

Schedule Of Planning Applications For Consideration

In The following Order:

Part 1) Applications Recommended For Refusal

Part 2) Applications Recommended for Approval

Part 3) Applications For The Observations of the Area Committee

With respect to the undermentioned planning applications responses from bodies consulted thereon and representations received from the public thereon constitute background papers with the Local Government (Access to Information) Act 1985.

ABBREVIATIONS USED THROUGHOUT THE TEXT

AHEV	-	Area of High Ecological Value
AONB	-	Area of Outstanding Natural Beauty
CA	-	Conservation Area
CLA	-	County Land Agent
EHO	-	Environmental Health Officer
HDS	-	Head of Development Services
HPB	-	Housing Policy Boundary
HRA	-	Housing Restraint Area
LPA	-	Local Planning Authority
LB	-	Listed Building
NFHA	-	New Forest Heritage Area
NPLP	-	Northern Parishes Local Plan
PC	-	Parish Council
PPG	-	Planning Policy Guidance
SDLP	-	Salisbury District Local Plan
SEPLP	-	South Eastern Parishes Local Plan
SLA	-	Special Landscape Area
SRA	-	Special Restraint Area
SWSP	-	South Wiltshire Structure Plan
TPO	-	Tree Preservation Order

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING
COMMITTEE SOUTHERN AREA 17 JULY 2008

Note: This is a précis of the Committee report for use mainly prior to the Committee meeting
and does not represent a notice of the decision

Item Page	Application No	Parish/Ward Officer Recommendation Ward Councillors
1	S/2008/0681	BRITFORD
SV 15:30	Mr S Rennie	REFUSAL
Pages 3 - 7	MRS A SUTHERLAND THE PLOT OLD BLANDFORD ROAD SALISBURY APPLICATION FOR SET UP OF KENNELS AND DOUBLE GARAGE IN ASSOCIATION WITH MIXED USE OF THE SITE WHICH INCLUDES THE DWELLING AND THE SEPARATE MATERIAL USE OF THE KEEPING OF DOGS	EBBLE WARD Councillor Rycroft
2	S/2008/0708	WHITEPARISH
SV 15:00	Mrs J Wallace	APPROVE WITH CONDITIONS
Pages 8 - 21	MR W SHERRED TRICKY'S PADDOCK BRICKWORTH ROAD WHITEPARISH CHANGE OF USE OF LAND TO SITE A MOBILE HOME FOR USE BY A GYPSY FAMILY	ALDERBURY AND WHITEPARISH WARD Councillor Britton Councillor Clewer Councillor Randall

Part 1

Applications recommended for Refusal

1

Application Number:	S/2008/0681		
Applicant/ Agent:	MRS A SUTHERLAND		
Location:	THE PLOT OLD BLANDFORD ROAD SALISBURY SP2 8DA		
Proposal:	APPLICATION FOR SET UP OF KENNELS AND DOUBLE GARAGE IN ASSOCIATION WITH MIXED USE OF THE SITE WHICH INCLUDES THE DWELLING AND THE SEPARATE MATERIAL USE OF THE KEEPING OF DOGS		
Parish/ Ward	BRITTFORD		
Conservation Area:		LB Grade:	
Date Valid:	4 April 2008	Expiry Date	30 May 2008
Case Officer:	Mr S Rennie	Contact Number:	01722 434 398

REASON FOR REPORT TO MEMBERS

This application is brought before Committee at the request of Councillor Rycroft due to the public interest shown in the planning application.

SITE AND ITS SURROUNDINGS

The site is a detached bungalow on the edge of Salisbury, within the Parish of Britford. The Plot is the last dwelling of Old Blandford Road as you head southwest out of Salisbury. Therefore there are residential neighbours immediately to the east, with agricultural land generally to the north and west, with a wedge of land to the south that separates Old Blandford Road from the classified Coombe Bissett Road. The site is within a Housing Restraint Area (Salisbury Local Plan policy H19). The site is also within the landscape setting of Salisbury and Wilton (Salisbury Local Plan policy C7).

THE PROPOSAL

The proposals are for a kennel building and a double garage. This is in association with the mixed use of the site which includes a dwelling and the separate material use of the keeping of dogs. The keeping of dogs is considered a separate use on the site due to there being more dogs on site that can be considered normal or incidental to the enjoyment of a domestic dwelling. The proposals include a structure of a timber frame with panelled walls and a felt roof. Internally, the kennel would be split into 12 separate units, one of which is proposed to be a wash room.

PLANNING HISTORY

Enforcement Notice – Issued 07/06/05 for ‘framework’ (carport) and kennels and use of land for the keeping of dogs.

- S/2006/2098 – Portacabin (retention of) – Refused;
- S/2006/2289 – Retention of carport – Refused;
- S/2006/2395 – Retention of garage and exercise runs – Refused;
- S/2007/0689 – Retention of garage and kennels (clad with timber boarding) – Dismissed at appeal (dated 23rd June 2008). A copy of this appeal decision is appended to this report.

CONSULTATIONS:

Environmental Health – Raised concerns that the proposed acoustic wall did not continue to meet the side of the house, negating its effect on containing noise from the kennels.

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes – Expired 09/05/08
Departure	No
Neighbour notification	Yes – Expired 29/04/08
Third Party responses	Yes – 8 letters of objection citing noise pollution from barking dogs on site and the inappropriate use of keeping of dogs on this domestic site within an area which includes other residential properties.
Parish Council	No comment received.

MAIN ISSUES

Impact to neighbour amenities
Design and size of kennels and garage/carport
Appropriateness of the use of keeping of dogs on site within this domestic curtilage

POLICY CONTEXT

Within the Housing Restraint Areas (Policy H19) residential development, including the extension of an existing dwelling or an outbuilding, will be acceptable only if there is no adverse impact to the character of the settlement or neighbourhood with a design that is in keeping with the locality. The policy also states there should be no loss of important open space or trees or walls which contribute to the character of the area. Design policy D3 requires that extensions are of a scale and design that blends in with the house and area, and also requires complimentary materials. Policy G2 ensures that developments do not significantly affect neighbour amenity. These are the principal policies to which this application will be judged against.

