

REPORT FOR THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	11 March 2015
Application Number	14/10556/FUL
Site Address	Land at west side of B3092 Mapperton Hill Mere Wiltshire BA12 6LH
Proposal	Change of use of land to 1 No. Romani Gypsy pitch & associated works including 1 No. mobile home, 1 No. day room, 1 No. touring caravan, 1 No. septic tank, stables, hard standing, new access, and keeping of horses.
Applicant	Mr M. Doe
Town/Parish Council	MERE
Ward	MERE
Grid Ref	380459 130726
Type of application	Full Planning
Case Officer	Warren Simmonds

Reason for the application being considered by Committee

The application was called-in by Local Member Cllr George Jeans on grounds of visual impact on the surrounding area and the sustainability of the proposal given its location within the countryside.

1. Purpose of Report

To consider the application and to recommend to Members of the Strategic Planning Committee that the application should be APPROVED, subject to Conditions.

2. Report Summary

The main issues in the consideration of this application are as follows:

- I. The principle of the proposed development in the light of relevant local and national planning policy and guidance
- II. Current levels of provision of gypsy and traveller pitches within the South Wiltshire Housing Management Area
- III. Scale, design & materials and impact on the character of the surrounding landscape
- IV. Drainage/flooding

- V. Highway considerations
- VI. Neighbour amenity considerations

The application has generated a total of 68 representations from the third parties, as follows:

- 1 representation in support of the proposed development;
- 66 representations objecting on grounds including Highway safety, site is too remote from services and facilities, difficulties in respect of refuse collection, flooding, impact on the landscape, development in the countryside, land not suitable for keeping of horses, not in accordance with policy, impact on amenity
- 1 representation making other comments.

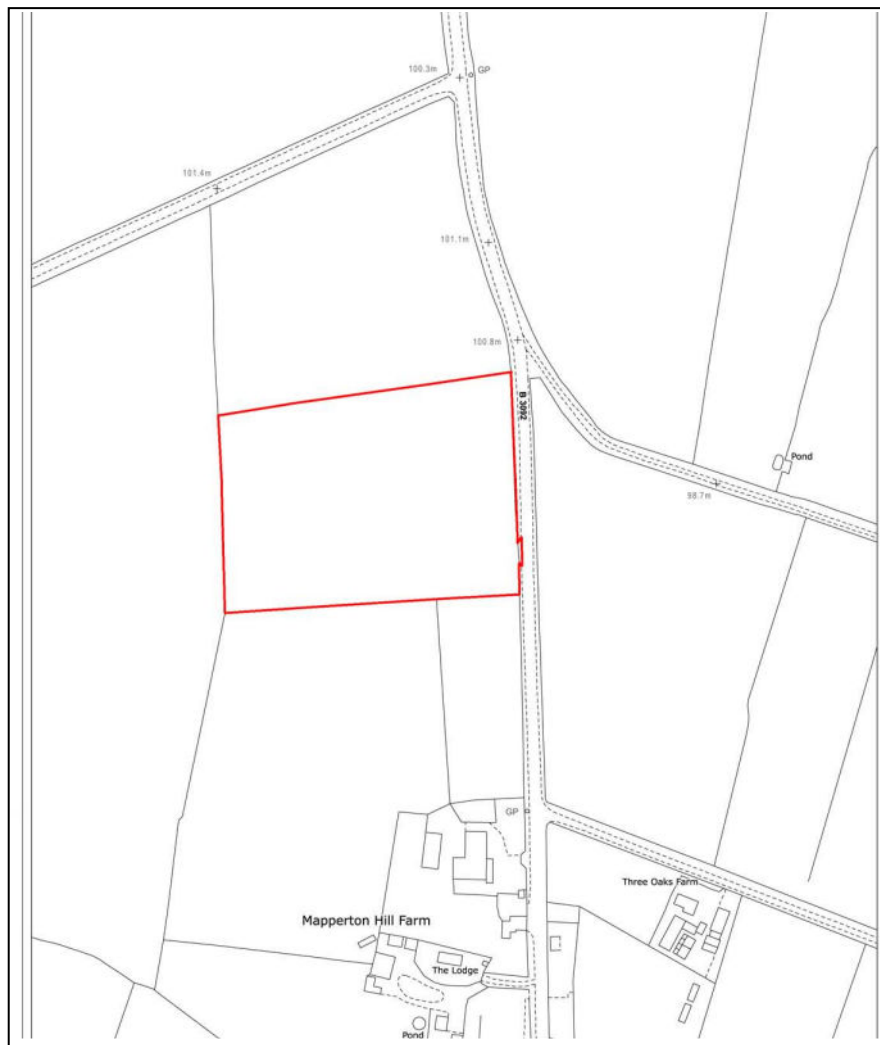
Mere parish council object on grounds of Highway safety, flooding and drainage, visual intrusion, loss of amenity and issues in respect of refuse collection.

