

Application No: 16/00394/VAR Variation / Removal of Condition

Site: Land At Shorthill Farm, Lyburn Road, Nomansland, Salisbury, SP5 2DF

Proposal: Application to vary Conditions 1, 2 and 3 of appeal decision APP/T3915/C/05/2003486 to planning permission SDC/S/05/01776 to allow permanent use of the site for stationing of no more than 4 caravans and increased site area

Applicant: Mr A Wiles

Case Officer: Deborah Slade

Parish: REDLYNCH

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

CP13 Gypsies, Travellers & Travelling Showpeople
DP1 General Development Principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 3 - Supporting a prosperous rural economy
Sec 6 - Delivering a wide choice of high quality homes
Sec 11 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Redlynch Parish Council: The Parish Council recommend refusal:

- Additional caravans will significantly increase the level of harm to the landscape and therefore contrary to one of the National Parks statutory

purposes, to conserve its natural beauty etc.

- The new Location Plan has more than doubled the space shown for the caravans compared with that shown in the 2006 site map used in the Appeal. It also shows the closeness of the public track to the caravan site.
- The applicant's original request was for temporary permission for the applicant's son to complete his education which has now been met and was an important reason for the Inspectors decision.
- The National Park's Landscape Character Assessment was published in 2015 and identifies the management desire to protect the mosaic of small scale fields.
- There has been a number of Planning Inspectorate decisions regarding Gypsies and Travellers Sites in the Landford/Redlynch region which supports refusal.
- The NPPF, PPTS and the Hampshire Travellers Accommodation Assessment (HTAA) have all been published since the 2006 which needs to be taken into account in this decision. In addition, the Salisbury District Council's Local Plan has now been replaced.
- The Landford/Redlynch provision of Gypsies and Travellers sites and support for the Lode Hill site is recognised and any further permanent sites in this part of the National Park represents over provision for this area, particularly as it would represent 100% of the National Parks planned need for up to 2027.
- The National Park has been accredited great weight in planning decisions presumably in accordance with its national and international importance.
- The Parish Council would accept a further temporary period to ensure the applicant's other son's education is protected.
- In summary, the additional caravans would have an adverse impact on the character and appearance of the landscape and since the village of Nomansland has only limited facilities the application would be contrary to Planning Policy DP1, Core Policy CP13 and the advice given in NPPF section 3, 6 and 11.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

- 9.1 3 letters of representation received (2 comments, 1 objection):
- Concern expressed about further expansion of the site beyond what is already there;
 - There is already a satisfactory level of provision for travellers in the Redlynch/ Landford area already;
 - There is already a friendly relationship in the village with this travelling family
 - The application represents a 100% increase in accommodation
 - The applicants look after the site well, but do not need to live on site for business purposes

- Any consent granted should be personal to the family

9.2 One comment received from the CPRE:

- Wiltshire Council has not met its duty to provide alternative traveller sites;
- The 2006 consent needs to be reviewed and at the very least renewed on a temporary basis;
- Concern however that doubling the size of the site would set a precedent.

10. RELEVANT HISTORY

10.1 Change of use of land to mixed use, including use as a caravan site for the stationing and residential occupation of a touring caravan and traditional bow-top wagon/ vehicle designed or adapted for human habitation, together with the use of land for the keeping of horses and operational development consisting of the erection of a stable block (S/2005/1776) allowed on appeal 25 July 2006

11. ASSESSMENT

11.1 The site comprises a small parcel of rural land, which has been used for the past 10 years as the main residential site for Mr & Mrs Willett. They also own the adjacent fields, on which they graze horses. Mr & Mrs Willett are genuine travellers, as defined by the 'Planning policy for travellers sites' guidance ('PPTS') (2015). They now have 2 sons who live with them at the site.

