

## APPLICATION WEB COMMENTS FORM

***Information available for public inspection and available on our website***

**Location :** Emmanuel Ranch Windmill Road Towersey OX9 3QQ

**Proposal :** Change of use of land to use as a residential caravan site for 3 gypsy families, including the stationing of 6 caravans of which no more than 3 are to be static caravans/mobile homes, together with the laying of hardstanding.

**Application Reference :** P24/S0941/FUL - 1

Please complete

<b>Your name :</b>	Towersey Parish Council
<b>Your address :</b>	c/o Greg Lismore 17 Windmill Road Towersey Oxon OX9 3QQ
<b>Date :</b>	16 April 2024

Use the space below for your comments

The consultation response from the Toqwersey Parish Council is in the attached PDF file.

## **P24/S0941/FUL - Emmanuel Ranch, Towersey Parish Council - OBJECTION**

Towersey Parish Council objects to application with reference P24/S0941/FUL at Emmanuel Ranch, Windmill Road, Towersey, OX9 3QQ.

Emmanuel Ranch (previously known as Windmill Meadow) is situated in the open agricultural landscape next to the village of Towersey. It is approximately 200 meters outside the settlement boundary of the village as defined in the Towersey Neighbourhood plan.

Towersey Neighbourhood Plan Policy TOW1(c) states: *Proposals for development outside the Village Boundary will only be supported where they are considered appropriate rural development as defined by the NPPF, and are consistent with other policies in the development plan, including the other policies in this Plan.*

This policy requires that development proposals outside the defined settlement boundaries are in line with the relevant policies of the Local Plan (Policies H1 and Policy H8) and Towersey Neighbourhood Plan in respect of protecting local landscape and character of the natural environment.

This recognises the valued function of the countryside and working farmland in shaping rural character.

Without exceptional circumstances, proposal P24/S0941/FUL contravenes TOW1.

As a smaller village, Towersey has a housing allocation target of zero homes in the Local Plan 2011-2035, but the Neighbourhood Plan does support infill development within the parts of the defined village settlement boundary to meet housing need (TOW2).

Within the Local Plan period at least 12 dwellings have been added within the village settlement boundary.

Towersey Parish Council recognises that SODC does not currently have a 5 year building land supply, nor a 5 year supply of land for gypsy/traveller sites when measured against the adopted Local Plan 2011-2035.

However, this supply issue is not currently of relevance as Paragraph 14 of the NPPF sets out that “*where a neighbourhood plan is in place that is less than two years old and it contains policies and makes allocations to meet its housing*

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*needs, the policies within it will have full weight if the Council can demonstrate 3 years' worth of deliverable housing sites (rather than the usual 5)".*

Towersey Neighbourhood plan was 'made' on 14/12/2023 and SODC has a 4.2 year building land supply.

In the application, no information has been provided to demonstrate the dwelling spaces (static mobile homes and travelling caravans) are compatible with Neighbourhood Plan Policy TOW3 (requiring a space heating demand of less than 15KWh/m<sup>2</sup>/year) or whether they comply with local plan policies DES8-10.

It is proposed to station no more than 3 static homes and 3 touring caravans on the site, together with an expected 3 cars and 3 light commercial vehicles.

As at 17 March 2024 there is one static caravan/mobile home and 3 touring caravans on the site, together with 4 cars, 6 light commercial vehicles, one lorry, and 3 trailers.

In addition a significant quantity of street style lighting has been erected on the application site and the applicants adjacent land holding and is causing significant and un-warranted light pollution in this countryside location.

The exit from the site is on to Windmill Road where the speed limit is 60mph and the vision splay is poor.

Given the current occupancy is permitted to be one caravan whilst planning permission P22/S3712/FUL is implemented, the proposed increase in capacity (three pitches) will increase the number of vehicles entering and leaving the site considerably, and potentially to a much greater extent than the current application states.

The current entrance has a poor vision splay, but an arrangement to comply with highway standards is not proposed in this application.