Zeals parish council does not support the application, citing grounds including landscape impact, Highway safety and flooding.

Gillingham Town council raised no objections, subject to Conditions.

3. Site Description

The application site consists of an approximately rectangular parcel of agricultural land of approximately 1.9 hectares. The eastern boundary of the application site is bounded by the B3092 (Mapperton Hill) from which the land is currently served by an access.



The application site is located approximately 1.3 miles to the south of Mere (The Square), and approximately 2.6 miles to the north of Gillingham.

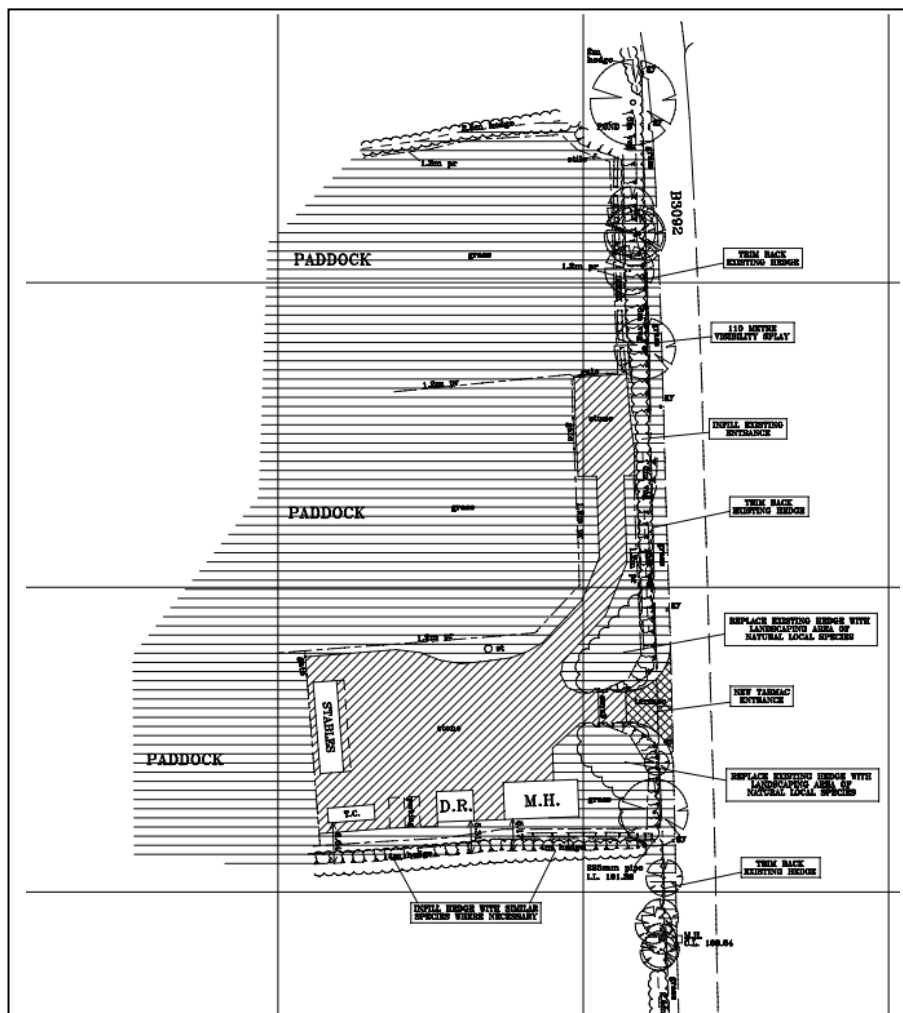
4. Planning History

None relevant to this application

5. The Proposal

The application proposes the change of use of the land to a single pitch person(s) of gypsy and traveller status (as defined within Annex 1 of Planning Policy for Traveller Sites), together with associated works including the siting of 1 x mobile home, the construction of 1 x day room, the siting of 1 x touring caravan, the erection of 1 x four bay timber stable building, the creation of a new access (existing access to be stopped up and planted across with new boundary planting) and hard standing and the use of the land for the keeping of horses.

Proposed site layout:



6. Planning Policy context

Local plan policy

The Wiltshire Core Strategy (WCS) was adopted on 20.01.15. Core policy 47 (Meeting the needs of Gypsies and Travellers) is relevant to this application. Also relevant are core policies CP57 and saved SDLP policy C6.

National Planning Policy

Planning Policy for Traveller Sites (PPTS) (DCLG, March 2012)

National Planning Policy Framework (NPPF) (DCLG, March 2012)

National Planning Policy Guidance (NPPG) (DCLG, March 2014)

7. Summary of consultation responses

Spatial Planning – There is an identified need for additional traveller pitches in this location which is a significant material consideration weighing in favour of this application. However, the case officer would need to be satisfied that the criteria of WCS CP47 are met, specifically in terms of the appropriateness of the proposal to the scale and character of its surroundings; impact on the landscape; and access, before this proposal can be supported.

WC Highways – No Highway objection, subject to Conditions

WC Drainage – Support, subject to Conditions

Public Protection – No adverse comments, advice re septic tank/sewage

Landscape Officer – No response received

Environment Agency – No response received

Mere parish council – Object on grounds of Highway safety, flooding and drainage, visual amenity and difficulties in respect of refuse collection from the site

Zeals parish council – Does not support the application on grounds including visual impact, the site is within the countryside, Highway safety, flooding and public health concerns

Gillingham Town Council – No objections, subject to Conditions

North Dorset District Council – No response received

