

REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	13 May 2015
Application Number	14/10457/FUL
Site Address	Land adjacent to 89 Bath Road Warminster Wiltshire BA12 8PA
Proposal	Change of use of land to 4 Romani Gypsy pitches and associated works including 4 mobile homes, 4 dayrooms, 4 touring caravans, 1 septic tank, hard standing and new access
Applicant	Mr J. Barney
Town/Parish Council	WARMINSTER
Ward	WARMINSTER WEST
Grid Ref	386699 145648
Type of application	Full Planning
Case Officer	Matthew Perks

Reason for the application being considered by Committee

This application is brought to Committee at the request of Councillor Ridout for consideration of the visual impact on the surrounding area, relationship to adjoining properties, design, environmental impact and flooding, and because the site is outside of development limits.

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.

Whilst the Core Strategy has now been adopted new traveller sites will remain as a strategic issue rather than a local issue until the Gypsy and Traveller DPD currently being worked on is adopted.

1. Purpose of Report

To assess the merits of the proposal and to recommend that planning permission be granted.

2. Report Summary

Wiltshire Council has published a Gypsy & Traveller Accommodation Assessment (GTAA) which inter alia estimates the pitch need in Wiltshire and will be part of the evidence base for the forthcoming Traveller Development Plan Document (DPD) which itself is due for consultation during June-July 2015 as per proposed Local Development Scheme (LDS).

The GTAA identifies that up to 2019 the Council has an outstanding need for traveller pitches in this housing market area. Furthermore the issue of need has been considered by Inspectors on a number of recent traveller planning appeals and the Council's assessment of need has been repeatedly criticised.

The proposals are considered in terms of the development plan which is formed by the Wiltshire Core Strategy that was adopted in January 2015. The key policy is Core Policy 47. This must also be read in conjunction with national policy in the form of the Planning Policy for Traveller Sites and the National Planning Policy Framework.

Neighbour objections and Consultee response are considered with the recommendation for approval based on the conclusion that the site is acceptable where the proposals would not give rise to significant harm to planning interests. The traveller status of the applicants has been satisfied and there is a demonstrable need for further accommodation.

Neighbourhood Responses: 14 objectors submitted responses, some with several items of correspondence.

Warminster Town Council - Objects to the proposals for the reasons cited within section 7 below.

3. Site Description

The application site of some 0.5 ha in extent is situated to the south of Bath Road, Warminster. Access would be directly off of Bath Road. Coldharbour Lane passes to the south of the site, extending westwards and serving the adjacent playing fields which are separated from the site by a hedge and well-established trees.

Site levels rise towards the west by approximately 1.2m from a low point on the eastern boundary and has hedges/vegetation/trees to the Bath Road and Coldharbour Lane boundaries. To the south-east there is a dwelling and across Bath Road a linear arrangement of dwellings lies to the south-east of Furnax Lane, the access to the industrial estate. To the south beyond Coldharbour Lane there are agricultural fields.

The site is not within the Environment Agency designated Flood Zones 2 or 3 which indicates a low risk of flooding, and an area of Archaeological Interest. Warminster town development limits lie some 250m to the west.

4. Planning History

W/80/00772/HIS	One dwelling	Refused August 1980
W/92/01029/OUT	Residential development	Refused September 1992, dismissed on Appeal

5. The Proposal

The proposal is for 4 pitches, to be occupied by Gypsies/Travellers. Each pitch would be occupied by a mobile home, day room and touring caravan. The layout provides for parking and turning areas. The proposals include a shared septic tank.

The dayrooms of brick under clay tiles would occupy footprints of 6m x 5m and have ridge heights of 4m.

6. Planning Policy

Wiltshire Core Strategy (adopted January 20th 2015):

Core Policy 1: Settlement Strategy;
Core Policy 2: Delivery Strategy;
Core Policy 3: Infrastructure Requirements;
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 60: Sustainable Transport;
Core Policy 61: Transport and development; and
Core Policy 67: Flood Risk.

Appendix D saved policies of the West Wiltshire District Plan 1st Alteration (2004)

U1a: Foul Water Disposal is relevant.

Emerging Gypsy & Traveller DPD and the completed Gypsy & Traveller Accommodation Assessment (GTAA).

National Policy

National Planning Policy Framework (NPPF)
Planning Policy for Traveller Sites (PPfTS 2012)

National Planning Practice Guidance (PPG) is also a material consideration

7. Consultations

Warminster Town Council

The town Council was consulted twice. Following the initial consultation, additional information on flood risk and archaeology was obtained from the applicant, hence the second consultation.