11.2 They were given planning permission for the site on appeal in 2006, for a 10-year period, while their eldest son (who is now 18) went to school. The appeal was allowed as the site was considered to be reasonably well-located, and part of the character and cultural heritage of the area surrounding Nomansland, with no other planning harm identified. There were other planning conditions attached to the consent which stipulated no more than 2 caravans should be kept at the site, and the 'residential' area of the site was limited in scale by a plan attached to the decision notice.

11.3 Ten years down the line, the applicants still wish to continue living mainly from the site, as they are now part of the local community, and so that their younger son can continue his education. Over the past 10 years, and due to changes in circumstances, the residential area of the site has now expanded to a small degree from what was originally proposed, and they now have 4 caravans overall; one tourer, one which is very small for sleeping quarters, one 'mobile home' which is their family day room, and one mobile van which belongs to their eldest son, to give him some independence. These vans have all been on site for a while, and

the applicants are seeking to regularise their consent at this juncture, rather than proposing to expand the site or bring on any additional caravans. They are hoping to upgrade their eldest son's accommodation at some point, to something more modern, but not to significantly increase its size or impact. From visiting the site, the nature of the accommodation they have is not excessive in scale or provision and is commensurate with the needs of that one family.

- 11.4 Permission is sought for a permanent, personal consent, which also include's Mrs Willett's name explicitly. When Mr and Mrs Willett (and their two dependent sons) no longer require the site, it would cease to exist - but they are hoping for the security of a permanent consent rather than a further 10 years.
- 11.5 The Authority has a duty to provide travellers sites, and this one has been established without harm to the character and appearance of the area (as confirmed in the 2006 appeal decision), and without impact upon the local community since. The site is sustainable in location for the applicants' purposes, and no additional traffic movements would be expected as a result of this consent over what already exists.
- 11.6 The site already counts towards the number of travellers' sites within the Park and if this site were to be discontinued, there would be the need for the Authority to provide an additional site elsewhere. Therefore it is considered that the existing site, which is of low impact, should be continued. It would be reasonable to afford Mr and Mrs Willett the security to know that they do not *have* to cease occupation of the site at some point in the future, and that the site can inure for their purposes.
- 11.7 Policy CP13 requires consideration of the established generic need for travellers' sites, as well as demonstration that specific family circumstances require a site to be located within the National Park. The Travellers Accommodation Assessment for Hampshire (2013) sets out an estimated projected future need for 2 extra pitches in the National Park by 2017. If this site now under consideration were lost, that would rise to 3. In this case, the family are already lawfully established at this site within the National Park, and have links with the local community, including schools and business. They therefore have a locational need for this site dating back to before the National Park was established.
- 11.8 Overall it is therefore recommended that the conditions attached to the consent should be updated to reflect the area and level of use which presently takes place on the site, and to grant a permanent, personal consent for the applicants and their dependents, i.e. their two sons. It should be noted that the permission is sought on a personal basis.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 The residential use of the site shall be limited to the area shown hatched black on the plan attached to this decision. The land edged heavily in black on that plan shall be used for the purposes of agriculture and/ or the keeping of horses and shall not be used for the storage of any plant, equipment, machinery, vehicles unrelated to the use of the land or for the erection of any buildings or structures unless previously authorised by the Local Planning Authority on submission of a planning application in that regard.