Dorset County Council – No response received

8. Publicity

The application was publicised by site notice, neighbour notification and on the Councils website.

The application has generated a total of 68 representations from the third parties, as follows:

- 1 representation in support of the proposed development;
- 66 representations objecting on grounds including Highway safety, site is too remote from services and facilities, difficulties in respect of refuse collection, flooding, impact on the landscape, development in the countryside, land not suitable for keeping of horses, not in accordance with policy, impact on amenity
- 1 representation making other comments.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

9.1 The principle of the proposed development in the light of relevant local and national planning policy and guidance

The Wiltshire Core Strategy (WCS) is the adopted local plan (adopted January 2015). Core Policy CP47 (Meeting the needs of Gypsies and Travellers) of the WCS deals with making provision for gypsies and travellers and is the primary local plan policy relevant to this application. National policy in the Planning Policy for Traveller Sites (PPTS) and National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) are also applicable.

WCS CP47 states:

Core Policy 47: Meeting the needs of Gypsies and Travellers

Proposals for new Gypsy and Traveller pitches or Travelling Showpeople plots/yards will only be granted where there is no conflict with other planning policies and where no barrier to development exists. New development should be situated in sustainable locations, with preference generally given to previously developed land or a vacant or derelict site in need of renewal. Where proposals satisfy the following general criteria they will be considered favourably:

- i. No significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where conventional housing would not be suitable
- ii. It is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users
- iii. The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal.
- iv. The site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play areas
- v. It is located in or near to existing settlements within reasonable distance of a range of local services and community facilities, in particular schools and essential health services.
- vi. It will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.
- vii. Adequate levels of privacy should be provided for occupiers
- viii. Development of the site should be appropriate to the scale and character of its surroundings and existing nearby settlements, and
- ix. The site should not compromise a nationally or internationally recognised designation nor have the potential for adverse effects on river quality, biodiversity or archaeology.

WCS CP47 (v) requires that sites are located in or near to existing settlements within reasonable distance of a range of local services and community facilities, in particular schools and essential health services.

