

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	2nd November 2011		
Application Number	11/02579FUL		
Site Address	Four Oaks Park, Lydiard Plain, Swindon SN5 0AL		
Proposal	Provision of five extra caravan pitches, day rooms, re-siting of transit pitches and erection of community hall (resubmission of 10/03709FUL)		
Applicant	Mr F Doe		
Town/Parish Council	Lydiard Millicent		
Electoral Division	Wootton Bassett est	Unitary Member	Cllr Mollie Groom
Grid Ref	411273 193275		
Type of application	Full		
Case Officer	Tracy Smith	01249 706642	tracy.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

The Area Development Manager considers it appropriate, in light of other current Gypsy and Traveller applications in the north eastern part of the county and the implications for the growth proposed in the context of the emerging Core Strategy and site allocations DPD.

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED on a TEMPORARY basis for two years subject to:

- the receipt of revised plans omitting the community hall;
- revised plans which address layout concerns and;

subject to conditions.

Lydiard Millicent Parish Council does not object to the approval of the pitches on a temporary basis but do object to the community building and seeks its withdrawal from the application.

2. Main Issues

The proposal needs to be assessed against Policies C3, NE12, NE15, HE6 and H9 of the North Wiltshire Local Plan 2011, Policy DP15 of the Wiltshire and Swindon Structure Plan 2016 and government guidance in Circular 01/2006 "Planning for Gypsy and Traveller Caravan Sites".

Policy 31 of the emerging Core Strategy, the emerging Gypsy and Traveller DPD as well as the recently published PPS Planning for Traveller Sites (the public consultation on which ended in early August) are material considerations. It is considered limited weight is afforded to these documents.

The key issues in the determination of this application are:

- Need/Policy Considerations
- Impact of the character and appearance of the area
- Amenities of nearby residents

- Sustainability/highways
- Noise/Nuisance
- Human Rights Act
- Other considerations i.e. other Gypsy and Traveller applications at Purdy's Farm and Calcutt Park.

This application is being considered alongside applications which seek to make existing temporary sites permanent at Calcutt Park, Cricklade (14 pitches) and Purdy's Farm, Brinkworth (2 pitches). It was decided in the interests of transparency and consistency that the applications be considered at the same time by the Northern Area Committee.

During the course of determining this application it has become apparent that there are breaches of conditions and legal agreements and these are being pursued separately and are not a reason to delay the determination of this application.

Further the Gypsy status and of occupants has been questioned and this is being investigated with the agent.

3. Site Description

Four Oaks comprises 2 ha of land on which there are currently six pitches, a toilet block and hard surfacing used for transit pitches but predominantly open storage mainly building materials. The applicant has confirmed that these materials are in the process of being moved off site to business premises in Wootton Bassett.

Several day rooms have been constructed in the past in the absence of planning permission together with a more recent day room/garage.

This is in breach of the S106 agreement dated 2004 and the permissions below have never been implemented in accordance with the approved plans.

No on site children's play area, car park or paddock as granted, the latter being required. These breaches which have come to light through the process of determining this application are being considered in terms of future courses of action.

The site is enclosed to the east by a brick wall with planting to the front of the splays.

The site is located in the open countryside within the designated Great Western Community Forest and Braydon Forest designations.

A bridlepath runs along the southern boundary of the site.

4. Relevant Planning History		
Application Number	Proposal	Decision
92/01964F	Use of land for a 14 pitch gypsy caravan site with 2 wardens pitches and altered access. The application was refused on grounds of poor visibility and being outside the framework boundary.	Refused
93/00315	Use of land for 6 no Gypsy caravan site including 2 no wardens pitches, play area, parking, altered access and highway.	Approved