A traffic speed of 60mph requires a 210m vision splay in each direction.

This would require hedge removal and cutting back at the front of the applicants land-holding but not all within the application red line boundary of hedges

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potentially owned by others and would have a severe detrimental affect on the rural character of the location and on biodiversity.

Under materials it is stated that there is to be post and rail fencing and presumably this is only around the actual red line development site within the larger rectangular plot land holding of the applicant.

High close-boarding fencing has already been put in place alongside the road, along the south-western boundary and part of the north-eastern boundary.

All of this is outside the red line development area indicted on the site plan.

This is detrimental to the open rural character of the location.

Vehicle hard standing and access is described as gravel and will be drained via soakaway.

The access site and garden area associated with P22/S3712/FUL appears to be tarmac.

The position and number of soakaway(s) in this current application is not specified and should be accompanied with a drainage report and plan, especially as the site sits on impervious Gault Clay with limited capacity for infiltration.

Towersey Parish Council also note that the Design and Access Statement describes the site as *“already being served by a package treatment plant for the disposal of foul drainage”*.

No specifications for this have been submitted or approved prior to or within this current planning application, nor are details available of where treated wastewater is to be discharged.

Preparatory works (undertaken since P22/S3712/FUL was approved) have removed hedgerow and scrub on the site and replaced or thinned hedgerow boundaries with tall close boarded fencing in parts.

No meaningful information on biodiversity loss/replacement is given in the application and there has already been an unacceptable loss of green infrastructure and biodiversity assets.

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The proposal is not compatible with Towersey Neighbourhood Plan Policy TOW7 (Biodiversity and Green Infrastructure) or Local Plan policies ENV1,2 & 3.

No trees or hedgerows are indicated on the development site or adjacent to it.

There is a hedge on the western (roadside) and south-western edge of the site and prior to clearance of the whole plot there was one on the south-eastern border and partly along the north-eastern boundary. All have been grubbed out.

There was also a tree in the current location of the mobile home and some scrub at the south-eastern part of the proposed development. All were removed prior to this application, and the works already done have had a severe detrimental effect on biodiversity and the landscape.

It is also stated in the planning application documents that there are no Protected or Priority species on or near to the site, or no designated sites, important habitats, or other biodiversity features on or near the proposed development.

These are non-evidence based statements.

At the very least, this is a target area for the Brown Hairstreak butterfly (Priority species) and the Lapwing (Priority species) (see <https://magic.defra.gov.uk/magicmap.aspx>).

Snipe (Priority species) are one field away, Skylarks (Protected and Priority species) use an adjacent field and prior to site clearance in 2023 used the site itself.

Grass snakes (Protected and Priority species) are within 50m of the site boundary and the site is a likely location for hibernation sites for Great Crested Newts (Protected under the Bern Convention), within 250m of breeding ponds and is next to an Amber and close to a Red Great Crested Newt impact zone (see <https://naturespaceuk.com/district-licensing/impact-map/>).

It is standard convention when assessing biodiversity for planning applications to use existing sources of information and to take the baseline for any site as its state before any site activity starts. Neither have been done.

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The site is described as having existing electricity and water connections. This may not reflect reality. Provision for waste collection is also not specified. There are no site or pitch amenity buildings proposed as part of the application and as would be expected on a gypsy site.

The application form states that there is no contamination on the site, but this was identified in application P22/S3712/FUL.

There is no indication that the approved remediation measures have been carried out.

Additionally Towersey Parish Council are of the opinion that the earth moving over the whole of the site during the process of whole site clearance, not just within the bounds of the 3 pitches and driveway being applied for, may have spread identified and un-identified contaminants over the wider site.

The application makes the point that SODC do not have a five year supply of sites for Gypsies and Travellers and therefore the application should be considered solely on its merits under SODC Policies H14 and H15, negating the Local Plan 2011-35 policies associated with development in the open countryside or the Neighbourhood Plan as only policies H14 and H15 relating to the location of traveller sites apply.