Initial Consultation: Refusal recommended on the grounds of major flooding issues in the area, the location of a gas main and that the site does not conform to gypsy site planning criteria or regulations in relation to highway safety, public transport and shops.

Second Consultation: The Town council maintains the recommendation that this application still be refused on the same grounds as when the application initially came before them 8th December 2014. Additional comments re-stated are that the gas and flooding issues remain a concern and that the site does not conform to gypsy site planning criteria and regulations in relation to highway safety, public transport and shops.

Wiltshire Council Archaeologist

The Officer initially requested an archaeological assessment of the site. This was conducted and follow-up works were undertaken. In a final comment the officer confirmed that the archaeological evaluation was carried out and the report was submitted. "A total of six trenches were excavated across the site, four of which were negative. In two trenches there

was evidence for post-medieval activity which possibly represents former quarrying and infilling in the 19th and 20th century.”

Based on the evaluation results the officer does not consider that any further archaeological investigation is necessary, and no further recommendations were made.

Wiltshire Council Drainage

Following re-consultation that included the Flood Risk Assessment officers have come to the conclusion that septic tank use for the site is not realistic as the soakaway required for a septic tank would be unlikely to work. A connection to the public foul sewer to the south east down the road is suggested and there are various means of achieving this.

Officers advise that the site itself will not flood from storm water as it is outside of the FLZ 2 area. Discharge to a local water course could be an issue and a restricted connection with storage could be considered to the water course. The site may be within a source protection zone, again militating against the use of soakaways for disposal. Finally, should the West Warminster development go ahead then this site would fall within the urban area and non mains drainage disposal within a sewered area is not desirable.

Wiltshire Council Ecologist

The officer advises that the main ecological issue is the loss of the roadside hedgerow along Bath Road due to the visibility splays required for the proposed site entrance. No hedgerow assessment has been carried out. There is also a bat roost for Brown long-eared and Serotine bats in close proximity to the eastern boundary of the site. The roadside hedgerow may therefore be a significant ecological feature at this location for foraging and commuting bats. The site is 4km from the Bath and Bradford on Avon Bat Special Area of Conservation (SAC) and this buffer has been identified as being core area for Greater horseshoe bats in the Council's Habitats Regulations Assessment (HRA) of the Wiltshire Core Strategy. The mature hedgerow trees may also provide suitable roosting features for bats and the officer therefore recommends that any trees on site with potential are also assessed and surveyed as necessary for use by bats. The officer recommended that a bat activity survey and a tree assessment/survey for bats were carried out before determination as well as an ecological appraisal of the site to identify features of ecological importance and to inform mitigation and compensation requirements.

Wiltshire Council Environmental Health

No objections. However the officer recommends that it be clarified as to whether or not a non-mains sewerage system is appropriate and practicable taking into account ground conditions / surface water / ground water conditions throughout the year.

Environment Agency

No objection. The site lies within Flood Zone 1, and is therefore outside an area at risk of fluvial flooding (flooding from the river – The Were). The site is less than 1 ha in area and the NPPF does not require proposals in such locations to be supported with a Flood Risk Assessment. However, the LPA can reasonably request the developer to submit information about the flood hazard from local sources of flooding at the site of the proposed development. This is a decision for the LPA in consultation with their drainage / flood risk engineers. An informative regarding pollution control during development is suggested.

Wiltshire Council Highways

The Officer notes that it is physically possible to provide the visibility splays indicated on the submitted plans, although this will involve replacement of some sections of the existing hedge on a new alignment. Those splays comply with published standards. Although there is no footway on the development side of Bath Road, the proposed visibility splay will also enable pedestrians to safely cross to the footway on the other side. Ample parking and turning facilities are proposed on site. In view of these considerations there is no highway objection to this application subject to conditions in relation to the splay, gates and surfacing of the access being imposed.

Wiltshire Council Rights of Way Officer

No objections

Wiltshire Council Spatial Plans

The Officer response considers the issues of the development plan, site provision in Wiltshire and the site constraints and concludes that the proposal is generally in accordance with the requirements of the development plan as expressed Core Policy 47 in the Wiltshire Core Strategy.

An update has been obtained on current Gypsy and Traveller accommodation requirements at the time of writing this report, and more detailed consideration of the Spatial Planning issues are contained in Section 9 below.

Wessex Water

Notes that new connections will be required and that a 3m easement applies from a water pipeline on the western edge of the site.