PLANNING CONSIDERATIONS

The proposal follows two refused applications for kennels in the front garden of this property. The first was a retrospective application, and the second was also retrospective though the proposal included cladding the kennel runs in timber with some additional noise emission controls. This second application has also recently been dismissed at appeal. This appeal decision is very relevant to this latest application as the proposals are essentially very similar in terms of the size and scale of the kennels in the same position as is now proposed, and with regard to the impacts to neighbour amenities. The new application does propose a new kennel structure that is of a better design than previously proposed with more integrated sound proofing to mitigate the noise of the dogs barking inside. The kennel will have a more permanent appearance than previous proposals, which had a more make-shift design. The proposals include a structure of a timber frame with panelled walls and a felt roof. Internally, the kennel would be split into 12 separate units, one of which is proposed to be a wash room.

1) Noise and Disturbance to neighbours

Environmental Health has had a history of involvement with the site due to disturbance reports relating to the dogs kept on site. Abatement notices have been previously served to the owner of the site in relation to these disturbances. However, the new scheme is considered by Environmental Health to be of an improvement with acoustic baffles to the vents and a 1.8 metre high acoustic fence to the east of the site (between the kennel and the neighbouring dwellings which are mostly to the east of the site). Whilst Environmental Health are not totally content with all the points of the scheme they have returned a comment of no objection, subject to a condition relating to additional detailed information regarding the noise attenuation in the kennels as indicated on the submitted plan. They have requested, however, that for the scheme to be fully effective the noise barrier wall needs to extend the full distance from the kennel to the house, which is not the case. It is also considered that the dogs will have to be exercised and

moved at times outside of the kennels which will also reduce the effect of the noise attenuation proposals as the dogs will not be actually in the kennels at all times. This could further cause noise and disturbance to neighbours.

The inspector in the recently dismissed appeal for the kennel on site did state that in his opinion the amount of dogs on site would create a noise and disturbance over and above the levels that could normally be expected if there were just a few domestic pets on site. The inspector agreed with the LPA that this many dogs on site (14 at the last site visit) could not be considered reasonable for a domestic dwelling and therefore has to be considered as a separate material use in the keeping of this many dogs. The inspector went on to state that due to the proximity of the kennels to other neighbouring dwellings this would result in unacceptable noise impact to these neighbours. As the noise attenuation scheme is still considered to fall short of what is sufficient, plus the noise from the dogs when they are being exercised or moved out of the kennels, the previous objections from both the LPA and the Inspector are considered to still exist with these proposals. Overall, the measures proposed to try to overcome the previous refusal are not considered sufficient and therefore it is considered that the noise and disturbance to adjacent/nearby residential properties still forms a reason for refusal to the proposed development.

2) Size and Design of Kennels

Apart from the issue of noise disturbance there is still the issue of the design and size of the kennels, and the appropriateness of the use of keeping of many dogs within this site. This was part of the reason for refusal with the previous applications though has not been fully addressed with the new application. The design of the new build kennel block is an improvement from previous proposals though it is still not considered an appropriate structure for the front garden of a dwelling within the Housing Restraint Area. The building will still have a footprint comparable to that of the bungalow on site and would have an overly utilitarian form, not suitable for a domestic curtilage. The building would take up a large portion of the front garden, due to its excessive size and bulk, with an almost industrial appearance and scale. The Inspector's report in relation to the previous proposal that was dismissed at appeal is also relevant here as the proposed kennel in this application is very similar in terms of its size, bulk and form. The Inspector concluded that the kennel building was an "unduly large structure" and "would be an incongruous feature in the context of its surroundings [being within a curtilage of a domestic bungalow] and that it would unacceptably detract from the character and appearance of the area". The inspector also commented that the kennels that were subject to the appeal were set in the front garden of the property and would cause "an unduly cramped appearance which would be at odds with the generally spacious character of the surrounding area and thereby further materially detract from the character and appearance of the area". This latest proposal for a kennel is approximately the same size and in the same position as the existing kennel subject to this appeal dismissal. Whilst the design and appearance of the kennels proposed in this application are an improvement on that subject to the previous appeal it is still of roughly the same size and footprint, with a functional or utilitarian appearance, set in the inappropriate location of a dwelling's front garden. Therefore, when considering the size and the design of the proposed structure it is deemed as totally incongruous with that of a domestic curtilage.

It is conceded that in the summer months the kennels would be difficult to view from the road due to the screening provided by the trees and hedges. However, these trees and shrubs could be removed at some future time and the kennel would then be open to view clearly from the road, and therefore visible from the public domain. The use of conditions to insist on the maintenance of this thick boundary treatment was considered, though it was concluded that such a condition would be difficult to enforce and unreasonable to require that future occupants should have to maintain this screen landscaping for the unforeseeable future. This was also the conclusion of the Inspector with the recent appeal decision where the screening of the kennels was also a consideration. In light of this, it is not considered satisfactory to rely on conditions to screen the kennels for the length of time that this structure could be in place, which could be a very substantial length of time.

3) Keeping of dogs on site as a material change of use

The LPA also has concerns with regards to the appropriateness of the use of keeping of multiple dogs on the site, in terms of its proximity to neighbours and the impact to their amenities, as well

as the scale, design and size of the proposed kennels. The kennels would indicate that a high number of dogs are to be kept on site, with previous reports stating that there have been over 20 on site at any one time, with 14 counted on the last site visit. It is considered that at this site there is usually more dogs on site than would be generally regarded as normal or incidental for a domestic dwelling (hence the title of the application proposals distinguishing the use of domestic and the material use of keeping of dogs). This is a domestic dwelling within a Housing Restraint Area, which is characterised generally by low-density development with relatively large gardens, though is a residential area. The proposed kennel will be out of keeping with the character of the area as it is a large non-domestic building that takes up a large amount of space within the garden area and to have so many dogs within a domestic curtilage with neighbours in close proximity is unsuitable and unacceptable as a use in this location. A more isolated location may be acceptable, but The Plot is on the edge of Salisbury, with neighbours adjacent.

4) Other aspects of the proposal

The proposed garage could be of a suitable design and size, set adjacent to the access. Unlike the kennel building, the garage is typical of a domestic outbuilding within a curtilage of a dwelling, with tiles roof and timber cladding to the external walls. There is no change to the access to serve this garage and its position means it has no impact to neighbour amenities. These positive aspects of the proposals do not overcome the objections to the kennels based on its impact to neighbour amenities through noise and disturbance of the barking dogs and also its size and design in its inappropriate position in the front of a domestic garden in a residential area.

