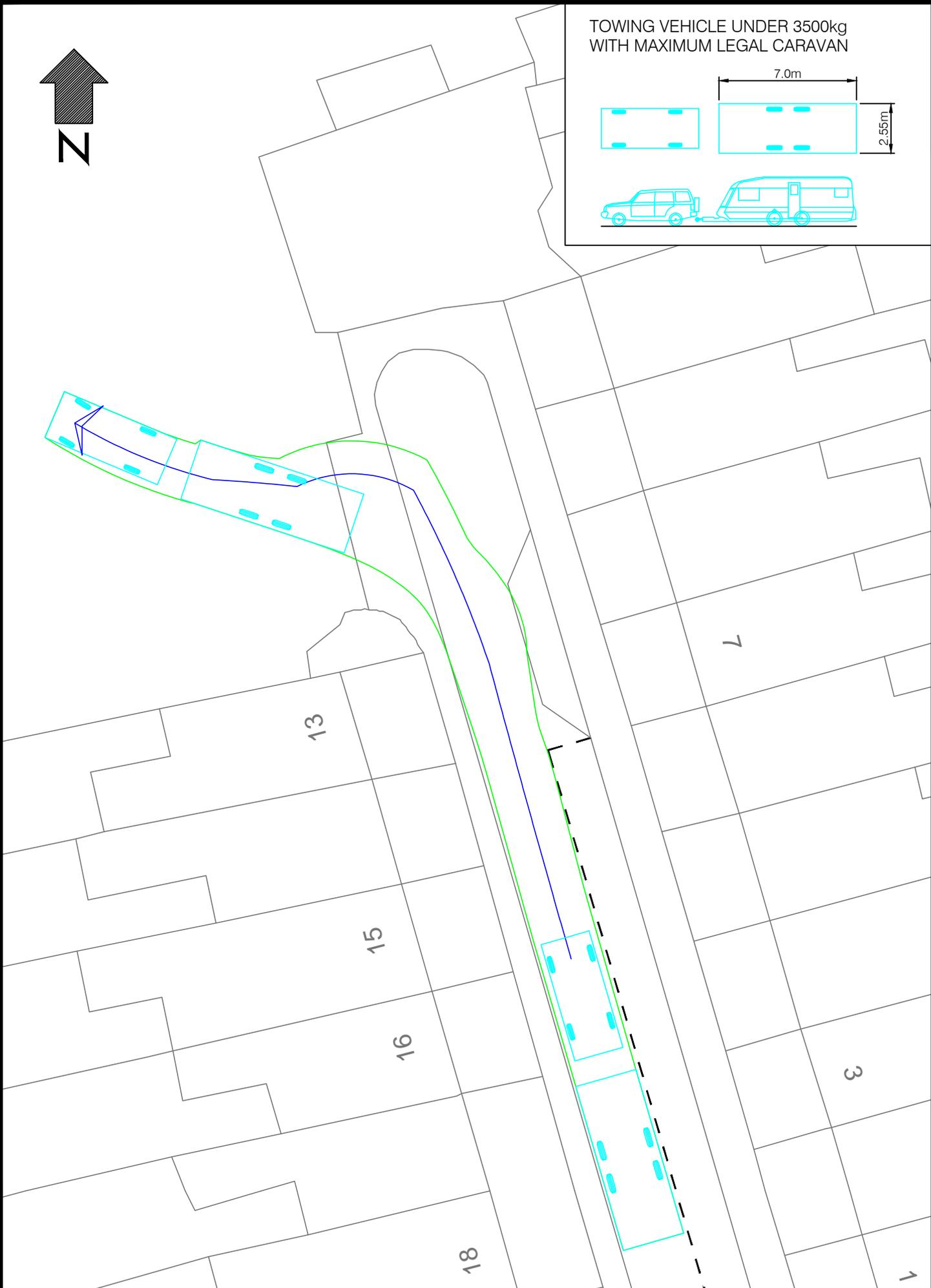
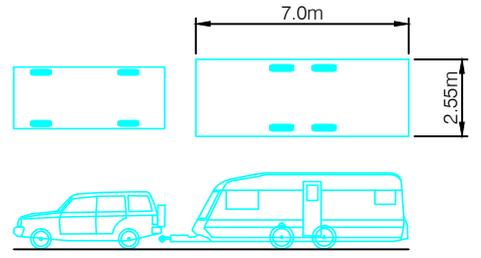


