

REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	13 September 2017
Application Number	17/02371/FUL
Site Address	Land to the rear of The Paddock, Heath Lane, Startley, Chippenham, Wiltshire, SN15 5HH
Proposal	Change of use of land to a residential Gypsy and Traveller caravan site, consisting of 3 permanent pitches, including construction of utility/dayroom and associated works
Applicant	Mrs MacDonald
Town/Parish Council	Great Somerford
Electoral Division	Brinkworth – Cllr T. Sturgis
Grid Ref	394515 182742
Type of application	Full Planning
Case Officer	Mark Staincliffe

Reason for the application being considered by Committee

The reason that this application is brought before the Strategic Committee and not the Area committee is that the Inspector, when reporting on the Wiltshire Core Strategy, expressed concern about whether the Council's approach towards gypsies and travellers was consistent with national policy. National policy requires Council's to plan positively for traveller sites. In its response to the Inspector's concerns, the Council has committed to considering planning applications for new traveller sites as a strategic issue rather than a local issue. This proposal would increase the number of pitches available for travellers and is therefore before the Strategic Committee.

The application was called to committee by the Division Member as there are concerns that doubling the size of the gypsy & traveller site would be a disproportionate addition for such a small rural community. This expansion in size will also have implications with regards to landscape impact.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposals against the policies of the development plan and other material considerations and to consider the recommendation that planning permission should be **GRANTED** subject to conditions.

2. Report Summary

The key issues in considering the applications are as follows:

- Principle of the development.
- Impact on character and appearance of the area.
- Highway Safety

Great Somerford Parish Council object to the proposed development. 17 letters of objection have been received.

3. Site Description

Heath Lane is a modest rural lane which serves a handful of properties and a poultry farm. The site is formerly part of a field adjacent to an existing occupied gypsy and traveller site. A hole in the existing landscaping has been provided to provide access the land and it would appear that the land is currently being used for informal storage. The boundaries of the site are defined by hedgerows and mature trees whilst the western boundary is marked are marked by sold timber feather edged fencing. The site is in pleasant countryside outside the limits of any defined settlement. In the immediate locality the development on the

4. Planning History

N/03/02421/COU Siting of two mobile homes, two touring caravans and toilet block on permanent base- **Refused and appeal dismissed**

N/04/00777/ENF Appeal against enforcement - change of use of land to caravan site – **Appeal dismissed**

N/06/03014/COU Change of use to residential gypsy site (Two pitches), including access road, two hard-standings, amenity unit, cesspit, fencing and storage shed.- **Appeal allowed**

5. The Proposal

Change of use of land to a residential Gypsy and Traveller Caravan Site, Consisting of 3 permanent pitches, including construction of utility/dayroom and associated works.

6. Local Planning Policy

Wiltshire Core Strategy Jan 2015:

Core Policy 1- Settlement Strategy

Core Policy 2- Delivery Strategy

Core Policy 47- Meeting the Needs of Gypsies and Travellers

Core Policy 50- Biodiversity and Geodiversity

Core Policy 51- Landscape

Core Policy 57- Ensuring high quality design and place shaping

Core Policy 61- Transport and Development

Core Policy 62- Development impacts on the transport network

Saved Policies of the North Wiltshire Local Plan:

NE18- Noise and Pollution

T5- Safeguarding

Emerging Development Plan Document:

The Gypsy and Traveller DPD (*A new Gypsy and Traveller Accommodation Assessment (GTAA) was published in December 2014 which informs the emerging plan*)

National Planning Policy Framework 2012 (NPPF):

Paragraphs- 7, 14 & 17

Chapter 1- Building a strong, competitive economy (Paragraphs 18 & 19)

Chapter 7- Requiring Good Design (Paragraphs 56, 57, 60, 61, & 64)

Chapter 11- Conserving and enhancing the natural environment (Paragraphs 109, 112, 118 & 123)

Planning Policy for Traveller Sites (PPTS) – DCLG 2015

7. Summary of consultation responses

Great Somerford Parish Council: Object for the following reasons:

- The present site started off as an illegal site but was eventually granted retrospective planning permission for residential use only in spite of objections from the Parish Council and the residents of Startley.
- The Wiltshire core strategy states that there should be no more new development in Startley
- The water supply and foul water to septic tank to the present site is inadequate
- The increase in traffic down a single track lane is unacceptable.
- The proposed site is a green field site and an unauthorised entrance has been created and the field is being used as a storage area by the present site owners without planning permission

Wiltshire Council Highways: No objection

Wiltshire Council Public Protection: No objection

Wiltshire Council Drainage: No objection

Wiltshire Council Spatial Planning:

Need

In terms of overall need Core Policy 47 in the WCS states that in the North and West Housing Market Area for the period 2016-21, 22 additional pitches are required. The council's monitoring data suggests that as of May 2017, this need has already been met through grant of permissions.