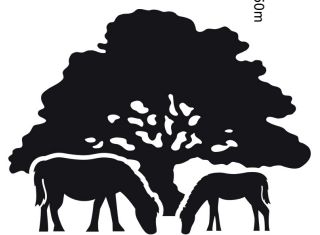
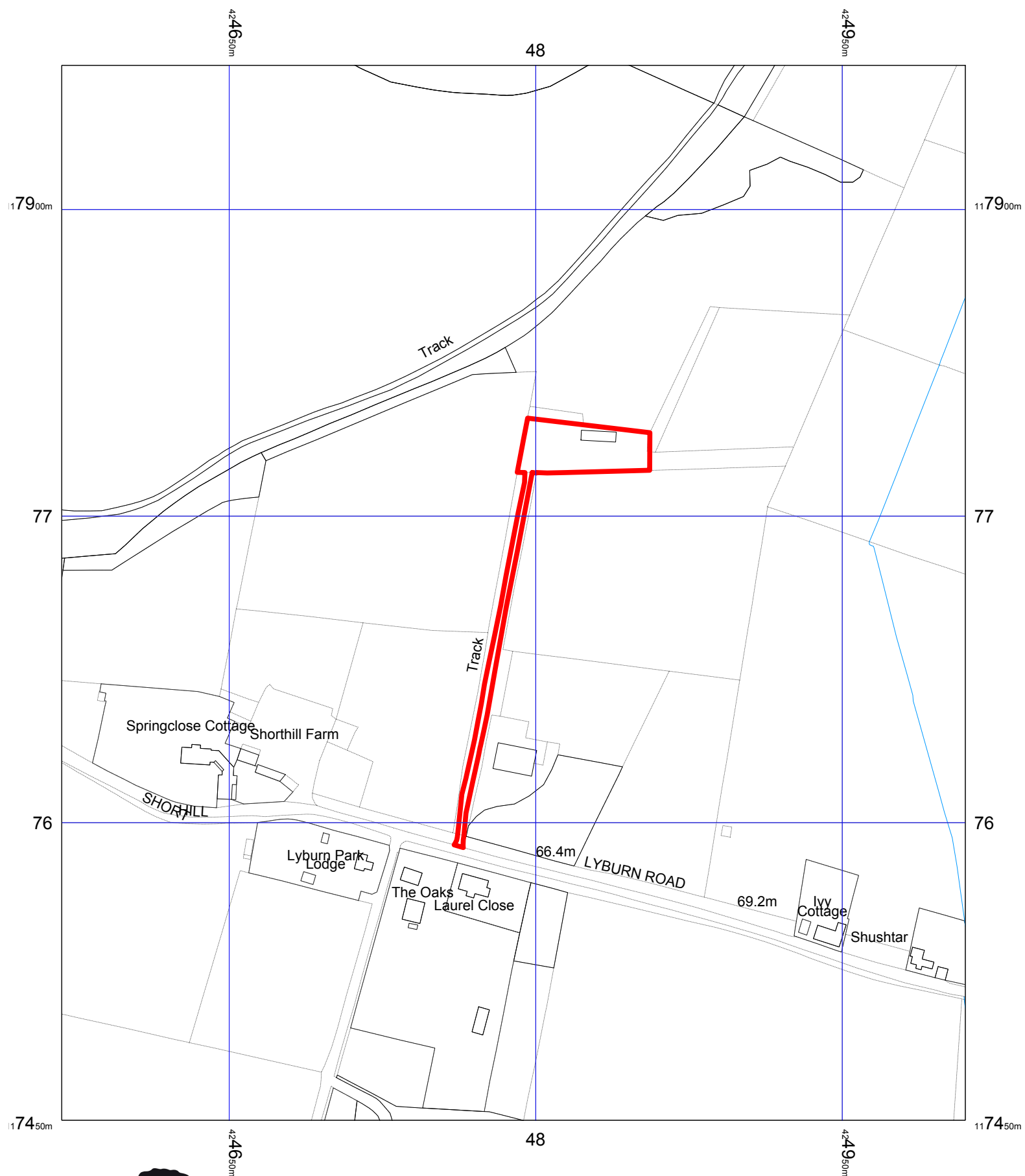
Reason: To uphold the character and appearance of the area in accordance with Policies DP1 and CP13 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 2 The occupation of the site shall be limited to Mr and Mrs Willett and any resident dependents for the period during which they occupy the land. Following this the land shall be restored to a condition first agreed in writing by the National Park Authority.

Reason: To prevent the permanent residential development of the site which would be contrary to Policy CP12 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 3 No more than four caravans shall be stationed on the site at any one time.

Reason: To uphold the character and appearance of the area in accordance with Policies DP1 and CP13 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).



NEW FOREST
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