Conclusion

The proposed development of the kennels and garage is considered unacceptable due to the potential impact to the neighbour's amenities as a result of the noise and disturbance caused by the many dogs that will be on site, and also the unsuitable design of the kennels when considering this is basically an outbuilding to a domestic dwelling, taking up much of its front garden area with a size comparable with the existing bungalow which would result in a cramped form of development in an area that is typically of spacious character. These objections are further reinforced by the recent appeal decision where the Inspector found a kennel of similar size and position to be unsuitable for this location, in terms of its appearance and the potential impact to neighbours, plus the unreasonable use of the site for the keeping of multiple dogs. For these reasons the proposals are recommended for refusal.

Members will also recall that Officers were previously requested to bring a further enforcement report to the next available Committee following the expiry of the extended period for compliance with the Enforcement Notice (30th June 2008). However, in order not to prejudice the outcome of the current application, a further report on the enforcement issues at the site will now be brought to the next meeting.

RECOMMENDATION: REFUSE

The proposed kennels and garage are recommended for refusal for the following reasons:

1. The kennel building, by reason of its size, bulk and utilitarian/functional appearance, in conjunction with its location in the front garden area of the property, would result in a structure that is incongruous and inappropriate in the context of its surroundings and setting within a residential curtilage and would therefore detract from the character and appearance of the area. In addition, by reason of the proximity of the structure to the front and side boundaries of the site, in conjunction with its overall size of footprint and the proportion of the front garden area that it would occupy, would result in a cramped appearance that would be at odds with the generally spacious character of the surrounding area. As such, it is considered that the proposed kennels are contrary to 'saved' policies H19 and D3 of the Adopted Salisbury District Local Plan.
2. The use of the site for the keeping of dogs not incidental to the enjoyment of the dwelling and the erection of kennels and exercise runs associated with such a use is considered an inappropriate use for a domestic dwelling on the edge of a residential area, having regard to the undue noise and disturbance caused by the use and adverse

effect on neighbouring nearby residential amenities, in conflict with 'saved' policy G2 (vi) of the Adopted Salisbury District Local Plan.

** A copy of the appeal decision for application S/2007/0689 is attached as this is regarded as of significant relevance to this similar latest proposal for a kennel at The Plot.*

Part 2

Applications recommended for Approval

2

Application Number:	S/2008/0708		
Applicant/ Agent:	MR W SHERRED		
Location:	TRICKY'S PADDOCK BRICKWORTH ROAD WHITEPARISH SALISBURY SP5 2QG		
Proposal:	CHANGE OF USE OF LAND TO SITE A MOBILE HOME FOR USE BY A GYPSY FAMILY		
Parish/ Ward	WHITEPARISH		
Conservation Area:		LB Grade:	
Date Valid:	10 April 2008	Expiry Date	5 June 2008
Case Officer:	Mrs J Wallace	Contact Number:	01722 434687

REASON FOR REPORT TO MEMBERS

Councillor Randall considers that due to the public interest in this application Committee should determine the application

SITE AND ITS SURROUNDINGS

This application relates to approximately 0.8ha of land lying on the southern side of Brickworth Road (A27) about half a kilometre from its junction with A36 Salisbury to Southampton trunk road and about one kilometre west of the village of Whiteparish.

The site is roughly rectangular in shape, consisting of the northern part of a field which has a road frontage alongside the A27 of approximately 90metres. The surrounding land is generally open in character being mainly grazing land and the site is very open and fairly level, though it rises very gradually from the Brickworth Road towards stables and agricultural buildings (in other ownerships). The site appears to be mainly laid to grass

The vehicular access to the site is off an established agricultural track which currently serves the adjacent fields and some stable buildings. At this point the speed limit on the Brickworth Road is the national limit of 60mph.

The site is located within the Special Landscape Area and is outside of any village Housing Policy Boundary being in an area designated as open countryside.

THE PROPOSAL

This is a full application for a change of use of the land to site a mobile home by a single gypsy family. The accommodation is to comprise of a single mobile home unit. Details of the position and size of this mobile home have been provided and subsequent to the application being submitted, a mobile home has been placed on the site. Thus the application is now partially retrospective. Mains water is available in the vicinity, but sewage disposal is proposed to be via a septic tank.

PLANNING HISTORY

There is a long and complex history to this site; the relevant applications are as follows:-

90/1349	Mobile home for agricultural use at Highfield	R	25.10.90
Southern Area Committee 17/07/2008			

90/21ENF	Enforcement Notice issued against removal of unauthorised stationing of a mobile home	Complied with	
90/56/ENF	Unauthorised access	Withdrawn	
91/0386	Appeal against enforcement notice in relation to siting of a mobile home for use in connection with a proposed market garden	Dismissed	22.10.91
91/1413	Use of land for & laying out of 15 pitch gypsy caravan site + construction of vehicular access at Highfield	R	23.04.92
		App Dis	29.10.92
92/19ENF	Enforcement notice against the change of use of the land from open land to use for the stationing of residential caravans	Effective 30.07.92	Completed with
92/20ENF	Enforcement notice against the construction of new vehicular access from the land on to the A27 road & the layout of gravel hardstanding for 15 caravans	Effective 30.07.92	Appeal
		Dismissed 29.10.92	Completed with
93/0400	Change of use of land to accommodate one gypsy family, including construction of vehicular access	Not determined	
93/1090	Change of use of land to accommodate one Gypsy family for 3 years, including new access at Highfield	Not determined	
93/1703	To site one caravan to house one gypsy family	R	09.03.94
		App Dis	17.03.95
96/0032	To site one caravan to house one gypsy family for a temporary period of 10 years, subject to personal and family occupancy	Decline to determine	
96/0782	To site a mobile home for agricultural use	R	
98/0098	To erect poly tunnels for horticultural use	R	
98/2057	Construction of stable block, tractor storage and use of land for equestrian purposes	AC	
04/1256	Roof on existing walls for tractor shed, Extension	AC	

CONSULTATIONS

WCC Highways - Refuse. The conflicting pedestrian and traffic movements resulting from the proposed development adjoining the Class 1 road (A27) at a point where visibility is restricted where no footways exist and which is remote from public services would be a source of danger and inconvenience to occupiers of the proposed development and to other users to the detriment of highway safety.

Environmental Health - There are serious concerns regarding the siting of a mobile home on this land. No reference is made in the application to the quality of the mobile home in respect of its age or whether it complies with the relevant British Standard for new mobile homes. Where new sites are given permission to accommodate mobile homes we expect these to meet BS 3632 2005 which is the current design and construction specification for new mobile homes. Mobile homes are very often poor in quality giving rise to conditions which are detrimental to the health of the occupiers. As the local housing authority we are unable to consider the proposed accommodation as being to an acceptable standard unless this minimum standard for new

mobile homes is met for what would be a new mobile home site. Based on the above I would recommend that this application is refused.

