

## ITEM 5.1

**Application:** 2021/1983

**Location:** Pendell Camp, Land off Merstham Road, Merstham, Surrey

**Proposal:** Use of land as a ten-pitch transit site for the Gypsy, Roma and Traveller (GRT) community, including the erection of amenity blocks and site manager's office, creation of a vehicular access, landscaping, parking

**Ward:** Bletchingley and Nutfield

**Decision Level:** Planning Committee (consultation response recommendation)

*Constraints – Green Belt, AONB, AGLV, Gatwick Bird strike, Gatwick Safeguarding, Minerals Safeguarding (Silica sand and Soft sand), C Road, M23, EA\_Risk Surface Water Flooding, 30, 100 and 1000, Source Protection Zone 3*

### **RECOMMENDATION: OBJECTION**

Summary: officers have discussed this application, and the need for the development, with officers/consultants of SCC. Further information has been obtained about the need for the development. However, officers still consider that insufficient Very Special Circumstances have been identified by SCC to override the strong planning policy objections on Green Belt/AONB/AGLV grounds to the development.

### **Planning Officers' response to the case advanced by Surrey County Council (SCC):**

#### **Gypsy and Traveller caravan sites**

1. Members will recall that this application was deferred at the January Planning Committee at the request of the applicant (SCC) to address points raised in the Planning Officer's report (attached) relating to:
  - i) The justification for this development in the Green Belt, AONB and AGLV; and
  - ii) Concerns raised by the Council's Environmental Health Officer about the living conditions that members of the GRT community would experience in temporarily living at the site.

Further discussion has taken place with officers and consultants acting for SCC relating to these matters.

2. The further information that has been provided on SCC's behalf is:
  - a) The proposal is for a transit site for members of the GRT community transiting Surrey, will not be in use all the time and occupation by individuals/families will be for a maximum of 4 weeks;
  - b) By implication (and contrary to the case of Very Special Circumstances (VSC)) advanced in the application Planning Statement the site will not contribute to any need for permanent new traveller sites in Tandridge DC or East Surrey;
  - c) Surrey Police and the Metropolitan Police (MP) would from a resourcing standpoint benefit from having a site to direct members of the GRT community to when transiting Surrey/adjoining areas of Greater London as an alternative to unauthorised encampments in East Surrey or close localities in the MP area,

failing which a banning order can be issued relating to the district/London borough in question;

- d) the site is not likely to be operational 24/7, 365 days of the year, rather it will be used on an ad-hoc basis subject to demand.
- e) usage data from one of East Sussex County Council's (ESCC) transit sites indicates low occupancy rates throughout the year. Generally, occupancy rates peak during warmer months with lower occupancy during winter months. SCC expect a similar pattern at Pendell. Nevertheless, there is physical development required on the application site permanently to provide for the needs of the GRT community transiting the area.
- f) the proposed Pendell Transit site has been benchmarked against good practice guidance (Places we're proud of, 2021), particularly a successful site in Bath, which has similar constraints as those at Pendell (e.g. sensitive land-uses (Green Belt, Bath World Heritage Site, Local Nature Reserve), nearby loud noise sources (rail)). For the Green Belt justification the case officer (in Bath) agreed that it was evident that there were no immediately available and suitable non-Green Belt sites for GRT use in Bath and Somerset. Arguably Surrey county is more difficult, including Tandridge District, where it is largely located in Green Belt (including other statutory designations such as the Surrey Hills AONB, AGLV etc.).
- g) as part of the sifting site search SCC's GRT related landholdings were reviewed for potential expansion, catering for the County's needs, and Pendell Camp was considered the most suitable site locationally to provide a GRT transit site for East Surrey;
- h) with regard to M23 motorway noise SCC's consultants have stated:  
*"The noise impact assessment (Table 4.2) actually identifies that the background day-time noise levels within pitches 1 – 5 are likely to marginally exceed the 55dB level (maximum 56.5dB within pitch 1) and that pitches 6 – 10 will be below 55dB, ranging between 54.6dB to 52.0dB. Section 6.1.1 of the report considers the effects of installing a 3m high noise barrier and the resultant changes (reductions) in noise levels are presented within Table 6.1. Because pitch 1 only benefits from a reduction of 1.3dB, the levels within plots 2 – 5 reduce by 0.5dB or less (noting that 1dB change is considered to be barely perceptible to human hearing), and there is no change within plots 6 – 10, the report concludes that the benefits of such a fence are insignificant and, hence, the provision of such a fence is not recommended  
The report concludes (Section 7.2.1) that "considering the marginal noise exceedance and short-term occupancy, the proposed development is considered acceptable on noise grounds."*

- 3. While some of the responses from SCC above have merit based on experience of unauthorised encampments of transiting GRT's in the Tandridge DC area, other nearby authorities appear, based on SCC's own evidence, to have higher rates of incursions of GRT unauthorised encampments, and so it has to be questioned why does this transit site need to be in Tandridge DC.

**Recommendation:**

- 4. Having regard to all the above considerations, your officers' recommendation is to continue to object to this planning application by SCC based on the grounds of objection in the January Planning Committee report.