

**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 Willett

**Case Officer:** Deborah Slade

**Parish:** REDLYNCH

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**1. REASON FOR COMMITTEE CONSIDERATION**

Previous 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: 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 have 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 Three letters of representation received (two comments, one 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 This application was deferred from the last meeting to seek further clarification on several issues which are set out below (11.8). To recap, 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 includes 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 Members were concerned about this proposal and sought clarification on several matters which are addressed below.

### Landscape impact of the proposal

11.9 Policy CP13 requires that a proposal's impact on the landscape character must be acceptable. The Inspector noted when permitting the site that the visibility of the site is limited and that the site is only glimpsed from the public realm due to intervening foliage. The development, as permitted at the time, was considered to have a minimal impact upon the natural and built environment, and was considered to be appropriate in character and appearance to this part of the National Park.

11.10 The addition of two caravans, and the extension of the curtilage of the residential portion of the site by a distance of around 30 metres (by the siting of one caravan on the far side of the stable block), has not materially increased the visibility of the development. The site is still secluded and surrounded by countryside without public footpaths or rights of way. There is a distance of over 200 metres between the site and the closest public views, and all views of the site are substantially filtered by fields and hedges such that the site can only be glimpsed from within the wider area. The applicants have submitted their own photographic visual impact assessment which demonstrates this, and accords with the views of the proposal attainable from the site visit. Overall it is concluded that the landscape impact of the proposal would be acceptable.

### The need for the increase in the area of residential curtilage

11.11 The site does not have a 'residential curtilage' in the normal sense, as there is no one dwellinghouse with associated structures. The area originally approved for the siting of caravans was around 700 square metres. This has grown to around 1400 square metres, and this is what consent is sought to retain. Connor's van, the furthest to the east, has been in its present location since at least 2005 (as confirmed by aerial photography). The reasons for the increase in area are:

- because the number of caravans has increased to four rather than two;
- to more accurately reflect the existing location of the caravans
- to afford Connor some degree of 'independence', his van is positioned on the far side of the stable block (which was granted permanent consent in 2006). This results in an increase in the size of the 'residential' area.

Whilst it would be feasible to fit all four caravans onto the area originally specified at appeal for the siting of the caravans, there would be no material planning benefit in doing this, for example in terms of landscape impact, and the resultant effect would be a cramped and contrived area of caravans rather than the slightly more spacious and naturalised layout which is presently at the site, and has been the layout for the past 10 years.

The wording of the planning conditions

- 11.12 The proposed planning conditions have now been tightened to specify that 'resident dependents' extends only to Mr and Mrs Willetts' progeny, and that the number of caravans is more closely defined as referring to 1 no. mobile home and 3 no. touring caravans, which more specifically refers to the nature of the caravans which are presently on site.

The nature of Connor's 'dependency'

- 11.13 Whilst Conner Willett is now 18, he is registered disabled and has certain conditions which still make him very much dependent upon his parents at the present time (and for the foreseeable future). Mr and Mrs Willett have provided details on a 'confidential' basis which have been circulated to Members.
- 11.14 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.

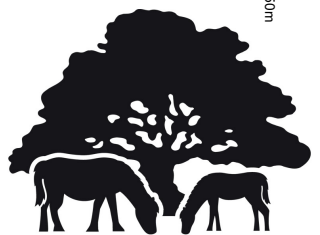
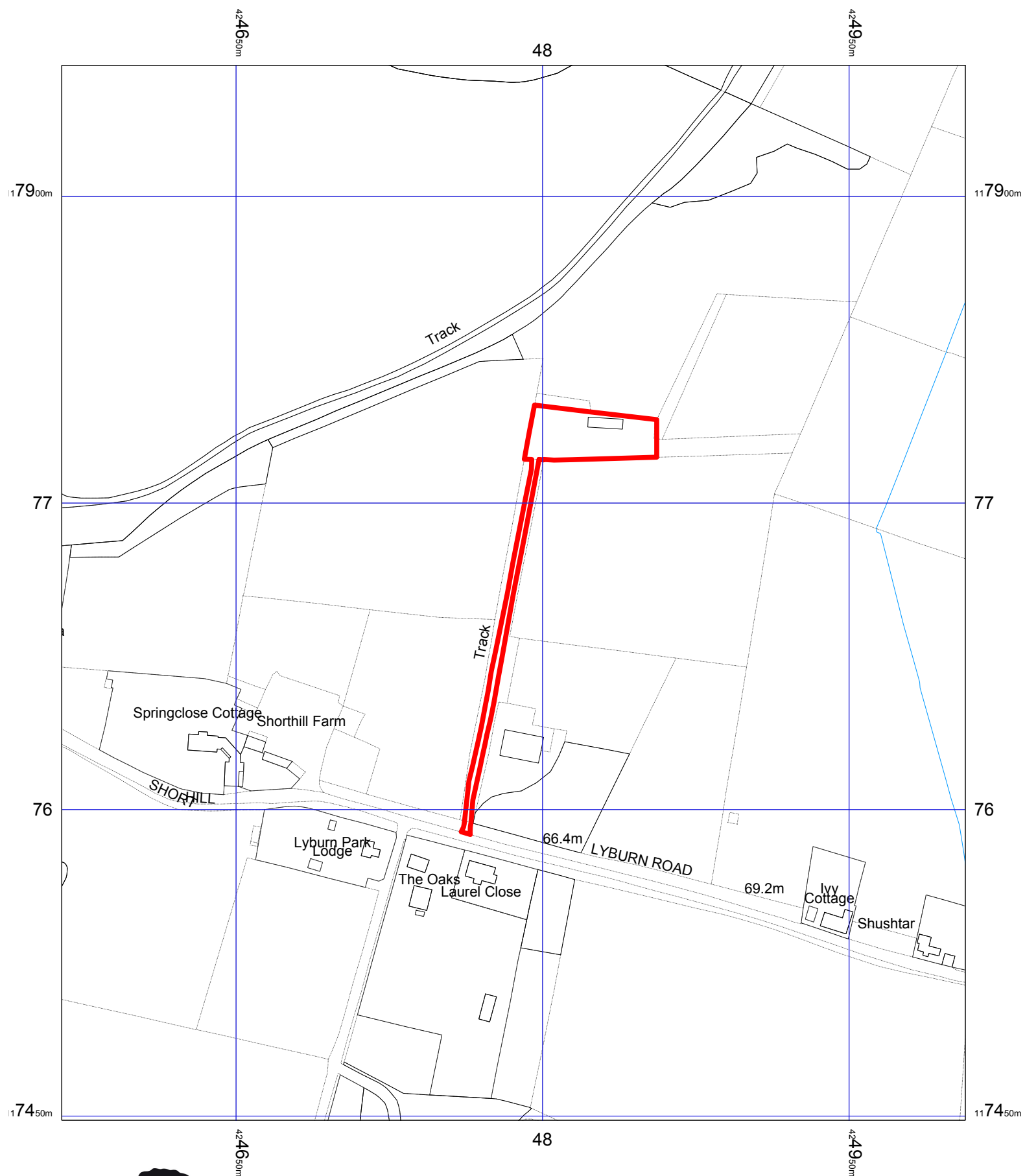
Reason: To uphold the character and appearance of the area in accordance with Policies DP1 and CP13 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

- 2 The occupation of the site shall be limited to Mr and Mrs Willett and their progeny 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 one mobile home and three touring 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  
NATIONAL PARK

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