Informative If you were minded to approve this application the applicant would be required to apply for a licence under the Caravan Sites and Control of Development Act 1960.

Wessex Water Authority The above proposal is not located within a Wessex Water sewered area. We believe Southern Water Company is responsible for sewerage in the area and I advise you should contact them direct on their requirements. It is advised that your Council should be satisfied with any arrangement for the disposal of foul and surface water flows generated by the development

Turning to water supply according to our records there is a public water main crossing the site. Please find enclosed a copy of our supply records indicating the approximate position of the apparatus. Wessex Water normally requires a minimum five metre easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. It is further recommended that a condition or informative is placed on any consent to require the developer to protect the integrity of Wessex systems and agree prior to the commencement of works on site any arrangements for the protection of infrastructure crossing the site. We advise that this should be agreed as early as possible and certainly before the developer submits to your Council any Building Regulations application. The developer must agree in writing prior to the commencement of works on site any arrangements for the protection of our infrastructure crossing the site.

It will be necessary for the developer to agree a point of connection onto the system for the satisfactory supply of water for the proposal. This can be agreed at the detail design stage. It is recommended that the developer should agree with Wessex Water prior to the commencement of any works on site.

The developer should also be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within or very near to the site. If any such apparatus exists, applicants should plot the exact position on the design site layout to assess the implications.

Please note that the grant of planning permission does not where apparatus will be affected change Wessex Water's ability to seek agreement as to the carrying out of diversionary and or conditioned protection works at the applicant's expense or in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.

Southern Water Authority No comment

Fire and Rescue Services Having studied the proposals the following comments relating to necessary and appropriate fire safety measures are forwarded to you for consideration and inclusion within the proposed development

Fire Appliance/Fire fighting Access

Consideration is to be given to ensure that access to the site for the purpose of fire fighting is adequate for the size of the development and the nature of the proposed use. Reference should be sought from guidance given in Building Regulation Approved Document B.B5 Access and facilities for the Fire Service.

Water supplies for fire fighting.

Adequate consultation is to be undertaken between the Fire Authority and the developer to ensure that the site is provided with adequate water supplies for use by the fire service in the event of an outbreak of fire. Such arrangements may include a water supply infrastructure suitable siting of hydrants and or access to appropriate open water. Consideration should be given to the National Guidance Document on the Provision of Water for Fire fighting and specific advice of the Fire Authority on location of fire hydrants.

The above mentioned recommendations are made without prejudice to the requirements or other standards proposed by the Planning or Building Regulations Authority.

Environment Agency Initial objection due to siting but as the mobile home is now proposed to be located outside of Flood Zone 3 (high risk) and in Flood Zone 1 (low risk) can remove objection on flood risk grounds. The sequential approach has been applied on this site in accordance with the principle of Planning Policy Statement 25 (PPS25). We request that any permission granted ties the development to the amended plan as submitted. As mentioned in our previous letter due to the location of the development in relation to the flood zone, consideration needs to be given to safe access/egress during an emergency. We would recommend liaising with the emergency services on this matter.

Foul Drainage

The applicant proposes use of non mains private drainage facilities septic tank. However if the site is located within an area served by a public sewer according to Circular 3/99 Planning requirements in respect of the Use of Non Mains Sewerage incorporating Septic Tanks in New Development connection should be made to this sewer in preference to private drainage options unless the applicant can provide good reason why this is unfeasible. The advice of Circular 3/99 has in this respect been supported by the Planning Inspectorate.

If a new septic tank treatment plant is the only feasible option for the disposal of foul water a Consent to Discharge will be required. This must be obtained from us before any discharge occurs and before any development commences. This process can take up to four months to complete and no guarantee can be given regarding the eventual outcome of any application. The applicant is advised to contact us on 08708 506506 for further details on Consents to Discharge.

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes. Expiry Date: 15 May 2008
Departure	No
Neighbour notification	Yes. Expiry Date: 4 June 2008
Neighbour response	1 e-mail of comment and support

- support conditional on suitability of accommodation meeting current standards and on there being limited accommodation at authorised sites elsewhere and on not setting a precedent for future units and on there being a time limit say 10years for the permission to run. Perhaps renewable.

32 e-mails and letters of comment and objection to the original and amended application on the following main grounds:

- Contrary to SDC policies, C2, C6, C7, G2, H19
- Contrary to Local Plan - no new development between Whiteparish and Brickworth Corner
- WCC takes responsibility for defining sites for 'gypsy' families
- WCC provides sites and no evidence that investigated any other site.
- Working on site before permission has been granted, hard standing provided Disregard of proper procedures
- Representative of Romany Gypsy Council condoning blatant disregard of the law
- Properly serviced sites should be within Whiteparish boundary
- Previous planning contraventions on this site
- Concerns regarding amenities based on previous experience
- What guarantees that development would be only for one unit
- Out of keeping/unsightly/visible impact on open countryside
- The mobile home is of poor quality and elderly. Would not comply with Building Regulations 200 part L2006 Conservation of fuel and power.
- Out of character with area, mobile is an alien feature
- 'wanting to be nearer family' is not a valid planning criteria. This justification does not apply to settled community.
- Would set a precedent for further development in this area
- Distant from services and facilities
- Access near apex of bend likely to be hazardous
- Highway safety concerns
- Retrospective approval would be thin edge of the wedge
- Would set a precedent
- Unsightly and unwarranted intrusion into countryside
- Adversely affects the landscape

Parish Council response Whiteparish Parish Council do not feel that this site falls into the category of Gypsy Site under SDC Local Plan Policy H34. It is felt that H34 probably implies multiple facility. Policy H32 states that proposals for siting mobile homes will be subject to the same policies and criteria as for permanent housing.

Policy H23 allows for permanent housing outside Housing Policy Boundaries only where provided for under Policies H26 affordable housing for local people or H27 housing for rural workers.

The application for change of use for Tricky s Paddock contravenes Policy H23 and H32 because it is outside the Housing Policy Boundary. Therefore Whiteparish Parish Council object to this application.

Whiteparish Parish Council feel that the amended plans make no difference to the application and the Parish Council recommendation remains refusal. The illegal siting of the mobile home is causing much concern in the village.