<p>96/01778F</p>	<p>The application was the subject to a number of conditions which sought to restrict the area caravans could be sited in the site, namely the south east section of the site and along the southern boundary of the site. The reasons being in the interests of visual and rural amenity.</p> <p>In addition only caravans or mobile homes on wheels could be sited on the rear portion of the site.</p> <p>The application was also subject to a S106 agreement which restricted occupation of north eastern part of the site to the applicants and family members of the applicant with no more than four caravans to be stationed at any one time.</p> <p>The south eastern part of the site fell outside the area of usage</p> <p>The remaining western part of the site was to be used as transit accommodation and supervised by one or other of the applications or a nominated warden.</p> <p>The applicants were permitted to be resident on the north eastern part of the site for so long as they shall hold the position of wardens.</p> <p>Landscaping was also required on the boundaries of the site.</p> <p>Permanent 6 pitch Gypsy site.</p>	<p>Approved</p>
<p>99/01250COU</p>	<p>Permission was granted subject to several conditions, again restricting the location of caravans as per the 1993 permission and prohibiting the use of the site for any storage or industrial purposes in connection with a trade or business save the parking of lorries or vans which are ancillary to the occupation of Gypsy caravans.</p> <p>A S106 agreement was also applied to the permission. The north eastern part of the site was to be occupied by the applicant and family members in no more than eight caravans at any one time.</p> <p>The south eastern part of the site fell outside of the application site.</p> <p>The western part of the site was permitted as Gypsy caravan site so long as the north eastern part of the site was occupied by the applicants, with the area to be monitored by the applicants/family members or appointed wardens.</p> <p>Change of use to six pitch residential caravan site.</p> <p>The proposal sought to remove the Gypsy status required by occupants on the site in order to obtain a mortgage and after the County Council confirmed it was not possible to purchase it on a caretaker basis.</p> <p>The application was refused on grounds of being tantamount to residential development in the countryside, remote from facilities and services and pedestrian safety.</p>	<p>Refused</p>

00/02027COU	<p>Addition of four transit Gypsy pitches and provision of children's play area.</p> <p>The application increased the size of the site to that which is the subject of the current application.</p> <p>The application was subject to conditional approval with the pitches to be demarcated in accordance with a specified plan. The plan showed a total of 6 pitches with 4 transit pitches and the paddock located on the south eastern part of the site. A children's play area was proposed along the western boundary with a grassed area to the south.</p> <p>The permission was the subject of a S106 agreement which restricted the use of the site to 6 permanent Gypsy pitches and 4 transit pitches. The paddock was to remain for that purpose only.</p> <p>The S106 agreement was varied in 2004 to reflect the new owners of the site. The provisions remained the same as per the previous agreement in terms of restricting pitches and retaining the paddock.</p>	Permission
04/02271FUL	New barn	Withdrawn
10/03709FUL	Provision of five extra caravan pitches and community hall	Withdrawn

5. Proposal

The application is seeking permission for 5 additional pitches to be contained within the site and the relocation of the 4 transit pitches within the site to the eastern part of the site.

Each pitch will provide space for two caravans and a day room, with the exception of the transit pitches.

Additional day rooms are proposed for the existing pitches as shown on the proposed plan.

A community building is proposed to the rear of the site which will provide a meeting venue together with toilets/showers, kitchen and two bedroom warden accommodation.

Children's play area and parking is also sought to be provided.

At the time of preparing this report, there are ongoing concerns in respect of the layout with some amendments required to off-set the new pitches from the southern boundary.

The applicant confirms the pitches are required by the applicants family. No further details of the Gypsy status of the current or proposed occupants has been provided.

6. Consultations

Lydiard Millicent Parish Council – object on the grounds of sustainability and intensification of the site but are supportive of the proposals on a temporary basis subject to the omission of the

community building (day rooms per pitch acceptable). Concern is also expressed with the concentration of the pitch provision in this part of the northern area.

Concerns are also expressed in terms of the breach of conditions and legal agreement in so far as materials are stored on site on the area safeguarded for the paddock, together with the siting of the pitches on the southern boundary adjacent the bridleway. Reference is made to the 1993 permission which restricted development from this part of the site in order to avoid interference with the bridleway and maintain the interests of visual and rural amenity.

Highways Officer – subject to satisfactory plans showing adequate visibility splays no objections subject to conditions.