8. Publicity

The following is a summary of the objections received:

- The site is outside Warminster's development limits in terms of strategic plan; development.
- Site was not included as a gypsy site in the town strategic plan;.
- Not an allocated site in Wiltshire Council strategic plan for Romani Gypsy sites
- Any changes to Warminster / County strategic plans would require significant review.
- No consultation with local residents;
- Existing plans cannot be adjusted without review;
- Site is completely inappropriate due to its proximity to current residents;
- Previously Wilts Council have refused applications from Warminster School and Eric Toms for new accesses to Bath road on highway grounds, Same highway concerns exist;
- Question whether there is an established need for more gypsy sites
- Site will become a business - not shown in Core Strategy as such;
- The road is extremely busy and previous Highways surveys close to this location have shown vehicles significantly exceed the 30mph speed limit;
- Hazard of touring caravans using the access;
- Likely overcrowding;
- Cost of monitoring and maintenance;

- lack of sustainability and low design standard;
- Site is within area for domestic housing and industry;
- Site is not part of local development plan;
- providing screening from the site would suggest occupants trying to isolate themselves from neighbours;
- Loss of hedge and habitat and lack of supporting ecology documentation;
- Previous applications for access refused;
- Site is green belt and outside town limits;
- Flood risk, dwellings in surrounding area flooded in recent times;
- No proposals for surface water drainage scheme;
- Septic tanks not appropriate for the site;
- local schools full;
- loss of privacy at 16, 18 and 89 Bath Road, light pollution including from vehicles exiting site;
- harm to street scene, loss of hedgerow and replacement with low hedge/fence;
- no pedestrian walkway on side of road where development would occur;
- concerns that archaeology of site has not been addressed
- Hazard for school pupils (Warminster School) using Bath Road/Coldharbour Lane to reach grounds during construction phase;
- Dispute highway conclusions on access;
- Following the Flood Risk Assessment the findings were disputed.

9. Planning Considerations

The National Planning Policy Framework states that *'planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise'*.

The NPPF also states that proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. Paragraph 32 of the NPPF confirms that local planning authorities should only refuse applications on transport/highway safety grounds where *"the residual cumulative impacts of development are severe"*.

The Planning Policy for Traveller Sites (PPTS) comprises the national policy for the determination of proposals for traveller sites and states (Par. 3) that *"...the Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community."*

The Spatial Plans Officer has confirmed that Council has undertaken a full 2014 Gypsy and Traveller Accommodation Assessment (GTAA) to update the evidence underpinning the Core Strategy; to inform its review post adoption; and the development of the Gypsy and Traveller DPD which will allocate sites to meet that accommodation need. The DPD is under preparation. It is noted also that the Core Strategy Inspector endorsed the council's approach to traveller planning and stated in para. 128 of his report that *"...until such time as the intended DPD is complete and to ensure flexibility, the pitch requirements are best considered as minimums. This would be prudent and would introduce flexibility within the plan which would aid the effectiveness of its delivery."*

The Spatial Plans Officer also notes that: *"... the pitch requirements in the GTAA are also informed by household formation rates. So while the application for 4 pitches appears to be too high in meeting the need of the landowner, the development would contribute to meeting identified need for this Housing Market Area more generally for 2014-19."*

At the time of writing an update on Gypsy and Traveller site need has been obtained from the Spatial Planning Officer. It is confirmed that, whilst in terms of the adopted development plan the 2011-16 requirement in CP47 has now been met, in terms of the Gypsy and Traveller Accommodation Assessment there is a requirement for the 2014-19 period of 21 units, with a residual requirement of 5 units at this point in time. This is a material consideration and takes account of approvals subsequent to the completion of the GTAA. Members will recall the "Ernie's Yard" permission, which Spatial Planning advises would not count towards the GTAA requirement for 2014-19; nor the Core Strategy requirements for 2011-16, since that permission only confirms the quasi-lawful status of the site which has been in existence for almost 10 years. "The site was listed as 'tolerated' in the GTAA and all tolerated sites were deemed as not being in need because they have been in existence for a long time." The further approval of the 6 pitches at the Greenacres Mobile Park at Semington at the last meeting of the Strategic Planning Committee has been factored into the latest monitoring in order to reach the residual requirement figure.

The site is currently vacant land within 250m of Warminster development limits and is set within the context of the semi-rural periphery that includes a mixture of housing, the sports field, open land to the south, and the nearby industrial estates. The proposal is for four Gypsy pitches and associated works to allow for the siting of four mobile homes, four dayrooms, and four touring caravans.