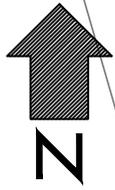
TOWING VEHICLE UNDER 3500kg
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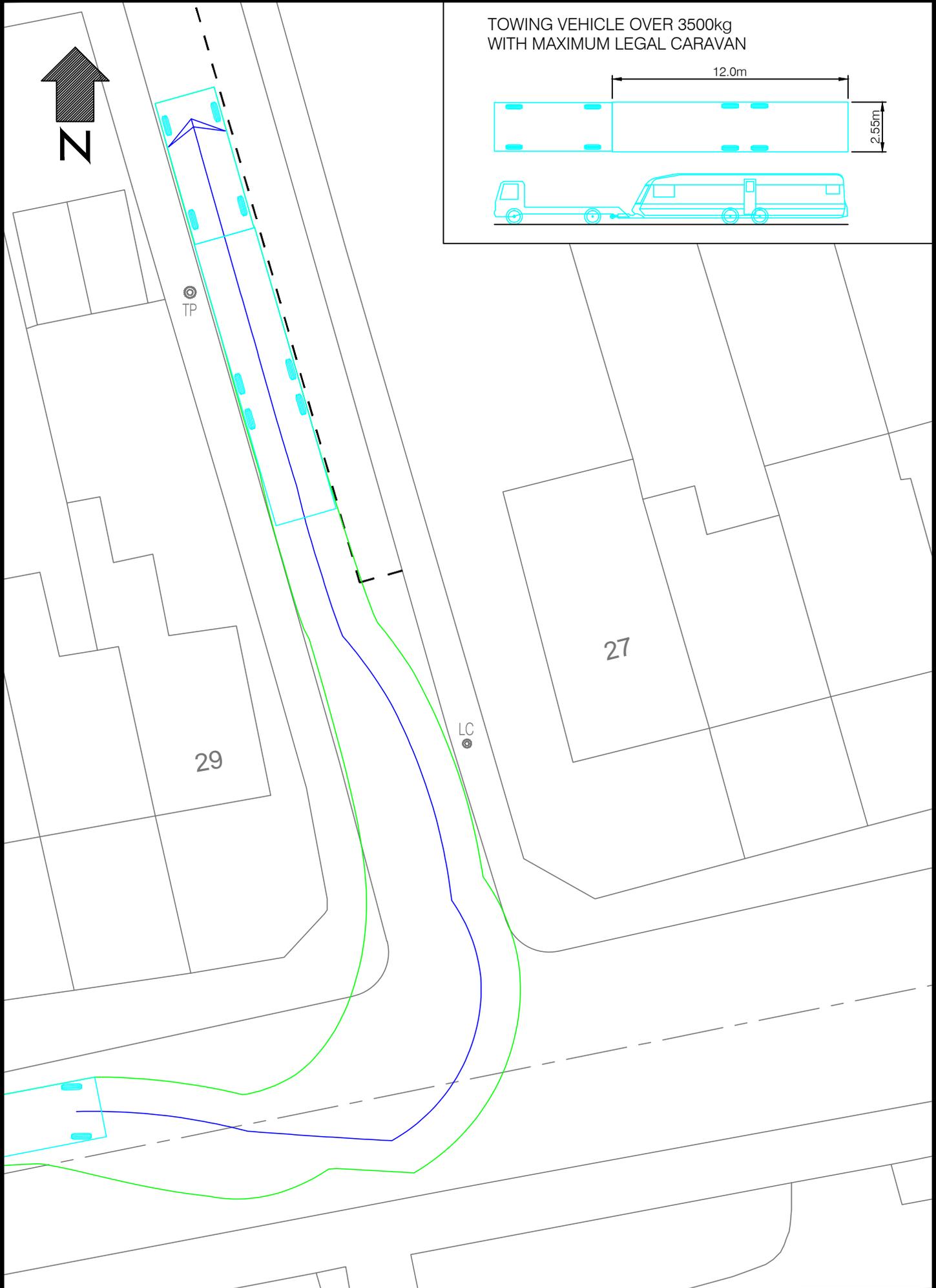
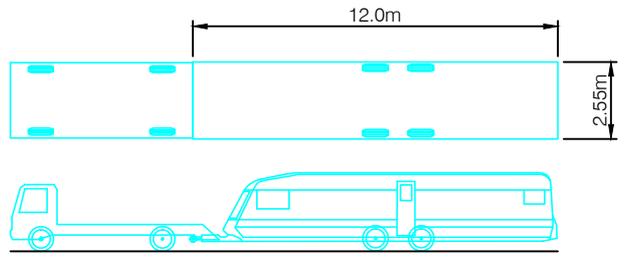