Consequently PPTS paragraph 11 is engaged which is clear that criteria based policies should guide proposals where there is no overall need but proposals nevertheless come forward.

Locational criteria

Core Policy 47 in the WCS provides locational criteria respectively:

WCS Core Policy 47 i) requires that 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.

The application site is within Flood Zone 1. Groundwater and surface water flood risk may also be relevant and comments should be sought from drainage colleagues and the Environment Agency to determine if a flood risk assessment is required despite the fact that the site measures under 1 ha (as per NPPF para. 103).

WCS CP47 ii) requires that the site is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users. Criterion iv) requires that the site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play areas.

Highways colleagues will ascertain the impacts on the highway network and the adequacy of the existing access to serve the development of an additional 3 pitches. 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.

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

Drainage colleagues and utility providers are best placed to comment. Space for waste collection should be provided on site.

WCS CP47 v) states that a site 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.

Startley's status in the WCS is 'open countryside' and it is not a recognised settlement in the WCS. Great Somerford is the nearest settlement and has large village status in the WCS. Great Somerford has a school, church, village hall, a pub and a shop/post office. The village is approximately 5 minutes away by car and a bus service (Faresaver 91) can be accessed in Startley – travel time to Great Somerford is approx. 11 minutes but services are irregular. It would be unrealistic to assume that residents would walk to Great Somerford which takes approx. 30 minutes unless the bridleway at the end of Heath Lane was used but this may not be an acceptable link to the village as stated in the 2008 appeal decision.

PPTS effectively acknowledges that traveller sites in rural or semi-rural settings may be acceptable subject to scale (para. 14) but that there should be a very strict limit on new traveller site development in open countryside (para. 25). A number of traveller sites in open countryside have been permitted by the council either through decisions or through appeal.

WCS Core Policy 47 vi) requires that a site 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. Criterion viii) states that development of the site should be appropriate to the scale and character of its surroundings and existing nearby settlements.

The 2008 appeal decision relating to the approved development states, albeit against a different policy background, that the development on the neighbouring site did have a limited harm on the character and appearance of the surrounding area but it was found to be acceptable. The decision further refers to the previous appeal where it was established that there was some erosion of the countryside scene by the addition of a further developed site. However, while every proposal has to be determined on its own merits, the countryside location of the proposal and previous Inspector's views should be taken into account in carefully assessing the effects on the character and appearance of the landscape. Further, there may be a cumulative effect from existing and proposed developments. Landscape colleagues would be best placed to comment on this, and the submitted landscape design statement. PPTS paragraph 26 is also relevant in this context.

CP47 criterion ix. requires that a site should not compromise a nationally or internationally recognised designation nor have the potential for adverse effects on river quality, biodiversity or archaeology. The site doesn't fall within a recognised designation but ecologists may wish to comment on the proposed development.

Other material considerations

PPTS provides in paragraph 10 that authorities should identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets.

The Council's Gypsy and Traveller Development Plan Document is currently under preparation. This document will allocate sites to meet the accommodation needs of travellers in Wiltshire to be evidenced in the emerging GTAA. The Local Development Scheme envisages a first consultation for late 2017. The DPD has been delayed due to difficulties finding suitable and available land. This is summarised in reports to the Council's Cabinet Capital Asset Committee in 2015, Environment Select Committee in 2016 and in early 2017.

Therefore at this stage no development plan exists which allocates sites for travellers in Wiltshire.

Nonetheless, the Council completed a new Gypsy and Traveller Accommodation Assessment (GTAA) in late 2014 which is published on the Council's website. The GTAA provides evidence on need for new traveller pitches and showpeople plots for 2014-29; and forms part of the evidence supporting the emerging DPD.

