

Supporting Statement by GT Planning - Land adjoining 12 Newquay Close, Hinckley LE10 1XN

The application is submitted for the change of use of the land for the siting of four residential Gypsy and Traveller pitches with associated infrastructure.

Included within the application is substantial planting which seeks to provide a buffer zone between the site and the existing residential housing and open space together with timber close boarded fencing between the pitches and to the boundaries, yet affording protection of the existing plating. In further support of the location, the site is within close proximity to existing residential housing, and within a relatively short distance of the town centre and schools making it a suitable and sustainable location. The pitches have been positioned to the rear of the site, avoiding any noise impact associated with the highway. All of the pitches are of sufficient size to be able to accommodate a mobile home, day room and touring caravan with parking for two vehicles and are therefore compliant with site licensing requirements. The site also incorporates a communal bin storage area towards the front of the site for ease of access for waste collection services. Sewage will be via either a connection to mains drainage or by a Klargestor Bio Disc filtration system with surface water to soakaway.

All of the potential occupants of the site identify as Gypsy and Travellers for the purpose of The Equality Act 2010.

At present Hinckley and Bosworth District Council does not have an up to date Local Plan nor does it have an up to date Gypsy and Traveller Accommodation Assessment (GTAA).

The Planning Policy for Traveller Sites (PPTS) dated 2015 advises that all GTAA are re-assessed every five years, therefore the existing GTAA 2016 is well out of date. Given the current situation regarding the Local Plan, existing and emerging policies this means that reliance is largely on the National Planning Policy Framework (NPPF) 2021 which advises under Section 4 that "...applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise." The situation regarding the Local Plan and the GTAA are material considerations which in this case must be taken into account alongside "the presumption in favour of sustainable development."

Whilst the existing GTAA may specify numbers of pitches required, this assessment will have been based on the current 2015 planning definition which has since been found in parts to be discriminatory by the Court of Appeal's judgement in the Smith v SSLUHC and others (CA-2021-001741 dated 31 October 2022). It is accepted that this definition does still stand and has not been quashed or declared unlawful to date. However, this case puts significant weight on local authorities to review their GTAA's in a new light and to include figures for the number of pitches based on a mix of those that may meet the planning definition and those that did not meet the planning definition which is likely to increase existing pitch requirements.

I would urge the Local Planning Authority to consider the application in light of the above and provide this much needed site for Gypsy and Traveller families.

June, 2023