Environmental Health Officer – no objections.

Thames Water – no objections, informative requested in respect of water pressure.

Spatial Plans – have provided an addendum to comments provided in respect of the previous application on this site. To an extent these comments have been superseded with the submission of the Purdy's Farm application. The following are of relevance:

“From the policy perspective the significant weight that must be given to the level of unmet need for pitches in North Wiltshire must be acknowledged. However, there remain concerns about the location of the site particularly given the scale of proposal and the relationship there is with existing services and facilities. It is considered that the initial proposal for a temporary permission on the site to allow the council to progress policies in both the Wiltshire Core Strategy¹ (in relation to the overall scale of development appropriate in Wiltshire and the conditions that should apply to determine whether a site is in a sustainable location) and the Site Allocations DPD remains appropriate. It reflects the contribution the site could make to unmet need in the short term but allows the decision about the relative sustainability of the site to be determined through a plan led process.

NB. The Bridge Paddock decision notice makes reference to the Government document ‘the Planning System: general Principles’ at para 15. It says ‘It may be justifiable to refuse planning permission on the ground of prematurity where a DPD is being prepared if a proposal is so substantial or the cumulative effect would be so significant that granting planning permission would pre-determine decisions about the scale, location or phasing of new development’. Another application at Calcutt Farm for 14 pitches on a permanent basis is currently being considered in the north Wiltshire area. The cumulative impact of the two applications should be a consideration particularly where the scale or location of the proposal is in question.”

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

No representations have been received.

8. Policy Context

Adopted:

Circular 01/06 Planning for Gypsy and Travellers
Wiltshire and Swindon Structure Plan 2016 – Policy DP15
North Wiltshire Local Plan 2011 – Policy H9 NE12 NE15

Emerging – material considerations – limited weight

¹ The current programme for the core strategy is to submit to the secretary of state early next year with an inquiry in the late Autumn of 2012. Once a draft core strategy is submitted to the secretary of state it is generally afforded more weight by inspector's in appeal decisions.

9. Planning Considerations

The form and layout of the development

At the time of preparing this report, the case officer has expressed concerns to the applicant in terms of the layout of the development and the provision of the community building.

To accompany Circular 01/2006, the Government has produced good practice guidance for the provision of Gypsy and Traveller sites. The guidance includes advice in respect of site specific requirements for permanent and transit pitches of varying scales.

The proposals currently conflict with that guidance in terms of the distance of pitches from the southern boundary as well as the proximity between caravans on adjacent pitches. The layout accords with general good practice. However, there are some areas of conflict with guidance in terms of the proximity of the pitches to the southern boundary and between pitches where a greater degree of separation is needed.

For this reason the applicant is reconsidering the layout and revised plans are anticipated to be submitted in advance of the Committee.

The proposals also seek to provide warden living accommodation and office to enable management of the site together with a communal kitchen and toilets/shower in the form of a single community building. The applicant is seeking warden accommodation due to the scale of the development and the provision of transit pitches on the site.

It is accepted that given the scale of development envisaged on this site, a community hall and associated kitchen and toilets would provide residents of the site a place in which educational and health visits can take place and this facility is supported in Government good practice guidance.

However, the warden accommodation is not considered to be necessary. It is noted that when the application site was originally permitted, it was considered necessary by the Council to have wardens to manage the transit part of the site. The wardens were the site owners and resident on the site, an aspect controlled via a S106 agreement. Since that time it has been ascertained that the transit aspect of the site has not been in operation for some time due to problems that can and have arisen between transitory and permanent residents. Consequently, the transit area was mainly used for family and friends. Such a use has also significantly hindered by the fact that building materials are now unlawfully kept on this part of the site.

The applicant confirms in supporting information that the transit area will be occupied by family and friends as well as seasonal employees. This is not considered to be a traditional transit use with the potential for conflict between residents significantly reduced so as to negate the need for wardens on the site in this form of permanent accommodation.