The Council is satisfied that the applicant, Mr Barney has traveller status, from pre-application discussions. It is understood that Mr Barney was also previously resident at "Ernie's Yard". Moreover, planning permission, unless expressly made personal, runs with the land and not the applicant. A condition can be imposed to ensure that the Council retains effective control so that any future occupiers of all of the pitches satisfy the definition of a traveller as set out in the PPTS.

The application thus falls to be considered under the locational criteria applicable to Core Policy 47.

Locational criteria

The adopted Core Strategy provides 9 locational criteria in CP47 (Meeting the needs of Gypsies and Travellers) which guide development:-

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

Flooding is a matter that has been strongly raised in neighbour responses and the Town Council objection. A number of photographs were submitted showing flooding of Bath Road, nearby properties and the lower sections of the site during sustained wet periods. This was discussed with Council's drainage officer, who requested the submission of a Flood Risk Assessment, albeit that this is not a requirement in terms of NPPF criteria, as confirmed by the Environment Agency. An FRA was prepared and further consultation was carried out.

Whilst objectors have disputed the FRA, the drainage officer has assessed it and in response has not raised an objection but has advised that septic tank/soakaway systems will not be acceptable:

"- We do not think septic tank use for the site is realistic as soakaway required for septic tank unlikely to work (trial holes in adjacent planning application site could not manage any soakage) – we recommended a connection to the public foul sewer to the south east down

the road and suggested several means of how to achieve this from the developer doing himself to requisition from the sewerage undertaker

- The site itself will not flood from storm water, it is just outside of the FLZ 2 area, however as above soakaway disposal unlikely to work*
- Discharge to local water course could be an issue as we already have recorded flooding issues to the south east – a restricted connection with storage could be considered to the water course – could be laid in same trench as foul connection to help reduce costs*
- It would appear site may be within Source protection zone thus again more issues for soakaway use for foul/storm disposal”*

The applicant has agreed that a connection to the public sewer would be an acceptable alternative. In view of this, and drainage officer response, it is considered that conditions should be imposed on any approval requiring the submission of details in respect of foul drainage which shall be to the public sewer and in respect of surface water drainage from the site. Such conditions would also address concerns raised in this regard by objectors. Members will be aware that Government advice is that where matters can be satisfactorily dealt with by a condition, such a condition should be applied and permission granted.

ii. It is served by a safe and convenient vehicular and pedestrian access. The proposal should not result in significant hazard to other road users

The access and highway safety were also matters strongly raised by objectors and the town Council. The highway officer confirmed the acceptability of the proposed visibility splays. This was in turn disputed by an objector whose input was referred to the highway officer. It is understood that the officer responded directly to the objector. The officer did not revise any comments. Objectors have also referenced previous application refusals in the vicinity on highways grounds. In planning terms each case must be considered on its merits. The current Policy environment is also a consideration, with the NPPF, introduced in 2012, in Paragraph 32 asserting that local planning authorities should only refuse applications on transport/highway safety grounds where “*the residual cumulative impacts of development are severe*”. The highway officer is also satisfied with the visibility splays as they relate to allowing pedestrians to cross to the pedestrian walkway, as well as on-site arrangements for parking and manoeuvring of vehicles. (Pedestrian safety was an issue raised in objections). It is thus considered that there are no highway grounds for refusal.

iii. The site can be properly serviced and is supplied with essential services, such as water, power, sewerage and drainage, and waste disposal.

The site is the proximity of established residential urban development and related services. There is an issue with drainage as discussed above, but this can be addressed by appropriate conditions.

With regard to the issues of the water and gas pipelines crossing the site, Wessex Water has only advised that agreement will be required if any building is undertaken within a 3m statutory easement. Plans show the line close to the western boundary and this does not appear to be likely to affect the siting of the day room buildings. From the Wessex Water response it nevertheless is evident that agreement would be possible in the event that there is an impact. Consultation and repeat reminders were sent to National Grid on the Gas Pipeline, without response. Following direct contact the company advised that infrastructure in this area is under the control of Wales & West Utilities. Consultation was sent with a request for urgent response but at the time of writing, no response has been received. However, in terms of the information available it appears that the line would run under the

proposed mobile homes and not any buildings, although being in proximity of one of the day rooms. Any response received from the utility company will be reported to Committee.

iv. The site must also be large enough to provide adequate vehicle parking, including circulation space, along with residential amenity and play areas

As noted above the highway officer is satisfied with on-site parking and manoeuvring spaces.

v. It is located in or near to existing settlements within reasonable distance of a range of local services and community facilities, in particular schools and essential health services.