MAIN ISSUES

- 1) History
- 2) Principle
- 3) Need for pitches/sites
- 4) Impact on Special Landscape Area
- 5) Impact on highway safety
- 6) Location/Sustainability factors
- 7) Impact on residential amenity
- 8) Policy R2
- 9) Other Matters
- 10) Human Rights Implications

POLICY CONTEXT

Saved policies G1, G2, H23, H26, H27, H28, H34, C2, C6, R2 of the Adopted Replacement SDLP are of relevance to this application.

Also of relevance are:-

Policies DP1, DP15 and C9 of the Approved Wiltshire and Swindon Structure Plan 2016

National planning guidance in PPS1, PPS7 and PPG13

ODPM Circular 1/2006 Planning for Gypsy and Traveller Caravan Sites

PLANNING CONSIDERATIONS

1) History

As members will see from the above, the site has a substantial history of applications and appeals in connection with the use of the land for the siting of caravans/mobile homes for agricultural workers and gypsies.

In all of the three appeals, the Inspectors' upheld the District Council's landscape and highway access reasons for refusal as outlined below.

91/386 Enforcement appeal against siting of a mobile home for use in connection with a proposed market garden.

In relation to highways – Inspector says 'I am satisfied that both the original and the new access do present a potential traffic hazard if used at any more than a minimal level...and adds to the undesirability of the development'.

91/1413 Use of land for and laying out of 15 pitch gypsy caravan site and construction of vehicular access

In relation to landscape – Inspector says '...would be conspicuous and intrusive in the landscape and would demonstrably harm the character and appearance of the site and the Special Landscape Area in which it is located'.

In relation to highways - Inspector says.. 'I regard the visibility available on both sides of the access to be seriously deficient'.

93/1703 To site one caravan to house one gypsy family

In relation to landscape – Inspector says 'the mobile home and its fenced enclosure appear as arbitrary and alien features within the generally open and attractive rural landscape. I consider that its retention in this position would seriously harm the scenic qualities of this part of the

area...the site is so open to public view that any re-siting and/or landscaping scheme would be unlikely to diminish the intrusive visual effect of the home and related enclosure to a significant degree. I therefore conclude that the retention of the mobile home would cause unacceptable harm to the character and appearance of this part of the Special Landscape Area'.

In relation to highways - Inspector says 'the visibility for drivers of vehicles leaving the existing access falls significantly below the standards of national guidance... Bearing in mind that a condition could limit occupation of the site to one mobile home for occupation by one family I consider that the level of traffic generated need not be so great as to warrant refusal of planning permission on this ground alone'.

In considering this application it is therefore relevant to consider if there have been any material changes since these earlier decisions.

In this instance it is considered relevant that there have been material changes that must be taken into account in the determination of this current proposal, these are as follows:-

1) The site of this application. It now forms only the northern part of the field that was the subject of the above applications and appeals. The southern part of the field and the stables/tractor store are now in separate ownership.

2) The replacement of Circular 1/94 'Gypsy sites and planning' by Circular 1/2006 'Planning for gypsy sites and traveller caravan sites', which advises a much more flexible approach on applications for gypsy sites.

2) Principle

Since the earlier applications for a mobile home/caravan referred to above; the first Salisbury District Local Plan has been adopted and then replaced (in June 2003) with the current plan, known as the Replacement Adopted Salisbury District Local Plan.

In terms of the current Salisbury District Local Plan, the proposed site is outside any recognized settlement, designated as being within the open countryside where development should be strictly limited and any new development will not be permitted unless it would benefit the local economy and maintain and enhance the environment (SDLP policy C2).

Residential development is only permitted in such areas if it is for local needs affordable housing or required for agricultural/forestry workers (policies H23, H26, H27, H28). Moreover, within the Special Landscape Area any new development should not have an adverse effect on the quality of the landscape (SDLP policy C6). Policy G1 (i) of the Replacement Local Plan also requires development to observe the principles of sustainability by reducing the need to travel in accordance with PPG13.

The applicant, in this case however, has claimed gypsy status. In the Circular 1/2006 "gypsies and travellers" means:-

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people traveling together as such.

The Adopted Replacement Salisbury District Local Plan has specific policies relating to the provision of sites for gypsies. The key policy is Policy H34 which accepts the principle that gypsy sites may need to be outside settlement boundaries and states:-

"Proposals for gypsy sites outside Housing Policy Boundaries or Housing Restraint Areas will be subject to the following considerations:

- (i) where the proposal is in the New Forest Heritage Area, the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty, the Stonehenge World Heritage Site, or any Site of Special Scientific Interest or Area of High Ecological Value, such development will only be permitted where there will be no adverse impact on these designated areas.

elsewhere in the District, proposals should be acceptable in landscape and nature conservation terms, there are no overriding environmental objections, and the access and services are satisfactory; and

the site is situated within or close to a settlement and is well located in relation to local services and amenities”.

The Wiltshire and Swindon Structure Plan 2016 also has a relevant policy that acknowledges that proposals for gypsy caravan sites cannot be assessed using normal strategic settlement policies.

The key policy in the Structure Plan that relates to providing accommodation for gypsies is Policy DP15, which states:

“DP15 SPECIAL CONSIDERATION SHOULD BE GIVEN TO BONA FIDE PROPOSALS TO PROVIDE CARAVAN SITES FOR GYPSIES. SUCH PROPOSALS SHOULD NOT BE CONSIDERED AGAINST OTHER POLICIES FOR TOWNS AND VILLAGES, DUE TO THEIR PARTICULAR REQUIREMENTS. SUITABLE SITES MAY BE FOUND BOTH WITHIN AND OUTSIDE SETTLEMENTS. THEY WILL NEED TO HAVE A MINIMUM IMPACT ON ADJOINING LAND USES AND THE NATURAL AND BUILT ENVIRONMENT, BE WELL LOCATED TO MEET THE NEEDS OF OCCUPANTS AND PERMITTED BUSINESS ACTIVITIES AND PROVIDE ACCEPTABLE ACCESS AND SERVICES”.