Whilst the site is not within Mere itself, it is approximately 1.3 miles to the south of the centre of Mere (The Square), and is approximately 2.6 miles to the north of Gillingham. Whilst feasibly this could be walked, the B3092 is not pedestrian friendly and it is likely that most trips to Mere or Gillingham would be made by motor vehicle.

Mere is classified as a Local Service Centre in the WCS and provides a good level of “everyday” retail and services to the surrounding area, including a primary school and doctors surgery. In these respects it is considered that the location would broadly satisfy the relevant criteria of WCS CP47(v).

CP47 Criterion (viii) states that development should be appropriate to the scale and character of its surroundings and existing nearby settlements. The policy goes further in requiring under criterion (vi) that the development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings. These issues are further discussed at items 9.6 and 9.3 respectively (below).

CP47 (ix) requires that sites should not compromise a nationally or internationally recognised designation nor have the potential for adverse effects on river quality, biodiversity or archaeology. The application site is an agricultural field within a non-designated (other than locally) landscape. The site is not within a designated Area of Special Archaeological Significance and it is not considered the proposed development would result in undue impacts in terms of river quality or biodiversity.

In addition, CP47 (ii) requires that the site is served by a safe and convenient vehicular and pedestrian access. Highway considerations are discussed at 9.5 (below). Paragraph 32 in the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

CP47 (iii) also requires that the site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal.

Taking into consideration the circumstances specific to the application, and the consultation responses of Statutory Consultees, it is considered on balance that the proposed development is accordant with relevant local and national policy and guidance, and is acceptable in principle.

9.2 Current levels of provision of gypsy and traveller pitches within the South Wiltshire Housing Management Area

In terms of overall need the council’s latest position for the South Wiltshire Housing Market Area is that for the period 2011-16, an additional 37 pitches are required; the council’s latest monitoring data shows that as of December 2014, the residual requirement is 33 pitches. This is set out in the supporting text to WCS Core Policy 47, and the addendum to Topic Paper 16 which contains the evidence underpinning the policy.

However, the Council is currently undertaking a full 2014 Gypsy and Traveller Accommodation Assessment (GTAA) to update the evidence underpinning the Core Strategy; to inform its review post adoption; and the development of the Gypsy and Traveller DPD which will allocate sites to meet that accommodation need. The study has a base date of July 2014 and will cover the period 2014 – 2029, but is not yet available to inform or provide additional information relevant to this application.

Therefore, based on the available evidence at the time of writing, there is currently a significant need for pitches in South Wiltshire, equating to a requirement of additional 33 pitches by 2016.

9.3 Scale, design & materials and impact on the character of the surrounding landscape

The application site constitutes an agricultural field within the countryside and designated Special Landscape Area (a non-national designation).

The application proposes the use of the land as a single pitch for person(s) of Gypsy and Traveller status, to include the provision on the land of 1 x mobile home, 1 x single storey day room measuring approximately 6m by 5m (of brickwork construction under a simple clay tiled pitched roof), 1 x touring caravan, 1 x septic tank, a single storey stable block of timber construction (measuring approximately 15m by 4m) and the construction of a new access to the site (the existing access to be stopped up and local hedgerow varieties planted to infill the gap).

The proposed buildings, structures and works are of relatively single storey form and consequently of low overall height. The materials proposed are considered generally appropriate to the rural surroundings. The presence of the buildings and structures would be relatively well screened and mitigated by existing field boundary treatments consisting of mature hedgerows and trees, and it is considered the proposed development would not be unduly visually prominent within, or unduly affect the existing character of the surrounding landscape.

9.4 Drainage/flooding

CP47 criterion (i) requires that there should be no significant barrier to development in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where conventional housing would not be suitable. Whilst the site is within Flood Zone 1 (low risk of flooding), it is within an area susceptible to ground water flooding (as submitted photographs from December 2014 show standing water at the eastern end of the site).