For the period 2014-19, a total of 21 new pitches are required. To date, 31 pitches have been granted permissions since 2014 with 3 further pitches pending decision, including this current proposal. Technically, identified need has been met. Again, PPTS paragraph 11 applies in this instance which states that where there is no identified need, locational criteria should be used to assess proposals that come forward nevertheless. The relevant analysis is provided above.

It is understood that the application is made by family members on the adjacent site, so it may be relevant to consider the evidence established from site interviews during the 2014 GTAA, to understand if there is a personal need for additional pitches. Regarding the neighbouring site, the GTAA report notes at para. 5.35: "Staff from ORS visited The Paddock site in April/May 2014. At the time of fieldwork there was 1 family on the site comprising 1 adult and 2 teenage children. There was no evidence of concealed households or over-crowding on the site."

The GTAA demonstrates that in 2014 there was no need for additional pitches on the existing site; however, this may now have changed if the teenage children have reached legal age and wish to form their own households. The application does not provide evidence on this though.

Great Somerford and Startley Neighbourhood Plan

The proposed neighbourhood plan was submitted to the Council in September 2016 and is currently subject to independent examination. The plan makes no provisions regarding the application site and does not cover traveller matters. It does however reiterate WCS policy that Startley is not a recognised settlement and that it falls into open countryside.

Conclusion

Need for new traveller pitches has been met in the North and West HMA against the development plan requirement for 2016-21; and materially, against the requirement in the GTAA for 2014-19.

The 2014 GTAA further notes the specific evidence established during the fieldwork which points to no personal need for additional pitches although it is unclear if teenage children have now reached legal age and wish to form their own household.

Consequently PPTS paragraph 10 is invoked which states that planning proposals should be assessed against locational criteria where there is no identified need. Whether the proposal complies with locational criteria expressed in WCS Core Policy 47 will be largely dependent on other expert officer's views.

8. Publicity

The application was advertised by neighbour letter and site notice. 17 letters of objection were received, raising the following issues:

- WCS states there should be no further new development in Startley which is designated Countryside
- Noisy anti social industrial purposes currently take place on the existing gypsy site

- Only limited services and buses
- Harm to the countryside
- No lack of gypsy sites in Wiltshire
- Development will lead to excessive traffic and noise
- Sewage facilities unable to cope with the development
- Conflict with the neighbourhood plan
- Road is too narrow
- Use of the single carriage road by more vehicles will be harmful to cars and pedestrians

9. Planning Considerations

9.1 Retrospective Application

Some local residents have raised concerns as the submission is partly retrospective as the access has been partially installed. They are of the view that permission should be refused for this reason. The concerns expressed by local residents are noted, however, it is not an offence to carry out development without first obtaining planning permission. This is confirmed within the Town and Country Planning Act. Section 73A of the Act specifically provides that a grant of planning permission may relate to development carried out before the date of the application. Retrospective applications are dealt with in the same way as any other planning application.

However, on 31 August 2015 the Government's Chief Planner produced a statement relating to intentional unauthorised development. This statement set out changes to national planning policy to make intentional unauthorised development a material consideration that would be weighed in the determination of planning applications. Though it is fact that the access has been partially constructed without the benefit of planning permission this is not, on its own, sufficient to refuse planning permission.

9.2 Principle of Development

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.

In this case, the Wiltshire Core Strategy, including those policies of the North Wiltshire Local Plan saved in the WCS, forms the relevant development plan for the area. On 22nd March 2017 a public hearing took place, as part of the examination into the Great Somerford Neighbourhood Plan. At the hearing the examiner requested that the Neighbourhood Plan Steering Group consider a draft policy and supporting text for residential development on the previously developed land at Broadfield Farm. The consultation on this proposed policy and supporting text has recently closed. The finalised report from the examiner has not yet been received. Due to its progress to date, this document can only be afforded limited weight.

The Council has published its intention to prepare a Gypsy and Traveller DPD and a new Gypsy and Traveller Accommodation Assessment (GTAA) has been prepared in accordance with the commitment in the Wiltshire Core Strategy under paragraph 6.56. However, the production of the Gypsy and Traveller DPD has been delayed and due to its current stage of preparation, this document can only be afforded very limited weight.

The National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) & Planning Policy for Traveller Sites (PPTS) are material considerations which can be accorded substantial weight.