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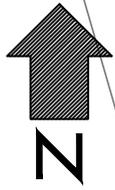
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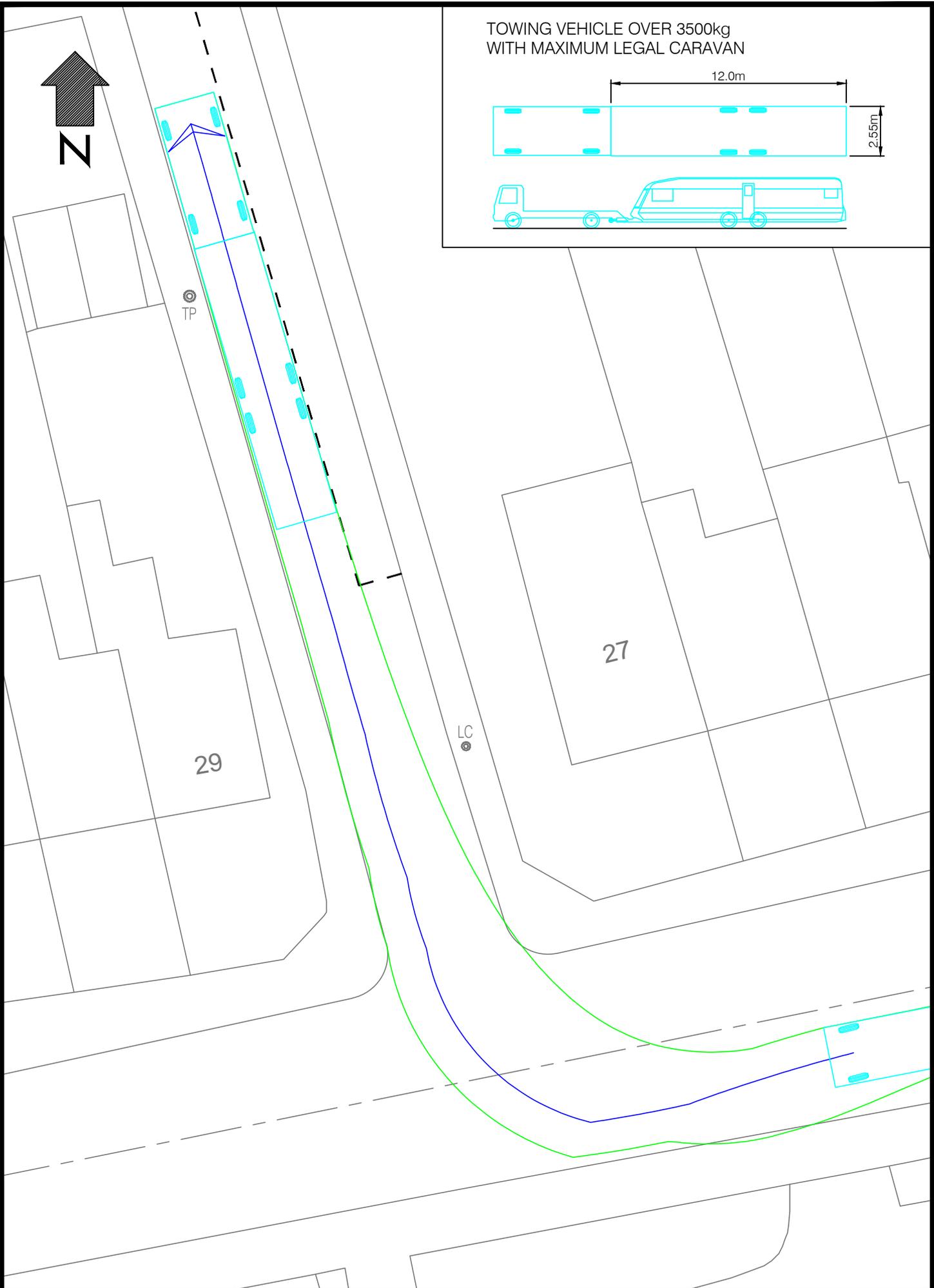
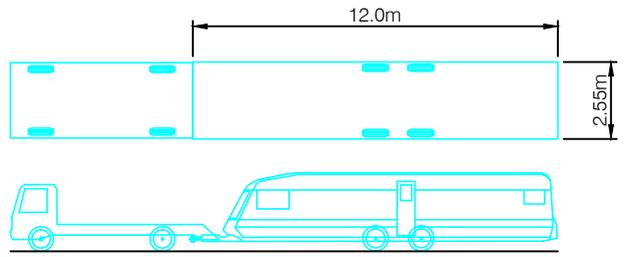
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APPENDIX H
SHEET 6 OF 10