Since the earlier appeals and the adoption of the existing Development Plan policies, the national guidance as expressed in Circular 1/94 ‘Gypsy sites and planning’ has been superseded by Circular 1/2006 ‘Planning for gypsy sites and traveller caravan sites’. The new circular applies to all applications for planning permission from gypsies and travellers as well as to the development of public sites by Local Authorities and registered social landlords (RSL’s) and its intention are to:

- a) to create and support sustainable, respectful, and inclusive communities where gypsies and travellers have fair access to suitable accommodation, education, health and welfare provision; where there is mutual respect and consideration between all communities for the rights and responsibilities of each community and individual; and where there is respect between individuals and communities towards the environments in which they live and work;
- b) to reduce the number of unauthorised encampments and developments and the conflict and controversy they cause and to make enforcement more effective where local authorities have complied with the guidance in this Circular;
- c) to increase significantly the number of gypsy and traveller sites in appropriate locations with planning permission in order to address under-provision over the next 3 – 5 years;
- d) to recognise, protect and facilitate the traditional travelling way of life of gypsies and travellers, whilst respecting the interests of the settled community;
- e) to underline the importance of assessing needs at regional and sub-regional level and for local authorities to develop strategies to ensure that needs are dealt with fairly and effectively;
- f) to identify and make provision for the resultant land and accommodation requirements;
- g) to ensure that DPDs include fair, realistic and inclusive policies and to ensure identified need is dealt with fairly and effectively;
- h) to promote more private gypsy and traveller site provision in appropriate locations through the planning system, while recognising that there will always be those who cannot provide their own sites; and

i) to help to avoid gypsies and travellers becoming homeless through eviction from unauthorised sites without an alternative to move to”.

The objective of the circular is to ensure that sufficient sites are allocated through the LDF process to meet the identifiable need for sites for ‘gypsies and travellers’ and the advice is that prior to the adoption of an allocations DPD substantial weight should be given to the fact that there is an unmet need. The circular also advises a flexible and realistic approach on sustainability and access to services and to sites protected by local as opposed to national designations.

3) Need for Pitches/Sites

Recently, Salisbury District Council in conjunction with the other Wiltshire local authorities jointly commissioned a needs assessments study to establish whether there was existing adequate provision across the county for gypsies and travellers and, if not, where and how future needs should be addressed.

The study has identified that there is a need for an additional 47 new authorised site pitches to be made available in Wiltshire and Swindon between 2006 and 2011, of which nine pitches should be within Salisbury District. However, the Regional Spatial Strategy for the South West reviewed Gypsy and Traveller pitch requirements at an examination in public earlier this year and the Panel’s report published in May 2008 identified a higher level of need. The Panel’s recommendation to the Secretary of State is that a further 18 residential pitches be provided in Salisbury District.

The applicant is a ‘Gypsy and a Traveller’ as defined by the Caravan Sites Act and the guidance contained within Circular 1/2006. His solicitor states that he is currently without any lawful stopping place and is living in his touring caravan moving from one unauthorised encampment to another. Permission is being sought for him to occupy the land with his partner and their son, aged 5. Another child is imminent.

The family who have never had any settled base are seeking to find somewhere that they can use as a base from which to travel in order that they can live together as a family in accordance with their culture and traditions and their children can access an education. The applicant has however lived and travelled in the area for most of his life, many of his family continue to live locally in the Whiteparish area and he has a clear need for a site in this area.

It has been clearly identified that there is a need for more residential pitches in the Salisbury District and that the Applicant, because he has local connections, has a need for a pitch in this locality to provide a lawful base from which to travel. The Applicant’s solicitor has suggested that ‘it would be difficult if not impossible for the Council to identify a more suitable piece of land within the District’; but it needs to be clearly shown that even though a need for additional sites has been established and that this applicant has a need for a site in this locality, that this particular application has been properly assessed against the criteria which have been identified within the Development Plan and Circular 01/2006.

The public interest overall seeks protection of the countryside by preventing unnecessary development and development harmful to the landscape as well as danger to highways. However, this Local Plan policy, as well as policy DP15 in the Wiltshire and Swindon Structure Plan have been overtaken by the new Circular 1/2006, whose objective is to see that sufficient pitches and sites to meet the identifiable needs are allocated through the LDF process.

In view of the significant level of need identified by the South West RSS Panel’s report and the advice (paragraph 43 of Circular 1/2006) that prior to the adoption of an allocations Development plan document; it is advised that substantial weight should be given to the fact that there is an unmet need for pitches and sites for gypsies and travelers in the locality. Therefore, it is the officers’ view that it may be appropriate to recommend approval of gypsy sites on a temporary basis until such time as sites are identified within the LDF process.

4) Impact on the Special Landscape Area

The site (the subject of this application) is within a locally designated Special Landscape Area, where the character and scenic quality of the countryside is conserved by generally restricting development to that essential to the rural economy. In this respect Local Plan policy H34 criteria (ii) is relevant. Previously when looking at applications for a mobile home on land including this site, Inspectors' have held that a mobile home and its fenced enclosure appear 'as arbitrary and alien features' and 'would seriously harm the scenic qualities of this part of the area'.

However, this area is not a national designation such as an Area of Outstanding Natural Beauty or Site of Special Scientific Interest and Circular 1/2006 states (para 53) that 'local designations should not be used in themselves to refuse planning permission for gypsy and traveller sites'.

The site is an area of attractive undulating countryside. In the immediate vicinity of the site there are a few scattered buildings, mainly associated with agriculture. The site itself can be generally characterised as open grazing land and has little in the way of boundary screening.

However, since 1996, the immediate surroundings of this application site have altered slightly. In 1998, permission was granted for a small stable and tractor store to be erected to the south of the current site. Whilst a residential use was consistently resisted on policy, landscape impact and highway grounds, it was accepted that the land could be used for agricultural purposes without planning permission and that the erection of a stable and the change of use of the land to include equestrian uses were activities associated with rural uses. Also, a single storey timber boarded building, would have generally agricultural appearance and within the local landscape would appear as an adjunct to the Tipplefield Farm group of buildings and when viewed in the longer distance would be seen against a backdrop of farm buildings.

Thus at that time, whilst a mobile home with a timber boarded boundary fence was seen as an alien and intrusive feature', on the other hand agricultural buildings were considered as being appropriate in this area of attractive countryside.

In this case, it must be emphasised that the site outlined in red only encompasses the northern part of the earlier site and that also the original proposal, (as submitted) located the mobile home, close to the north-east corner of the site, adjacent to the access on to the A27. This original position, bounded as the mobile home was, by a 2metre high close boarded green painted fence resulted in the mobile home being very prominently located and highly intrusive in the landscape.

Amended plans have subsequently been received and have altered the position to the rear south-east corner of the site. This amended position, set some 40 metres back from the road has somewhat mitigated the visual impact of the development , though as there is little or no existing screening around this field, and because of the proposed introduction of a 2m close boarded fence around the mobile home, it will still be very prominent and intrusive in the landscape, especially when viewed from the A27. However, it is accepted that a mobile home/caravan, because of its very nature would clearly not be in keeping with the local vernacular nor would it be 'invisible' when viewed from either the A27 or surrounding properties, for example, from Whelpley Farm or Tipplefield Farm.