9.3 Status of the Applicant

The applicant's Agent has confirmed that the applicant and their family satisfy the definition of a gypsy or traveller as set out in Annex 1 the PPTS. This was accepted at all subsequent appeals for the existing site and was never questioned by the Council.

The application seeks a general Gypsy and Traveller permission rather than a personal one, however, it is envisaged that the site would be occupied by members of the Applicants' family, all of whom are Gypsies.

The Council has no other evidence to contradict the statement as presented and members of the public, in their representations support the agent's statement that the applicant satisfies the definition of a gypsy or traveller. On balance it is considered that the information is in this instance acceptable to allow the LPA to conclude that the application is associated with a gypsy or traveller.

Moreover, planning permission runs with the land and not the applicant. A condition is proposed to ensure that the Council retains control so that any future occupiers satisfy the definition of a traveller as set out in national policy. The proposal therefore accords with the PPTS in this respect.

9.4 Assessment of Need

Some of the neighbour representations state that there is no need for this type of accommodation in Wiltshire. It is therefore necessary to make an assessment of the need.

The WCS explains that "*provision should be made to help meet the accommodation needs of all of Wiltshire's communities, including the Gypsy and Traveller community and travelling showpeople, who normally reside in or travel through the county*". In March 2012 the government published the National Planning Policy Framework and 'Planning Policy for Travellers Sites' which was published in August 2015. These documents include the general principle of aligning planning policy on traveller sites more closely with that for other forms of housing. Core Policy 47 reflects this approach as it identifies a requirement for new pitches for the period until 2021.

Core Policy 47 identifies the need for 66 additional permanent residential pitches (26 required in this Housing Market Area) from 2011-2016. A projection of anticipated need between 2016-2021 has also identified approximately 42 permanent residential pitches (22 in this Housing Market Area).

The updated Gypsy and Traveller Accommodation Assessment (GTAA) which has been produced to update the evidence base for the Wiltshire Core Strategy (WCS) identifies a need of 68 pitches in this Housing Market Area up to 2029, this figure being disaggregated over three 5 year periods.

Whilst the GTAA and CS have identified different requirements for pitches in the North and West HMA it is considered that the GTAA has not as yet undergone the tests through the DPD process when compared to the existing WCS underpinning evidence to CP47. Given the formal adoption of the WCS and CP47 it is considered that at this policy point in time it would be unreasonable to attach more weight to the emerging evidence of the GTAA to outweigh the current WCS policy stance.

The Planning Policy for Traveller Sites (PPFS) Policy H requires LPAs to assess applications for travellers against set national criteria. Criteria b) of paragraph 24 of this policy requires Local Planning authorities to assess the availability (or lack) of alternative

accommodation for applicants. As set out above the Council's evidence and DPD has been delayed and is not up to date. At this point in time the Council cannot confidently state that the requirement has been met and there is no unmet demand. Furthermore the requirement for pitches within this HMA is a minimum and not an upper limit. This matter weighs in favour of the proposal.

9.5 Overall Need

In terms of overall need Core Policy 47 in the WCS states that in the North and West Housing Market Area for the period 2016-21, 22 additional pitches are required. The council's monitoring data suggests that as of May 2017, this need has already been met through grant of permissions.

However the Core Strategy Inspector advised that the WCS numbers should be treated as a minimum in the absence of a DPD. In addition, PPTS paragraph 11 is clear that criteria based policies should guide proposals where there is no overall need but proposals nevertheless come forward.

PPTS also provides in paragraph 10 that authorities should identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets. As set out above - the Council's Gypsy and Traveller Development Plan Document is currently under preparation. This document will allocate sites to meet the accommodation needs of travellers in Wiltshire and the Local Development Scheme envisages a first consultation for late 2017. The DPD has been delayed due to difficulties in finding suitable and available land. This is summarised in reports to the Council's Cabinet Capital Asset Committee in 2015 and Environment Select Committee in 2016. Therefore at this stage no development plan exists which allocates sites for travellers in Wiltshire.

Though the need as set out in the Core Strategy has been met this is a minimum figure and due to the delays in preparation of the Council's Gypsy and Traveller Development Plan Document the Council cannot confidently state that the requirement has been met and there is no unmet demand. This matter weighs in favour of the proposal and the granting of a further 3 pitches would not be in conflict with local or national policies relating to the provision of Gypsy and Traveller Sites. However, there is still a requirement for the application to accord with CP47 of the CS and this is addressed in detail below.