However, the Council's Drainage Officer has been consulted on the application and supports the application, subject to Conditions in respect of the agreement of a scheme of foul water from the site, and a scheme for the discharge of surface water from the site. The Drainage Officer also advises that an informative should be added to any approval given, to convey that there will be a need to obtain formal Land Drainage Consent for any proposed outfall to a water course, or change to the water course (including any piping or diversion) to cover any permanent and/or temporary works prior to construction of any storm water drainage works on site as required under the Land Drainage Act 1991.

On the basis that the Council's Drainage Officer supports the application subject to Conditions, it is considered the proposed development can be suitably drained in accordance with the requirements of CP47.

9.5 Highway considerations

The Highways officer has visited the site and raises no Highway objection to the proposed development, subject to Conditions in respect of the provision of appropriate visibility splays, consolidation and grading of the new access, and that any gates are set back and open inwards.

9.6 Neighbour amenity considerations

WCS CP47 (vii) requires that adequate levels of privacy should be provided for occupiers. As this proposal is only for one pitch, and the site is immediately surrounded by open fields, it is considered that this criterion is satisfied.

The residences of both Mapperton Hill Farm and Three Oaks Farm are located within close proximity to the site to the south and south-east respectively. As the proposal is for one pitch, and the proposed building and structures are each of single storey form it is reasonable to assume that the proposed development is not of such a scale as to result in harm to the amenity of the neighbouring properties.

By reason of the distance between the application site and the closest neighbouring dwellings to the south (at Mapperton Hill Farm and Three Oaks Farm), and by reason of the existing natural screening to the south of the application site (provided by hedgerows and trees along the field boundaries), it is considered the proposed development would not result in undue impacts on the amenity of neighbouring occupiers.

10. S106 contributions

None relevant to the proposed development.

11. Conclusion

The proposed development is considered accordant with relevant local plan policy, national policy and national policy guidance insofar as it would make provision for a single pitch for persons of Gypsy and Traveller status within a locality where there is currently a significant under-provision of Gypsy and Traveller accommodation, without undue adverse impacts in terms of amenity, Highway safety, environmental or other relevant considerations.

The proposed development is thereby considered accordant with local plan policies CP47 & CP57 of the adopted Wiltshire Core Strategy, saved local plan policy C6, and the aims and objectives of the national planning policy and guidance set out within the NPPF, NPPG and DCLG publication 'Planning Policy for traveller Sites'.

RECOMMENDATION

It is recommended the application be APPROVED, subject to the following Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing number 1464/04 dated November 2014, as deposited with the local planning authority on 28.11.14, and

Drawing number 1464/02A dated November 2014, as deposited with the local planning authority on 28.11.14, and

Drawing number 1464/03A dated November 2014, as deposited with the local planning authority on 28.11.14.

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning policy for traveller sites.

REASON: To restrict the occupation of the site, the residential use of which is only acceptable on the grounds of local and national planning policy specific to persons of gypsy and traveller status.

4. No more than one caravan (as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) shall be stationed on the site at any time and used for residential purposes. In addition no more than 1 other caravan comprising a touring caravan or traditional showman or gypsy wagon shall be accommodated on the site.

REASON: To control the numbers of caravans on the site, in the interests of amenity and Highway safety.

5. No industrial or commercial activities shall take place on the land, including the storage of materials.

REASON: In the interests of amenity and Highway safety.

6. 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 centreline of the access, extending to each corner of the site frontage. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1.0 metre above the level of the adjacent carriageway.

Reason: In the interests of highway safety.

7. The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

Reason: In the interests of highway safety.

8. The gradient of the access shall not at any point be steeper than 1 in 15 for a distance of five metres from its junction with the public highway.

Reason: In the interests of highway safety.

9. Any gates to close the access shall be set back a minimum distance of 4.5 metres from the carriageway edge and made to open inwards (away from the highway) only.

Reason: In the interests of highway safety.

10. No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

11. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway and formal land drainage consent approval where works are required to ditches/water courses), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

INFORMATIVE:

There will be a need to obtain formal Land Drainage Consent for any proposed outfall to a water course, or changes to the water course (including any piping or diversion) to cover any permanent and/or temporary works prior to construction of any stormwater drainage works on site as required under the Land Drainage Act 1991. Please note that obtaining of planning permission does not remove the need to obtain LDC before starting any works relating to the water course.