It is logical that the application therefore gives evidence that the criteria defining either a nomadic lifestyle (PPTS 2015) or of a non PPTS Gypsy/Traveller apply.

The application is silent on this and on the evidence provided it is simply an application to site caravans, mobile homes and associated paraphernalia in the open countryside, contrary to Towersey Neighbourhood Plan policies TOW1, 3, 7 & 10 and SODC Local Plan Policies ENV1,2 & 3, and DES1,2 & 8-10.

No justification is offered in this application that the capacity of the application site meets the needs for a new Gypsy encampment above other potential sites.

The site itself has been the subject of a rejected appeal for the siting of a single caravan on the site (P08/E0771/DA).

In the dismissal of that appeal, the Planning Inspector clearly stated that the siting of a single caravan on the site posed a significant impact on the character of the

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area, even when it was partly obscured: 3 static caravans and 3 touring caravans will have a much greater impact.

Currently there is planning permission for the conversion of part of the barns to a one-bedroom dwelling, with permission for one caravan whilst this work is done.

Despite this extant planning permission there is no change in the situation which would suddenly make the site suitable for multiple caravans, both static and mobile.

There are more caravans there now and no work appears to have been started on the conversion.

If the proposed site occupants meet the strict criteria of a PPTS 2015 Gypsy/Traveller or of ethnic non-PPTS 2015 Gypsy/Traveller, then the application needs to be assessed on whether it is a sustainable location for Gypsies/Travellers.

This site is not a sustainable location.

There are no facilities in Towersey with no doctors, schools or shops.

The next closest settlement, Kingsey in Buckinghamshire also has no facilities.

The nearest location for essential services is Thame.

Towersey does not have an effective bus service, with one mid-morning bus to Thame and one bus back after c.2 hours, only on Tuesdays and Thursdays on an experimental basis.

The criteria for assessing Gypsy/Traveller site suitability (Local Plan policy H15) requires safe pedestrian access to facilities.

There is no pavement or lighting from the access point of the site along Windmill Road (60mph).

Walking to Thame is not safe on the shortest route (A4129) as the road is busy, with a 60mph limit, unlit, and it has no pavement.

Walking or cycling to Thame therefore requires a route via Towersey 3.3km from

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the site entrance to Thame town centre, or 4.5km using the only pedestrian safe route, using the Phoenix Trail.

Both have sections along mostly unlit roads, partly with a 60mph limit, with no pavement for much of the distance.

Therefore, it is likely that all journeys from the site will be by vehicle, which does not fit with SODC's policies on sustainable travel.

Policy H15 also states that Traveller/Gypsy sites should not be separated from the wider community by features such as fences and walls, but this is exactly what the applicant is doing with close boarded fencing around much of the greater site, contrary to National Policies aimed at reducing the segregation of resident and nomadic communities.

Towersey Parish Council therefore objects to this application based on policies TOW1,3 7 & 10 of the Towersey Neighbourhood Plan, SODC Local Plan 2011-2035 Policies H1,8,14 & 15, DES1,2 & 8-10, and ENV1,2 & 3.

We also raise issues over the veracity and lack of detail within the submitted documentation for P24/S0941/FUL.

The past planning history and a previous appeal for the site and our knowledge of how the site has been treated since P22/S3712/FUL was approved, together with the current engagement of Enforcement are also of relevance to refusing this application.

Towersey Parish Council questions the principle of this form of development in this location. It is an adverse form of development on this site.

The application proposals would instigate increased and cumulative damage to a rural landscape that is already affected by a sewage works and a solar farm. Additional development will lead to bulking and inappropriate massing in the countryside.

There is no indication in the application data whether or if the application has been assessed against the potential adverse affects of the odour contour from the adjacent sewage treatment works.



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Towersey Parish Council object to this application and re-iterate that it is contrary to the Towersey Neighbourhood Plan as it does not represent preservation and enhancement of the open countryside, the retention of open space, the protection of local biodiversity nor the improvement of facilities for local people.

We urge South Oxfordshire District Council to reject this application.