9.7 Wiltshire Core Strategy Policy 47

This states that 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 general criteria i-ix applications 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. The site is served by a safe and convenient vehicular and pedestrian access.
- III. The site can be properly serviced and is supplied with essential services
- IV. The site is large enough to provide adequate vehicle parking
- V. It is located in or near to existing settlements within reasonable distance of a range of local services and community facilities.
- VI. The site will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties
- VII. The site offers adequate levels of privacy

- VIII. The development is of an appropriate scale with regards to the character of its surroundings
- 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

The proposal is considered to be in accordance with CP 47. For the avoidance of doubt and to demonstrate that the proposal is in accordance with CP47, the matters referred to above are discussed in more detail below.

Drainage & Stability (I)

The application seeks consent for an extension to an existing G&T site and though concerns have been raised by local residents in relation to foul water disposal on the existing site, officers are satisfied that adequate provision can be provided.

The exact details relating to foul water and surface water drainage systems have not been provided but these the details relating to on site provision will be controlled by condition. This is not uncommon and the imposition of a planning condition to require details prior to the commencement of development is usually adequate in applications such as this. No objections are raised as officers are satisfied that this can be controlled by way of condition.

Access and Highways (II & IV)

The access to the site is via single carriage way road. An increase in the number of pitches will certainly increase vehicle movements along this road. However, the additional vehicle movements generated by this application would not result in severe impact on highway safety. Consequently no highway objection is raised subject to conditions. The site provides sufficient space and facility for onsite vehicle parking and manoeuvring for residential purposes.

Essential Services (III)

The applicant has confirmed that the site is serviced by mains water and electricity. A phone line could be provided but a mobile phone could be used for both telephone and internet connection. A package sewage treatment unit would be provided for foul sewage. The site can therefore be properly serviced/supplied with essential services. The development is in accordance with criteria III.

Sustainability (V)

The site lies in close proximity to Startley and Great Somerford which is defined as a large village in the Wiltshire Core Strategy offers a range of services including Post Office, public house and school.

The principle of siting Gypsy and Traveller developments outside the defined limits of development is accepted and well established, and in accordance with the PPTS. Policy C, paragraph 12 of the PPTS makes it clear that traveller sites in the countryside may be permissible subject to their scale and ensuring that they do not dominate the nearest settled community.

It is recognised that the PPTS goes on to advise that "*local planning authorities should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan*".

As set out above the site is in relatively close proximity to the village, furthermore, Core Policy 47 does not require new Gypsy and Traveller development to be located within the limits of development but to be located in or near to existing settlements within reasonable distance of a range of local services and community facilities. It is considered that the proposal is in accordance with this policy and the Inspector in the appeal decision in 2006

found that the level of accessibility to services and community facilities was acceptable for a development of this nature.

For the reasons given above it is considered that the site would provide an appropriate site for a gypsy and traveller site with regard to its sustainability credentials.

Impact on the character and appearance of the locality (VI & VIII)

The site layout ensures the retention of numerous large trees and mature landscaping towards the fringes of the site and principally on the Heath Lane frontage. This is considered to provide some site screening and mitigation of the visual impact of development. The proposal includes soft landscaping in terms of grassed areas as part of the site layout. The test applied by the Inspector on the adjacent site in 2006 was not whether there would be any harm, but whether the proposal would have an *unacceptable* impact on the character and appearance of the area. He considered that the harm was of a limited extent, tempered by the fact that the site was not readily visible from the majority of public areas and that the site was not subject to any special designations (AONB etc). Given the fact that Government policy allows for such sites to be located in rural locations, he did not consider that the harm created was unacceptable.

In effect the proposals read visually as a modest extension of the existing G & T site and would not include significant built development. The proposals are considered to be laid out in an acceptable manner and the plans ensure that the site licensing minimum layout requirements are met.

As such, it is not considered that the pitches, including the standard residential caravan and touring caravan, represent significant over development of the site in visual impact terms. Given the material consideration supporting the proposals in principle it is not considered that the visual impact and impact on the character and appearance of the locality would warrant a refusal. When applying the criteria used by the previous Inspector in relation to landscape impact, it is not considered that the harm that this development in this location creates is unacceptable. The proposal is considered to accord with this criteria of policy CP47.