If the building were to be significantly reduced, the scale, height and massing of the community hall would be of a similar scale and height to the existing caravans permitted on the site and would be seen within that context. However, such a building would not be justified on the basis of a temporary permission given its permanence and it is for this reason that the applicant has been requested to withdraw this element of the application.

Need/Policy Considerations

Since the 2009 and 2010 applications were considered and temporary permission granted the current Coalition Government has announced the intended revocation of the Regional Spatial Strategy (RSS). Based on recent appeal decisions (the most recent being Bridge Paddocks at Braydon – paragraph 5 of the decision letter), the intention carries little weight at the present time due to the timescale and form this will finally take.

Given the public criticisms of the GTAA undertaken by the Council in deriving need for the period to 2006 to 2011, the Proposed Changes to the RSS recommended the allocation/provision of 48 pitches in the northern area (former North Wiltshire District Council area). This figure has been carried through to the emerging Gypsy and Traveller Site Allocations Development Plan Document published in spring 2010 as well as in the recently published Wiltshire Core Strategy Consultation Document, particularly table 6.1 which accompanies Policy 31. There have been a number of recent planning permissions and appeal decisions since the production of that table.

Appendix I of this report contains a table showing the current position in respect of need.

To the end of April 2011 the outstanding number of pitches was 15 pitches. This figure excludes the 10 pitches granted on appeal at Chelworth Lodge in March 2011 because 5 year supply requires sites to be available and deliverable within that period, the same as with general housing. Due to infrastructure constraints and the speculative nature of that application, it is not considered to meet the need during the period 2006-2011. The site is expected however, to be delivered during the period 2011-2016.

Only 3 pitches have been identified to be required for the period 2011 to 2016. This proposed growth rate was recently questioned by the Inspector during the hearing for the Bridge Paddocks appeal, however in that case it was the immediate need due to the outstanding 2011 requirement which carried significant weight in support of the appeal proposal

The level of growth from 20011 to 2016 will be considered during the progress of the Core Strategy and it is a matter for that process to consider the robustness of such a calculation and not this application process.

It was on the basis of the limited weight to be attached to emerging national and development plan policy together with sustainability credentials which led the Council to approve seven pitches in Wootton Bassett and four pitches adjacent an existing pitch (allowed at appeal) at Framptons Farm, Sutton Benger earlier this year.

Permanent permissions have been recommended at Calcutt Park, Cricklade and Purdy's Farm which satisfies outstanding provision for the period 2006-2011 and provides 1 surplus pitch.

The application site would deliver in the 2011-2016 period, alongside the Bridge Paddocks and Chelworth Lodge sites. Thus the application combined with these sites would result in a significant over provision to 2016 based on the need identified for that period of 3 pitches.

In terms of the status of the emerging DPD and Core Strategy, the Inspector was unequivocal in confirming "Both these components of the Local Development Framework are at a relatively early stage in their preparation, and accordingly their provisions carry limited weight at this time."

In respect of guidance emerging nationally, limited weight should be given to the emerging PPS.

Notwithstanding the above, the over-provision in the context of emerging policies and guidance is considered to be premature and could have significant implications for the effectiveness of the emerging development plan.

Character and Appearance of the Area/Residential Amenity

There can be no objection in principle to a Gypsy site in the countryside based on Circular 01/06.

The site is considered acceptable in landscape terms having been established in some form for the last twenty years. Since that time much has changed in terms of policy and case law since that time.

Due to the fact that the proposal would make the use of existing land within an existing site, it is not considered that the proposal would be detrimental to the objectives of the Braydon Forest designation to which Policy NE12 relates. Further the intensification would not fundamentally alter the character and appearance of this site within the countryside. The intensification and extension of existing sites is an approach supported in the emerging development plan.

It is a fact that Gypsy sites are acceptable in principle in the countryside and wherever they are located there will be some impact on the surrounding area.

In terms of residential amenity, there is no evidence to suggest that the approval of the site either on a temporary or permanent basis would be harmful to the promotion of the peaceful and integrated co-existence between the site and the local community (paragraph 64 Circular 01/2006). No dwelling is sited immediately adjacent to the site. There is some distance between the site and dwellings to the north, east and south.