The policies in the Development Plan seek to prevent development eroding the open quality of the landscape that makes the countryside attractive in the first place. In this case, it is considered that in view of paragraphs 53 of Circular 1/2006, which states that 'local landscape designations should not be used in themselves to refuse planning permission ..' and in paragraph 54 that, 'rural settings where not subject to special planning constraints are acceptable in principle'. Whilst it has been accepted in the past by the previous three inspectors decisions, that any development in this particular rural setting would result in detrimental visual impact on the Special Landscape Area this has to be weighed against the current advice within the Circular, and that in practice there are very limited parts of the District which are not included in a national or local landscape designation in which a gypsy site could be located.

5) Highway Safety

In relation to Local Plan policy H34 (ii), that requires that the access is satisfactory; the existing vehicular access for the site uses an unsurfaced agricultural access off the A class road (A27) between Salisbury and Romsey. At this point the road is subject to the national speed limit of 60mph. The access has limited visibility in both directions and the applicant only controls the land to the west of the site. WCC consider that there is inadequate visibility at the junction of the track with this road and raises an objection to the proposal on the grounds of highway safety. WCC have had a consistent position on the issue of the use of this access for residential purposes.

The access, however, already exists and can be used by agricultural vehicular traffic. It could also be argued that keeping of livestock in the field would generate the need for vehicles to visit the site. Therefore, in 1998 when considering the application for the creation of a stable for 2 horses and a tractor store WCC Highways determined that as this use would not generate a significant increase in traffic over and above agricultural use, it would not raise an objection.

It also could be considered that the use of this access by the vehicles of one family is also likely to create only a modest number of additional vehicle movements. Circular 1/2006 also urges that 'Proposals should not be rejected if they would only give rise to modest additional daily vehicle movements and/or the impact on minor roads would not be significant.' The applicant's solicitor states that 'this is quite clearly the case for this small family who would generate only a de-minimus level of traffic movements and therefore permission should not be refused on this basis. Moreover, as her client has removed the fence in order to improve visibility it is submitted that this development does not prejudice highway safety'. However though this also appeared to be the view of the Inspector when considering the last of the appeals (S/1993/1703); and he would not have upheld a refusal on highway grounds alone, he nevertheless considered that the deficiencies of this access lent weight to his concerns regarding the policy and landscape reasons for refusal (para 23).

The professional opinion of WCC Highways is however, that in this case, the visibility from this access is very limited; even with the fence removed. It is WCC Highway's opinion that the increase in use created by even a single residential unit's use of this access; on to what is not a minor road, but a busy trunk road that is subject to the national speed limit of 60mph, is such that the impact on highway safety is so significant that it wishes to maintain its objection. The view of WCC Highways is that a refusal on these grounds has been supported by the earlier Inspector's decisions and that there has been no material change since.

6) Location / sustainability factors

Policy H34 of Salisbury District Local Plan stipulates under criteria (iii) that the site should be within or close to a settlement and be well located in relation to local services and amenities.

The site of this application is however, more than 1km from the amenities and services of Whiteparish and access to these services would be along the A27, a busy road with no footpath or cycle way and the nearest bus stop is also a considerable distance away from the site and could not be safely accessed on foot. Therefore accessing any of these services and facilities is likely to involve the use of motorised transport. Any residential development in this location would not therefore contribute to an overall pattern of land uses which reduces the need for travel, and as such would be contrary to policy G1 of the Local Plan and furthermore as the site is in an isolated location the development would also be contrary to the aims of PPG13 which seeks to reduce the growth in the length and number of motorised journeys.

However, the guidance contained within Circular 1/2006 encourages a more flexible approach to sustainability and the applicant's solicitor urges that 'sustainability must be considered not only in terms of transport mode and distance from services but also in consideration of the benefit of a settled base for access to health services and schools, a reduction in the need for long distance travelling and the environmental damage caused by unauthorised encampments'. In light of this guidance the applicant's solicitor considers that this site is clearly within reasonable distances of services and quite clearly is far more sustainable for Mr Clark and his family than the roadside existence which will continue if permission is not granted for him and his family to live on their land.

However, whilst a settled location may well be more sustainable for Mr Clark and his family than moving from one unauthorised encampment to another; this would only be relevant whilst the applicant was using this site as his base and not when travelling in accordance with his culture and traditions. Moreover even when settled on this particular site, the family would be remote from the amenities and services of Whiteparish and other service centres and in order to access them would require motorised transport. Overall, it is considered that although this site is not situated so as to support a pattern of land uses which reduces the need for travel, circular 1/2006 would not support refusal on this ground.

7) Impact on residential amenity

As the site is located in an isolated position it is not considered that there will be undue harm to the residential amenities of the occupiers of nearby housing by reason of loss of light, privacy or by overlooking; particularly if a 2m metre close boarded fence is erected around the mobile home. As mentioned above, there will be some views into the site from dwellings in the vicinity but it is not considered that the impact of these will create such harm as to warrant refusal on these grounds.

8) Policy R2 Provision of Public Open Space

A contribution for recreational facilities would be required pursuant to the above policy, however, if only temporary consent is granted then it has been considered that it is not appropriate to require a contribution towards the provision of public open space.

9) Other Matters.

1) Water. A water pipe crosses the site whose position will need to be confirmed with Wessex Water prior to the commencement of development.

2) Flood Risk. The original proposed siting of the mobile home was in an area identified as having a high risk of flooding Flood Zone 3; but as the mobile home is now proposed to be located in Flood Zone 1 (low risk) the objection on flood risk grounds was removed. However, as the access to the mobile home will be through an area of high risk liaison with the emergency services was recommended..

10) Human Rights Implications

There are two relevant human rights likely to be engaged in this case –

Article 1 (first protocol), which establishes the peaceful enjoyment of property

Article 8 which establishes the right to respect for private and family life including an individual's right to a home.

Interference in these rights is only lawful if there is a legitimate issue of public interest to justify such an interference. Further, in order to be justified, the level of interference needs to be proportionate to the public interest it is seeking to protect. Case Law has made clear that in Gypsy cases, the weighing of these issues needs to be undertaken very carefully and in considerable detail.

For the purpose of planning, the gypsy status of applicants for planning permission is relevant to the question of whether they are entitled to a more relaxed regime of planning control than is generally applicable to others. National and Local policies accord a positive obligation towards the gypsy community in recognition of the special land requirements to facilitate a gypsy way of life.