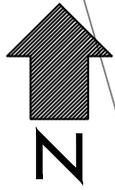
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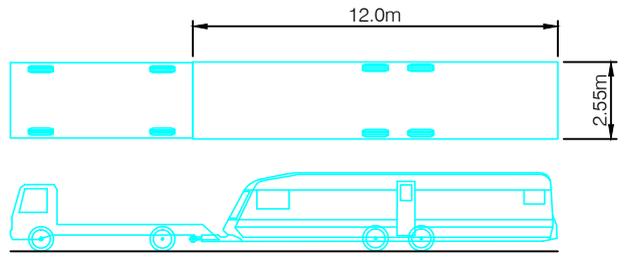
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CHURCH GROVE

APPENDIX H
SHEET 7 OF 10



TOWING VEHICLE OVER 3500kg
WITH MAXIMUM LEGAL CARAVAN



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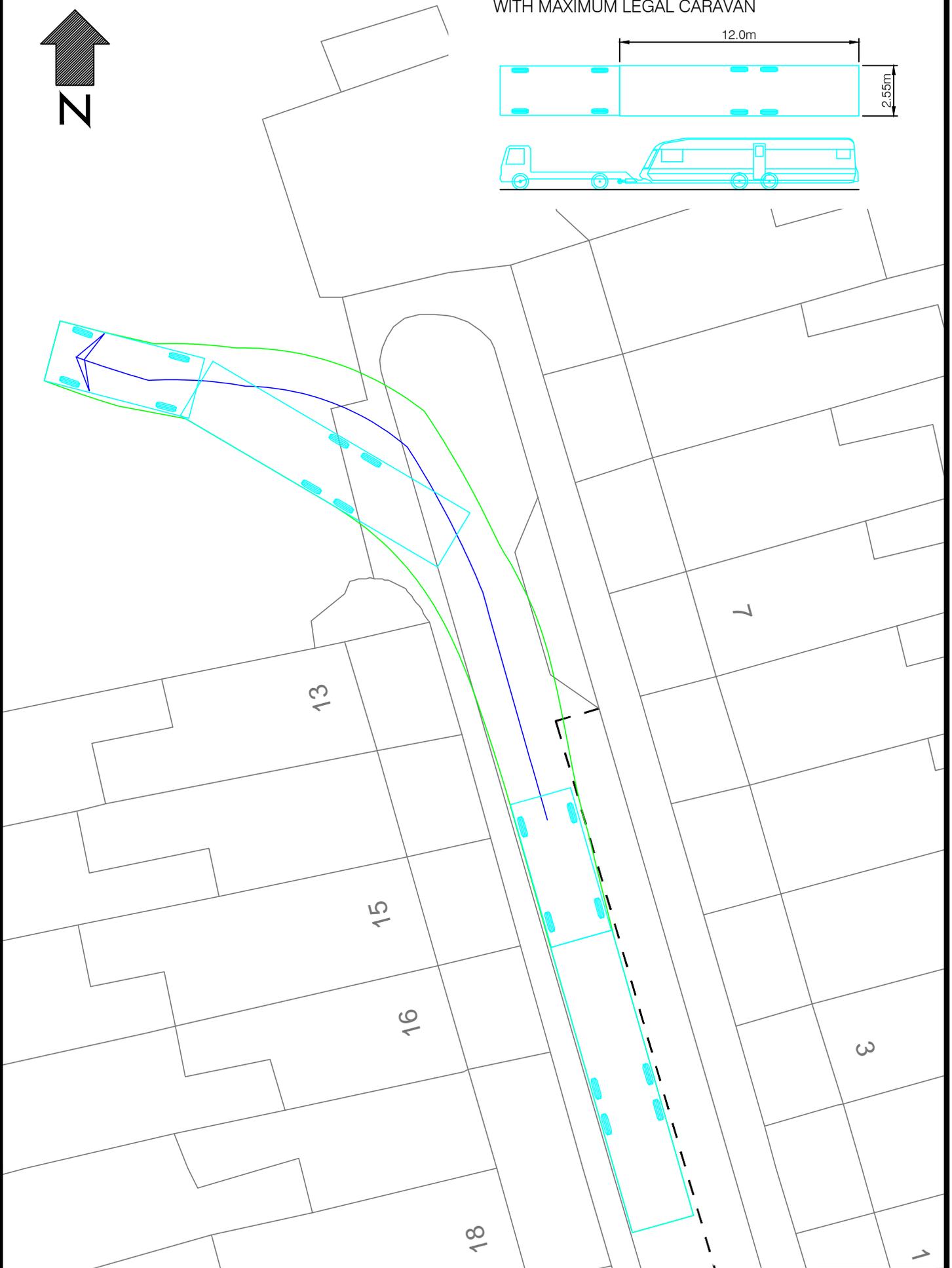
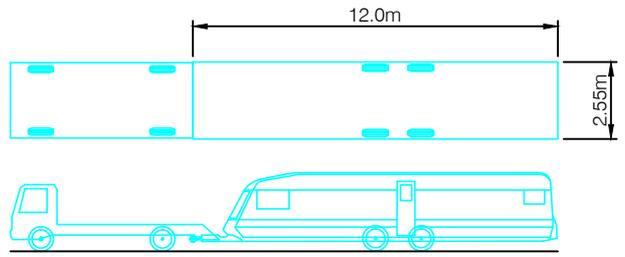
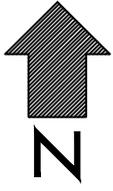