Given that some 26 pitches were considered to be acceptable on these grounds at Chelworth Lodge where the non-Gypsy community was restricted to some 4 dwellings, it would be wholly unreasonable not to adopt the same consistent approach at this location.

It is noted that concerns have been raised in respect of the scale of Gypsy pitches in the northern part of the former North Wiltshire area as well as in the north of the new County in general. It is accepted that there are a high number of pitches within this area in comparison to the distribution in the wider former North Wiltshire area. Such a pattern of distribution is shared with Chippenham and to a lesser extent Wootton Bassett. This distribution is reflective of the importance of these locations and the roles they play in terms of facilities and employment opportunities and applies equally to the settled community.

In light of the Chelworth Lodge appeal decision and other appeal decisions reviewed nationally, there is no evidence which would support an over concentration over several Parish/Town Council areas to substantiate a reason for refusal on this basis. All the sites are of a reasonable distance from one another so as to not physically appear as an over concentration harmful to the local communities. Distribution of growth in response to demand and need is a matter for the emerging DPD and Core Strategy to consider.

Sustainability/Location of development

Current Government guidance does not objection in principle to gypsy and traveller sites in the countryside, it follows that such sites will not always be located in the most sustainable of locations. Paragraph 54 of Circular 01/2006 states: "*in assessing the suitability of such sites, local authorities should be realistic about the availability, or likely availability, of alternatives to the car in accessing local services.*" (Officer emphasis).

Policy H9 of the Local Plan requires such sites to have "*reasonable access to local community facilities and services...*" (Officer emphasis).

Paragraph 64 of the Circular stresses that whilst sustainability is important, it is not to be solely considered in terms of transport mode and distances from services. Other considerations are integration within the community; wider benefits of easier access to GP and other health services, children attending school on a regular basis and the provision of a settled base to reduce the need for long distance travelling.

This paragraph has been consistently applied in terms of all appeal decisions within the former North Wiltshire District Council are over the past 5 years including the most recent appeal decision at Bridge Paddock.

It has also been applied in recent planning permissions at Glenville Nurseries in Wootton Bassett (7 pitches) and Framptons Farm in Sutton Benger (4 pitches adjacent the single pitch allowed at appeal).

The appeal site occupies a similar location in terms of access to facilities as the appeal site at Bridge Paddocks. When considered against the current guidance contained with the Circular and the appeal decision, the location of the site is not objectionable nor can it be.

Four Oaks does not compare well with the proposed site at Calcutt in terms of the emerging Core Strategy and DPD site location criteria. This, together with other aspects of this proposal (as reviewed below) are considered to count against allowing a permanent permission at this site at this time.

Noise/Nuisance

This issue had been raised with the previous application but not this current application. For the avoidance of doubt it is considered in the context of this application.

It is accepted that the increased activity on the site will result in some additional noise but this is not considered to be sufficiently harmful to the amenities of nearby residents as to warrant a reason for refusal. Further, there is no evidence to suggest that a community building would result in anti-social behaviour on the site. The use of the building in terms of hours of operation could be conditioned in any event.

Similar relationships between Gypsy and Traveller sites and the settled community have been permitted at appeal or otherwise at Wootton Bassett, Chelworth Lodge and Minety and it would be wholly unreasonable to refuse permission on this basis.

Further no objections have been raised by Environmental Health Officers to the application.

Highways Impact

Following the submission of additional plans, no highways objections are raised to the proposals either in relation to the access/egress to the main road.

No objections have been raised in terms of the proximity of the pitches in terms of impact on the bridleway which forms the southern boundary of the site.

Human Rights

In determining this application the Committee is required to have regards to the Human Rights Act 1998, in particular Article 8 and Article 1 of the First Protocol, which confer rights of respect for a person's private life, home and possessions. Any interference in those rights by a public authority must be lawful and proportionate. This involves balancing the interests of all parties involved and taking into account the public interest in the proper application of planning policies.