The issue of gypsy status is therefore fundamental to consideration of this particular case and it is accepted that Mr. Clarke is a 'Gypsy and a Traveller' as defined by the Caravan Sites Act and the guidance contained within Circular 1/2006. Moreover, the applicant has a partner and a son, aged 5 and another child is imminent and they all require the benefit of access to health and educational services and facilities in a location close to family and relations. Furthermore, his solicitor states that he is currently without any lawful stopping place and the family has never had

any settled base. They have purchased this land to use as a base from which to travel, in order that they can live together as a family, in accordance with their culture and traditions and their children can access an education.

There is evidence of an unmet need for gypsy sites in the Salisbury District and no evidence that any other site would be available if the family had to move.

In the event of planning permission being refused, it is considered that there would be an interference with the occupier's rights to a home (Article 8) and Article 1(first protocol).

CONCLUSION

In judging this application against the current Structure Plan and Local Plan policies it can be seen that the siting of a mobile home on the application site is considered to have a detrimental impact on the visual quality of the Special Landscape Area; that the Highway Authority objects to any additional use of this access over and above an agricultural use and that the location is unsustainable as it is not close to a settlement or the services and facilities provided there, such as schools. The development of such a location for residential purposes would also be contrary to the advice given in PPG13.

Furthermore, a series of applications for mobile homes/caravans on this site and the remainder of the field from which it has now been subdivided have been refused in the past and those refusals for landscape and to some extent highway reasons have been upheld on appeal.

However, the Development Plan has been largely overtaken by the Government Circular 1/2006 which contains policies, which accept the principle of gypsy sites outside settlement boundaries and furthermore considers that outside nationally recognized designations that rural settings are acceptable in principle. Moreover Local Authorities are urged to be realistic in assessing the acceptability of an access or the sustainability of a site (paragraph 54). Paragraph 58 also states that the determination of planning permissions must be in accordance with the development plan unless material considerations indicate otherwise.

In this case; the conclusions of the Panel's report into the RSS regarding the shortage of pitches in this area and the advice that prior to the adoption of an allocations development plan document, that substantial weight should be given to the fact that there is an unmet need for pitches and sites for gypsies and travellers in the locality are very relevant. Therefore, as it is not expected that the LDF will allocate sites in the immediate future; despite the concerns regarding this particular site, a temporary and personal consent for a period of three years is recommended.

RECOMMENDATION: APPROVAL:

REASONS FOR APPROVAL

In judging this application against the current Structure Plan and Local Plan policies it can be seen that the siting of a mobile home on the application site is considered to have a detrimental impact on the visual quality of the Special Landscape Area; that the Highway Authority objects to any additional use of this access over and above an agricultural use and that the location is unsustainable as it is not close to a settlement or the services and facilities provided there, such as schools. The development of such a location for residential purposes would also be contrary to the advice given in PPG13.

Furthermore a series of applications for mobile homes/caravans on this site and the remainder of the field from which it has now been subdivided have been refused in the past and those refusals for landscape and to some extent highway reasons have been upheld on appeal.

However, the Development Plan has been largely overtaken by the Government Circular 1/2006 which contains policies, which accept the principle of gypsy sites outside settlement boundaries and furthermore considers that outside nationally recognized designations that rural settings are acceptable in principle. Moreover Local Authorities are urged to be realistic in assessing the acceptability of an access or the sustainability of a site (paragraph 54). Paragraph 58 also states that the determination of planning permissions must be in accordance with the development plan unless material considerations indicate otherwise.

In this case, the conclusions of the Panel's report into the RSS regarding the shortage of pitches in this area and the advice that prior to the adoption of an allocations development plan document, that substantial weight should be given to the fact that there is an unmet need for pitches and sites for gypsies and travelers in the locality, are very relevant.

Therefore as there is an unmet need for sites within the District, the applicant has an identifiable need to be located within this part of the district, and as it is not expected that the LDF will allocate sites prior to 2011; despite the concerns regarding this particular site, a temporary and personal consent for a period of three years is considered appropriate.

And subject to the following conditions:-

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

Reason: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004

- 2 The use hereby permitted shall enure for the benefit of Mr W Clarke and shall be limited to a period of 3 years from the date of this permission or the period during which the mobile home/caravan is occupied by Mr W Clarke and any resident dependents whichever is the shorter. Within one month of the cessation of the occupation of the mobile home/caravan or upon the expiry of this permission whichever is the sooner the mobile home/caravan and all ancillary structures associated with the residential occupation of the land shall be permanently removed from the land and the previous use of the land as agriculture/horticulture/equestrian restored.

Reason: In the interests of amenity and in order to secure the cessation of a use for which permission can only be justified on the basis of a special temporary need and given that the site of the mobile home/caravan is within an area where planning permission would not normally be granted for development unrelated to the essential needs of agriculture.

- 3 No mobile home/caravan, other than that hereby permitted which shall enure for the benefit of the applicant Mr W Clarke and any resident dependents only; shall be stationed on the site at any time unless otherwise agreed in writing by the Local Planning Authority.

Reason (3): In order to define the terms of this permission and avoid the proliferation of mobile homes/caravans at the site.

- 4 No buildings, structures or areas of hardstanding other than those hereby permitted (mobile home/caravan, fence, septic tank, hardstanding, access), shall be erected/installed within the site unless otherwise agreed in writing by the Local Planning Authority, upon submission of an application in that behalf.

Reason: In the interests of the amenity and the environment of the development.

Informatives

1) Policy

And in accordance with the following saved policies of the adopted replacement Salisbury District Local Plan

Policy Purpose

- G1 Aims of the Local Plan
- G2 General Criteria for Development,
- H23 Land outside housing Policy Boundaries
- H26 Affordable housing,
- H27 Housing for Rural workers,
- H28 Temporary dwelling for new farming activity

H34 Gypsy sites
C2 Development in the countryside
C6 Special Landscape Area,
R2 Public Open Space provision
DP1, DP15, C9 Approved Wiltshire and Swindon Structure Plan 2016
National planning guidance in PPS1, PPS7 and PPG13
ODPM Circular 1/2006 Planning for Gypsy and Traveller Caravan Sites

2) Caravan Site licence

The applicant is required to apply for a licence under the Caravan Sites and Control of Development Act 1960

3) Foul Drainage.

The site is located within an area not served by a public sewer. A Consent to Discharge will be required. This must be obtained from the Environment Agency prior to the development commencing.