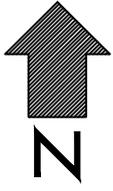
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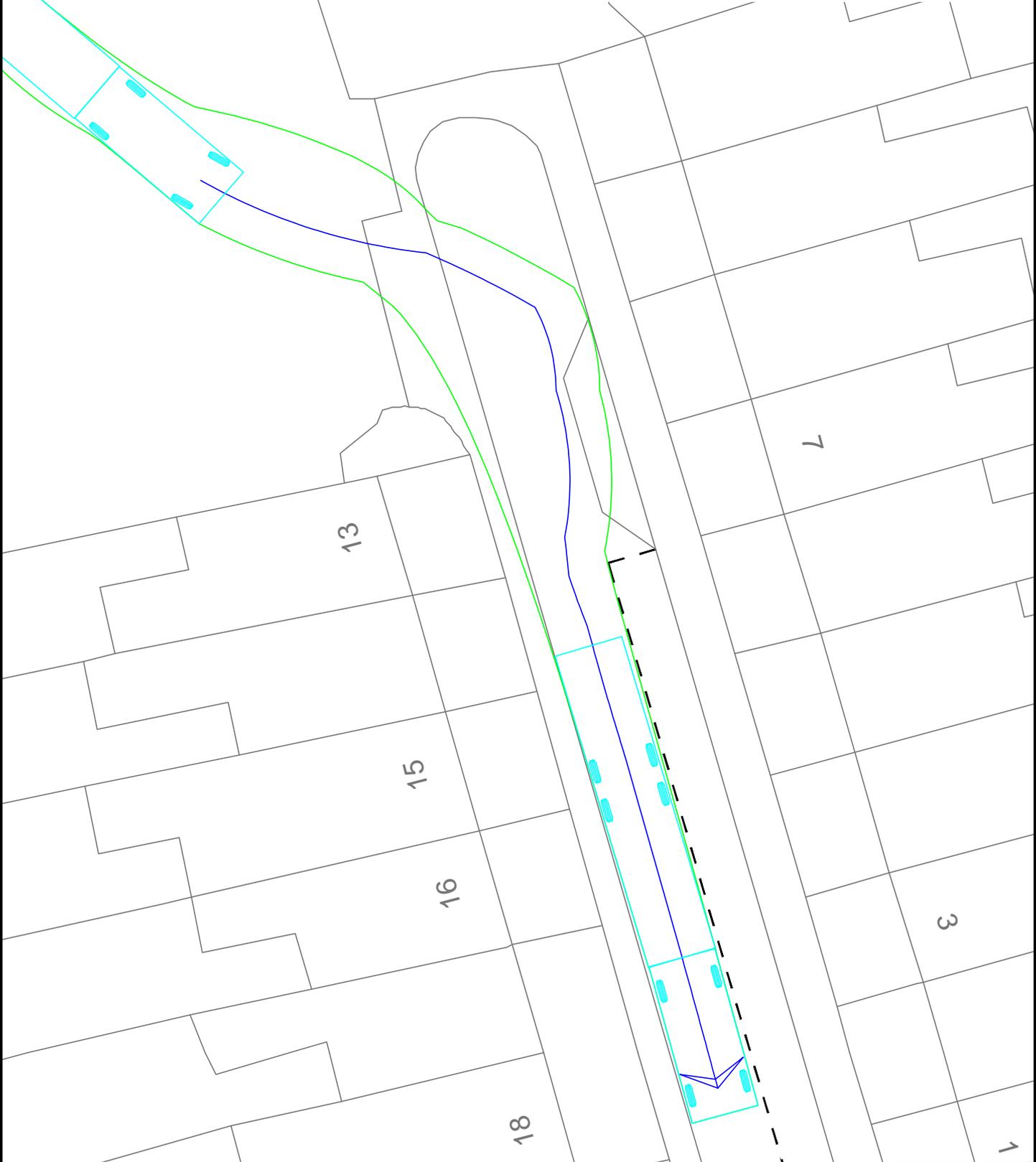
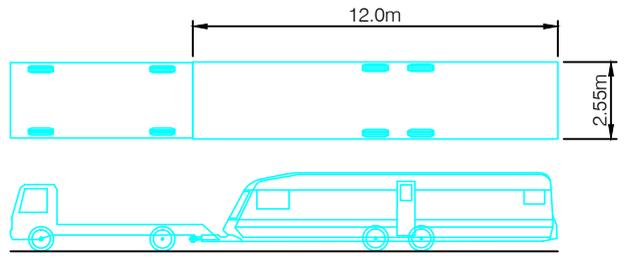
APPENDIX H
SHEET 8 OF 10