The site is set in the context of existing urban fringe development with residential and industrial uses beyond to the east across Bath Road and a dwelling to the east, with the school sports ground to the west and farmland to the south.

The site falls outside of development limits in terms of Core Policy 1 and 2 in the Core Strategy. Again, this was an objection that was raised. It is however noted that Core Policy 47 is an “exception policy” (Core Policy 2, par 4.25) where development may be permitted outside of development limits.

The site is furthermore roughly 900m away from Warminster town centre, and is therefore within walking or cycling distance of essential services including schools and health services. The site is therefore not ‘away from existing settlements’ and is considered to be in a sustainable location. In this regard a number of recent planning and appeal decisions have approved sites in more remote localities.

vi. It will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings.

The site is largely surrounded by hedging or mature trees, barring the south eastern boundary where a ditch and wire/post fence define the edge of the property. Ordnance Survey sheets show a sliver of land between the site and the neighbouring property on which a dwelling is located.

The proposals indicate the planting of a new landscaping belt of natural species as a buffer and screen between the ditch and the neighbouring property. The vegetation to the Bath Road boundary would be replaced where relocated to provide for the visibility splay and the existing screening to the properties across the road would be largely maintained, barring views through the access point itself, with the road in the intervening space between the site and dwellings. The nearest mobile home unit would be some 36m from the dwelling to the east. Thus, although the units would be set on rising ground relative to the neighbouring dwelling and there would be a degree of impact on outlook, the separation distances would be wholly adequate in terms of privacy, and this would be enhanced by the planting proposals. In accordance with best practice for Gypsy and Traveller Site Design, a children’s play area is indicated beyond the proposed 6m wide landscaping belt to the north west of the dwelling, but this should be seen in the context of an open garden area and not a formalised play space that would be associated with a public playground. Use would therefore be anticipated to be during normal daylight hours as would be associated with a residential garden.

The site has no special landscape designation, not being Green Belt or within an Area of Outstanding Natural Beauty). The proposals include replacement hedging to the road frontage (further discussed in ecology section below). This would result in the loss of trees to the road boundary which it is proposed to replace with an indigenous species hedge, effectively continuing the hedge line from the property to the east but in order to provide the sight lines necessary for safe access. In light of local objections and the ecologist comments it is recommended that relevant conditions are imposed to require a construction method statement that addresses planting and ecological mitigation, with no site clearance or development being permitted prior to submission and approval of the plan. The statement should also include details of root system protection for any trees that may be affected by development, it being noted that hard surfacing is not proposed for the individual pitch areas, but porous stone surfaces.

One neighbour objection was that the site would be used for commercial business purposes. An appropriate condition would ensure that the residential use only is permitted. Design issues were also raised, but the proposal involves a change of use where standard mobile home and touring caravan criteria would have to be met, and the proposed day rooms are of a design widely accepted in the County. Potential light pollution can be addressed by way of a condition.

The access to the site would be opposite No's 16 & 18 Bath Road and the question of light pollution from vehicles is raised as a potential issue. The proposal is effectively for residential accommodation and it would therefore be anticipated that the access would function in terms of traffic levels and hours to serve the units as would be the case in a residential cul de sac with four properties exiting onto a lit roadway. On balance this is not considered to constitute a reason for refusal.

vii. Adequate levels of privacy should be provided for occupiers

As noted above, although the site is set on rising ground relative to the nearest dwelling, separation distances are wholly adequate. The orientation of the mobile home siting is furthermore such that side elevations of the nearest units would face the dwelling, with windows orientated to face at 90 deg away from the dwelling. Given current and proposed screening in conjunction with these factors, no unacceptable privacy issues are therefore anticipated for occupants.

viii. Development of the site should be appropriate to the scale and character of its surroundings and existing nearby settlements

The site would be effectively occupied by four residential mobile homes with the only permanent structures being the day rooms, which accord with similar designs accepted elsewhere within the County (maximum ridge heights would be 4m). The site would be well screened from the surrounds upon completion of planting and in terms of existing hedges and trees. The site is within the semi-urban fringe of Warminster and a residential use is not incompatible with the surrounds to the north and east. Core Policy 47 is an "exception policy" in the Core Strategy, where encroachment on land outside of development limits can be allowed provided that the relevant criteria are met.