Having considered all the circumstances of this application, it is considered that the granting of a temporary permission would be proportionate and would not, therefore, be a violation of the Act.

Other material considerations

The application has not been submitted on the basis of personal circumstances since no evidence has been provided in this respect or the Gypsy status of the proposed occupants.

This is not wholly unusual and this was the case with the Chelworth Lodge site which was allowed at appeal.

This application is being considered alongside proposals seeking permanent permissions at Calcutt Park, Cricklade (14 pitches) and at Purdy's Farm, Brinkworth (2 pitches).

The cumulative impact of the applications in terms of the pitch provision in light of existing and emerging need should be considered.

As outlined above, for the period to 2011 it is considered that there is an outstanding need of 15 pitches. Based on previous appeal decisions outstanding need/failure to meet a 5 year supply of sites is a significant consideration.

In meeting the outstanding need to 2011, the sites are considered on their merits below:

Calcutt Park:

- considered suitable on a temporary basis subject to further consideration of site criteria as part of the emerging DPD;
- Sustainable as per the definitions in the Circular and broadly in line with the distances contained in the emerging Core Strategy/DPD;
- Fully developed and occupied with residents integrated/balanced within the local community in terms of schools and health care;
- Acceptable in all other respects i.e. landscape impact and highways.

Purdy's Farm:

- considered suitable on a temporary basis in light of the emerging Local Development Scheme and sites being identified through that process;
- Sustainable as per the definitions in the Circular and broadly in line with the distances contained in the emerging Core Strategy/DPD;
- Fully developed and occupied with residents integrated/balanced within the local community in terms of schools and health care;
- Acceptable in all other respects i.e. landscape impact and highways.

Four Oaks:

- the pitches although contained within the existing boundaries of the site they are undeveloped and unoccupied at present, no evidence of need for personal circumstances of new occupants has been advanced by the applicant;
- The site at Four Oaks, in terms of the emerging Core Strategy and DPD, occupies a less sustainable location than Calcutt Park;
- Private transit pitches operate at the discretion of the site owner occupied largely by family and friends visiting and is thus not considered to be transit in the traditional sense;
- At the time of preparing this report, the intensification of the site results in a layout which conflict with aspects of good practice guidelines and amendments have been sought;
- The community building is unacceptable for reasons detailed in that report; and
- Acceptable in all other respects i.e. landscape impact and highways.

On the basis of information contained within this report, and as mentioned above. Four Oaks is not considered to be a site which could contribute to the outstanding need to 2011.

The sites at Calcutt Park and Purdy's Farm would make a significant contribution to outstanding need to 2011 which has failed to be provided thus far for a number of reasons including the fact that both those sites have already been delivered with occupants enrolled at schools and doctors etc.

The provision of the site at Four Oaks can only be considered in the context of need for the period 2011 to 2016 and if granted, there would be an over provision of 5 year supply of some 13 pitches since the sites Chelworth Lodge and Bridge Paddocks fall within the same period (given dates allowed at appeal or build out timescales).

In light of this over provision which reflects the Governments "bottom up" approach to deriving local need, it is considered that allowing the development at Four Oaks on a permanent basis would be prejudicial to the emerging Core Strategy and site allocations DPD.

Thus, the provision of 5 new pitches at Four Oaks are only considered to be an acceptable for a temporary period until such time as the precise need and location of sites for the period 2011 to 2016 fully considered as part of planned growth.

There are no material considerations to warrant an alternative course of action.

On the basis of a temporary permission, and for reasons highlighted above, the applicant has been invited to withdraw the community building from the current proposals.

9. Conclusion

The application if approved on a permanent basis would result in a significant over provision of 5 year supply of Gypsy and Traveller sites and would prejudice the scale of growth to be determined and allocated locally through the emerging Core Strategy and allocations DPD.

A temporary permission would accord with guidance contained within Circular 01/2006 however, such a permission temporary or otherwise would not necessitate the scale of building and its degree of permanence.