TOWING VEHICLE OVER 3500kg
WITH MAXIMUM LEGAL CARAVAN





TOWING VEHICLE OVER 3500kg
WITH MAXIMUM LEGAL CARAVAN



APPENDIX I – 'BUILDING REGULATIONS 2000 B5' EXCERPT

Table 20 Typical fire and rescue service vehicle access route specification

Appliance type	Minimum width of road between kerbs (m)	Minimum width of gateways (m)	Minimum turning circle between kerbs (m)	Minimum turning circle between walls (m)	Minimum clearance height (m)	Minimum carrying capacity (tonnes)
Pump	3.7	3.1	16.8	19.2	3.7	12.5
High reach	3.7	3.1	26.0	29.0	4.0	17.0

Notes:

1. Fire appliances are not standardised. Some fire services have appliances of greater weight or different size. In consultation with the Fire and Rescue Service, the Building Control Body may adopt other dimensions in such circumstances.
2. Because the weight of high reach appliances is distributed over a number of axles, it is considered that their infrequent use of a carriageway or route designed to 12.5 tonnes should not cause damage. It would therefore be reasonable to design the roadbase to 12.5 tonnes, although structures such as bridges should have the full 17 tonnes capacity.

Buildings fitted with fire mains

16.6 In the case of a building fitted with dry fire mains there should be access for a pumping appliance to within 18m of each fire main inlet connection point, typically on the face of the building. The inlet should be visible from the appliance.

16.7 In the case of a building fitted with wet mains the pumping appliance access should be to within 18m and within sight of, a suitable entrance giving access to the main and in sight of the inlet for the emergency replenishment of the suction tank for the main.

Note: Where fire mains are provided in buildings for which Sections 15 and 17 make no provision, vehicle access may be to paragraph 16.6 or 16.7 rather than Table 19.

Design of access routes and hard-standings

16.8 A vehicle access route may be a road or other route which, including any inspection covers and the like, meets the standards in Table 20 and the following paragraphs.

16.9 Where access is provided to an elevation in accordance with Table 19 for:

- a. buildings up to 11m in height (excluding buildings covered by paragraph 16.2(b)), there should be access for a pump appliance adjacent to the building for the percentage of the total perimeter specified;
- b. buildings over 11m in height, the access routes should meet the guidance in Diagram 49.

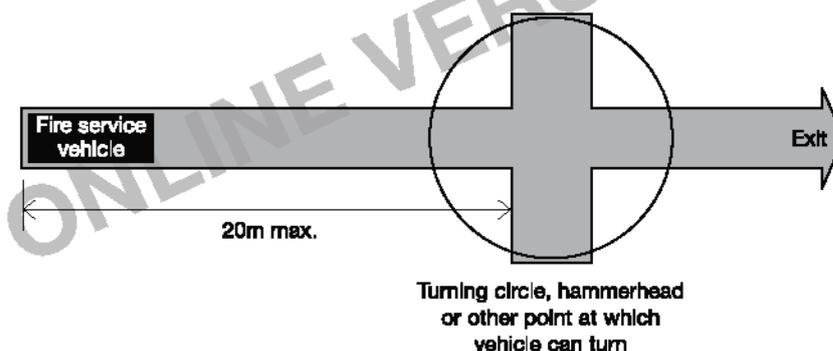
16.10 Where access is provided to an elevation for high reach appliances in accordance with Table 19, overhead obstructions such as cables and branches that would interfere with the setting of ladders etc, should be avoided in the zone shown in Diagram 49.

16.11 Turning facilities should be provided in any dead-end access route that is more than 20m long (see Diagram 50). This can be by a hammerhead or turning circle, designed on the basis of Table 20.