Impact on Residential Amenities (VII)

Given the site layout and location of the development and position of the caravans within the site it is considered that the proposal would not result in any significant harm to existing residential amenities in the locality through noise disturbance, overlooking and loss of privacy, loss of day light or overbearing impact. Similarly it is not considered that the increased use of the access would be so significant as to result in harm to residential amenities through disturbance.

It is considered that the proposed layout provides for a sufficient level of residential amenity for future occupants of the site especially in the context of the family relationships between existing and future occupiers. Such occupancy to family members will be restricted by condition to ensure that this situation remains acceptable in residential amenity terms.

Given the proposed layout and the acceptable level of residential amenity for future and existing occupants and neighbours it is not considered that the proposed level of development is too intensive for the site circumstances and does represent an acceptable level of development. The proposal is considered to accord with CP47 of the Core Strategy.

River Quality, Biodiversity or Archaeology (IX)

The site is not located within an archaeologically sensitive area and no concerns are raised in relation to the development in relation to this matter.

Due to the nature of the application it is not entirely clear how much vegetation clearance took place to accommodate the new access but aerial imagery indicates that the site was previously used as grazing land and no significant amount of site clearance has taken place. Furthermore, the mature trees within and adjacent to the site have been retained.

Though some compensatory mitigation measures will be required to offset the loss of vegetation it is considered that this can be controlled by condition. The applicant, within the supporting statements and submitted plans indicates that additional planting is proposed. Subject to a suitably worded planning condition relating to landscaping no objection is raised.

10. Conclusion

The proposal seeks permission for a three gypsy and traveller pitches. The applicant meets the definition of a traveller as set out in the PPTS. The adopted WCS outlines that there is a requirement for pitches within the North and West HMA, albeit that the DPD has not been completed which is required to add detail to the interpretation and implementation of Core Policy 47 and identify specific sites to deliver the pitch requirements set out within the policy. As this has yet to be adopted, the proposal has been assessed against the criteria within Core Policy 47 and National Policy.

The principle of the development at this location is considered acceptable when measured against the criteria in policy CP47. The site is considered to be within reasonable distance of a range of local services and community facilities with no adverse ecological or environmental impacts have been identified. Any landscape impact in this location is limited and the harm is not unacceptable.

The increased use of the existing access together with the generation of additional traffic movements, resulting from the proposed development, would not be prejudicial to road safety. The proposal is therefore considered to be in accordance with both local and national planning policies and guidance that relate to planning for gypsy and traveller sites.

RECOMMENDATION

planning permission should be **GRANTED** 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:

TDA.2270.01- Site Location Plan- Received 25 April 2017

TDA.2266.03- Site Layout and Landscaping- Received 25 April 2017

TDA.2266.04- Proposed Day Room- Received 25 April 2017

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

- 3 No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs of the 'Day Room' have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

- 4 No development shall commence on site until details of the materials for the hard landscaping has been submitted to and approved in writing by the Local Planning Authority.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 6 The site shall not be permanently occupied by persons other than gypsies and travellers as defined in Annex 1 of Planning policy for traveller sites, August 2015.

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 Occupation and use of the Mobile home and touring caravan hereby permitted for each pitch shall be limited solely to and by close family members of the occupants of that pitch. Close family members defined as dependents, sons, daughters and grandchildren.

REASON: In the interests of residential amenity.

8 There shall be no more than three (3) permanent pitches on the application site.

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

9 No more than one (1) commercial vehicle shall be kept on each pitch for use by the occupiers of the individual caravan hereby permitted, and each vehicle shall not exceed 3.5 tonnes in weight and 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.

10 There shall be no more than two (2) caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 on each pitch hereby approved, of which no more than one (1) shall be a static caravan or mobile home and no more than one (1) shall be a touring caravan, shall be stationed on each pitch at any time.

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 CP47 of the Wiltshire Core Strategy 2015.

11 Prior to the commencement of development details of the works for the disposal of sewerage shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be in place prior to first use of the site.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

12 Prior to the commencement of development a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first use of the land the surface water drainage shall be constructed in accordance with the approved scheme.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres

of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.