Given the temporary nature of the permission, it is considered the requirement to provide landscaping at present would be too onerous and is not reasonable to require for these reasons. The children's play area is considered to be essential notwithstanding the permission is not permanent.

10. Recommendation

Planning Permission be GRANTED for the following reason:

The proposed development is considered to be acceptable based on its scale and nature which will limit impact on the character and amenity of the locality, residential amenities and highway safety and meet an established and identified need for Gypsy site provision in the former North Wiltshire area. The proposal is in accordance with Policy DP15 of the Wiltshire and Swindon Structure Plan 2016, Policies C3 & H9 of the North Wiltshire Local Plan (2011), PPS3 "Housing" and advice contained in Circular 01/2006.

Subject to:

The receipt of revised layout plans which include the omission of the community Building.

And subject to the following conditions:

1. The use hereby permitted shall be for a limited period being the period 2 years from the date of this decision. At the end of this period the use hereby permitted shall cease, all materials and equipment brought on to the premises in connection with the use shall be removed, and the land restored to its former condition, or such condition as may be authorised by any other extant planning permission.

REASON: The provision of potential sites are being considered in the emerging Gypsy and Traveller Site Allocations DPD. A permanent permission in advance of this process would be premature and a temporary permission in this instance would accord with advice contained in Circular 01/2006 "Planning for Gypsy and Traveller Caravan Sites".

2. Prior to the commencement of development, all building materials stored on the site shall be removed.

REASON: In the interests of the amenity of existing and proposed occupants of the site.

3. Within three months of this permission, the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

4. Prior to the occupation of any of the pitches hereby permitted, including the transit pitches, the children's' play area shall be provided in accordance with details, including full details of the proposed play equipment, which shall be submitted to and approved in writing by the Local Planning Authority. The play equipment shall be erected in accordance with the approved details and maintained for a minimum period of five years thereafter unless otherwise agreed in writing.

REASON: In the interests of the amenity of the site.

5. No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 215 metres from the centre of the access in both directions in accordance with the approved plans ('North Visibility Splay Details'). Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

6. The site shall not be permanently occupied by persons other than Gypsies and Travellers as defined in paragraph 15 of ODPM Circular 01/2006.

REASON: Planning permission has only been granted on the basis of a demonstrated unmet need for accommodation for gypsies and travellers and it is therefore necessary to keep the site available to meet that need.

7. There shall be no more than eleven (11) permanent pitches and four (4) transit pitches on the site.

REASON: In the interests of visual amenity and the amenity of occupants of the site.

8. There shall be no more than thirty (30) caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, of which no more than eleven (11) shall be a static caravan or mobile home and no more than thirteen (13) shall be a touring caravan, shall be stationed on the site at any time. Only touring caravans are permitted on the transit pitches on the site. The site being defined by the red line on the site location plan dated 28 July 2011.

REASON: It is important for the local planning authority to retain control over the number of caravans on the site in order to safeguard interests of visual and residential amenity in accordance with policies C3, NE15 and H9 of the North Wiltshire Local Plan 2011.

9. The 4 no. transit gypsy pitches hereby permitted shall not be occupied for a period in excess of 60 days in any one calendar year by any single gypsy family. Records of occupation shall be kept by the site owner and be made available to the Council at all reasonable times.

REASON: To ensure the pitches are not occupied on a permanent basis having regard to the amenities available to those pitches in comparison with permanent pitches.

10. No more than four commercial vehicles shall be kept on the site for use by the occupiers of the caravans hereby permitted and each vehicle shall not exceed 3.5 tonnes in weight.

REASON: In the interests of residential amenity, highway safety and the character of the countryside.

11. Except for the keeping of commercial vehicles as defined in condition 11 above, no commercial activity or use, including the storage of materials and waste, shall be carried out on the site.

REASON: In the interests of residential amenity, highway safety and the character of the countryside.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or wall, fence or other means of enclosure shall be erected anywhere on the site.

REASON: To safeguard the character and appearance of the area.



Oaks Park
(Caravan Park)

Stables
Farm

Caravan
Park

Small
Acres