Diagram 50 Turning facilities

See para 16.11

Fire and rescue service vehicles should not have to reverse more than 20m from the end of an access road



APPENDIX J – ‘MANUAL FOR STREETS’ EXCERPT

6.7 Emergency vehicles

6.7.1 The requirements for emergency vehicles are generally dictated by the fire service requirements. Providing access for large fire appliances (including the need to be able to work around them where appropriate) will cater for police vehicles and ambulances.

6.7.2 The Building Regulation requirement B5 (2000)¹⁰ concerns 'Access and Facilities for the Fire Service'. Section 17, 'Vehicle Access', includes the following advice on access from the highway:

- there should be a minimum carriageway width of 3.7 m between kerbs;
- there should be vehicle access for a pump appliance within 45 m of single family houses;
- there should be vehicle access for a pump appliance within 45 m of every dwelling entrance for flats/maisonettes;
- a vehicle access route may be a road or other route; and
- fire service vehicles should not have to reverse more than 20 m.

6.7.3 The Association of Chief Fire Officers has expanded upon and clarified these requirements as follows:

- a 3.7 m carriageway (kerb to kerb) is required for *operating space at the scene of a fire*. Simply to reach a fire, the access route could be reduced to 2.75 m over short distances, provided the pump appliance can get to within 45 m of dwelling entrances;
- if an authority or developer wishes to reduce the running carriageway width to below 3.7 m, they should consult the local Fire Safety Officer;
- the length of cul-de-sacs or the number of dwellings have been used by local authorities as criteria for limiting the size of a development served by a single access route. Authorities have often argued that the larger the site, the more likely it is that a single access could be blocked for whatever reason. The fire services adopt a less numbers-driven approach and consider each application based on a risk assessment for the site, and response time requirements. Since the introduction of the Fire and Rescue Services Act 2004,¹¹ all regions have had to produce an Integrated Management Plan

setting out response time targets (*Wales: Risk Reduction Plans*¹²). These targets depend on the time required to get fire appliances to a particular area, together with the ease of movement within it. It is therefore possible that a layout acceptable to the Fire and Rescue Service (FRS) in one area, might be objected to in a more remote location;

- parked cars can have a significant influence on response times. Developments should have adequate provision for parking to reduce its impact on response times; and
- residential sprinkler systems are highly regarded by the FRS and their presence allows a longer response time to be used. A site layout which has been rejected on the grounds of accessibility for fire appliances may become acceptable if its buildings are equipped with these systems.

6.8 Service vehicles

6.8.1 The design of local roads should accommodate service vehicles without allowing their requirements to dominate the layout. On streets with low traffic flows and speeds, it may be assumed that they will be able to use the full width of the carriageway to manoeuvre. Larger vehicles which are only expected to use a street infrequently, such as pantechinons, need not be fully accommodated – designers could assume that they will have to reverse or undertake multi-point turns to turn around for the relatively small number of times they will require access.

6.8.2 Well-connected street networks have significant advantages for service vehicles. A shorter route can be used to cover a given area, and reversing may be avoided altogether. They also minimise land-take by avoiding the need for wasteful turning areas at the ends of cul-de-sacs.

6.8.3 However, some sites cannot facilitate such ease of movement (e.g. linear sites and those with difficult topography), and use cul-de-sacs to make the best use of the land available. For cul-de-sacs longer than 20 m, a turning area should be provided to cater for vehicles that will regularly need to enter the street. Advice on the design of turning areas is given in Chapter 7.

¹⁰ Statutory Instrument 2000 No. 2531, The Building Regulations 2000. London: TSO. Part II, paragraph B5: Access and facilities for the fire service.

¹¹ Fire and Rescue Services Act 2004. London: TSO.

¹² Risk Reduction Plans required by the Welsh Assembly. See Welsh Assembly Government (2005) *Fire and Rescue National Framework for Wales*. Cardiff: NARW.

Accreditations



Memberships