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 proposals would involve the relocation of the hedging to the Bath Road boundary but existing vegetation and trees to the other boundaries would be retained. A new 6m wide

band of indigenous planting is proposed to the eastern side of the site. The site does not have any national/international designation, but the Ecologist has noted the potential presence of protected species, particularly bats. The issue of ecology was also raised by objectors. Whilst the officer recommended studies prior to determination it is considered that an appropriate approach would be to treat the potential bio-diversity enhancements inherent to the new and replacement planting as a single project. As noted above, it is considered reasonable in the light of the comments received, to impose a condition not allowing for any site clearance or removal of hedges or trees prior to the completion of appropriate surveys which should link into proposed mitigation measures for any loss of habitat to be included in a Construction Management plan so as to secure bio-diversity enhancements and tree protection.

The drainage officer has addressed matters of drainage and the archaeologist has confirmed, in the light of studies already carried out, that no archaeology conditions are required.

10. Conclusion

The proposals are considered to accord with Core Policy 47 of the Wiltshire Core Strategy in terms of the applicable criteria, and appropriate conditions would address issues of drainage, highway safety and ecology. The site is in a sustainable location in terms of NPPF policies, and the proposals accord with the government's policies in the Planning Policy for Traveller Sites and its relevant matters. There is a need for the development as identified in the GTAA (with due allowance for recently granted permissions.) The Council's earlier evidence base has been substantively criticised by the Core Strategy Inspector and the GTAA is therefore considered to be the key material consideration in terms of supply. The applicants meet the definition of travellers as set out in the PPTS and there is access to local services, education and health care facilities in relatively close proximity to the site. A number of local objections have been received, in particular in relation to flooding and highways matters, but also in relation to other issues. However, it is considered that, provided appropriate conditions are made applicable, the application can be recommended for permission and there is no reasonable reason to conclude otherwise.

RECOMMENDATION

Permission 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 site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for traveller sites (DCLG, 2012).

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.

3. There shall be no more than 4 pitches on the site and on each of the pitches no more than 2 caravans shall be stationed at any time and of these, only 1 caravan on each pitch shall be a static caravan, all as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968.

REASON: In order to define the terms of this permission.

4. No commercial activities shall take place on the land, including the storage of materials and no burning of materials shall take place on open ground.

REASON: In order to define the terms of this permission, protect the rural scene and character of the area, and protect the amenities of the area and neighbour uses.

5. No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.

REASON: In order to define the terms of this permission and protect the rural scene and character of the countryside.

6. Notwithstanding the submitted details no development shall commence on site until a scheme for the discharge of foul water from the site to the mains sewer has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

7. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

8. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

9. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

10. Prior to the first occupation of the development hereby approved, details of any external lighting shall be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of preventing light pollution and nuisance.

11. No site clearance, site preparation or development work shall take place until a bat activity survey and a tree assessment/survey drawn up in accordance with the Bat Surveys Good Practice Guidelines (Hundt, 2012) and an Ecological Appraisal of the application site to identify features of ecological importance and protected species have been submitted to and approved in writing by the Local Planning Authority. The appraisal shall include a hedgerow assessment of the entire boundary.

REASON: In the interests of maximising ecological and biodiversity interests.

12. No site clearance, site preparation or development work shall take place until a construction management plan based on the survey and ecological appraisal required in terms of Condition 9 has been submitted to the Local Planning Authority for approval in writing. The plan shall include details of precautionary measures that will be implemented during site clearance and development for the avoidance of impacts on protected species including but not limited to bats, and proposals for mitigation and/or compensation in line with Core Policy 50 of the Wiltshire Core Strategy as well as proposals for the protection of root systems of trees that may be affected by development. Site clearance and development shall then take place in accordance with the construction environment management plan.

REASON: In the interests of maximising ecological and biodiversity interests.

13. Notwithstanding the submitted details no development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- a) location and current canopy spread of all existing trees and hedgerows on the land;
- b) full details of any to be retained, together with measures for their protection in the course of development as may be required under Condition 12;
- c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- d) means of enclosure;
- e) car park layouts;
- f) all hard and soft surfacing materials.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features and to include any landscaping requirements arising from Condition 10.

14. 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 development 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.

15. The development hereby permitted shall not be first brought into use until the first 12.5m of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety

14. Any gates shall be set back 12.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety

16. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

17. No part of the development shall be first brought into use until the visibility splays shown on the approved plans have been provided, with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety.

18. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; 1450/01A; 1450/02A; 1450/03A read in conjunction with the landscaping plan required under Condition 11.

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

INFORMATIVE

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes