

Application No: 20/00028/FULL Full Application

Site: Forest View, Lyndhurst Road, Landford, Salisbury, SP5 2AS

Proposal: Change of use of the site for two permanent gypsy and/or traveller's pitches in accordance with Policy SP33.

Applicant: Mr Webb

Case Officer: Clare Ings

Parish: LANDFORD

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

SP5 Nature conservation sites of international importance
 SP33 Gypsies, Travellers and Travelling Showpeople
 DP2 General development principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Landford Village Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 15 - Conserving and enhancing the natural environment

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Landford Parish Clerk: Recommend refusal for the summarised reasons listed below (the full objection can be read on the web site):

- History - consistent theme in that permission for the current incumbent of the site has only ever been temporary
- Landscape - adverse impact on the landscape of the National Park, and contrary to Section 4 of the Landford Village Design Statement. In addition, the site would not meet its own criteria for further selection of

sites as set in Policy SP33

- Ecology - the application site shares a boundary with a Site of Special Scientific Interest and the use of the site for residential activity could result in pollution risks
- Contrary to a number of policies of the Local Plan
- The occupation of the site by Mr Webb under the current temporary arrangement and conditions is acceptable to most residents in the parish

8. CONSULTEES

8.1 Planning Policy Officer: No objection

9. REPRESENTATIONS

- 9.1 Four representations received objecting on the following grounds:
- Potential risk of pollution of Landford Bog and impact on ecology in this area, including Natterer's Bat
 - Not in keeping with rural landscape of Landford due to prominent location
 - Would result in two other caravans without having to meet the criteria of being family members
 - Difficulty in controlling future use
 - Outside housing policies for area
 - Would result in intensification of the use
 - Suburbanising impact on area
 - Does not comply with own policy on gypsy sites
 - Contrary to terms of various permissions and conditions

9.2 Two representations in support

10. RELEVANT HISTORY

10.1 Application to remove conditions 1 and 2 of planning permission 09/94036 to allow permanent stationing of a residential mobile home and ancillary buildings for occupation by any person within the definition of a gypsy (13/98900) granted on 2 June 2014

10.2 Continued use of land for the stationing of a residential mobile home and ancillary domestic buildings (09/94036) temporary permission granted on 16 June 2009

10.3 Variation of condition 1 of planning permission S/2004/330 to allow permanent occupation (07/91839) refused on 31 August 2007

10.4 Variation of conditions 1 and 2 of planning permission S/2004/330 to allow: a) permanent occupation; and b) Miss Donna Webb to also occupy the site (07/91531) refused on 20 June 2007

10.5 Stationing of residential mobile home and ancillary wc and

storage building (SDC/S/04/330) temporary permission granted on 22 April 2004

11. ASSESSMENT

- 11.1 The site lies to the west of Lyndhurst Road in Landford and falls into two parts: that to the front of the site (Plot 1) comprises an area used for the stationing of a mobile home, a gravelled area of hardstanding and a smaller ancillary building, and also space for a touring van; the part to the rear (Plot 2) is currently vacant. The part of the site with the mobile home is screened from the road by a 2m high fence, double gates and brick pillars, whilst that to the rear is separated from the adjoining paddocks by a post and rail fence. There is also some vegetation along the southern boundary. An area of hardstanding lies outside the fenced part of the site. Adjoining to the south is a stud farm and agricultural land and paddocks, whilst opposite is mixed residential development. The land slopes down to the rear where it adjoins part of the Landford Bog SSSI.
- 11.2 The proposal is for the change of use of the site to two permanent gypsy and/or traveller's pitches. The proposal indicates the inclusion of a new native hedge with native trees along the north-eastern and south-eastern boundaries.

Local Plan allocation

- 11.3 The site has been allocated in the adopted Local Plan (August 2019) for an additional permanent gypsy and traveller pitch (Policy SP33), and therefore the key consideration in this case is the policy.
- 11.4 This allocation followed discussions over the need to provide for future permanent accommodation needs for gypsies, travellers and travelling showpeople during the local plan process and was undertaken by a consortium of Hampshire Authorities. This concluded that there was a need for one additional pitch for gypsy or traveller household to be provided in the National Park. The assessment of the Forest View site for inclusion in the Local Plan concluded *"the site has been used as a single gypsy pitch for a number of years. It is well screened from the surrounding area and benefits from an existing access. Landford itself has a basic range of local services."* The site was therefore put forward and allocated in the Local Plan, with the Inspector concluding that:

"Policy SP33 allocates land for one additional Gypsy and Traveller pitch on an existing site at Forest View, which would meet the identified need. The policy contains suitable criteria to ensure that the site is developed appropriately." The principle of an additional gypsy/traveller pitch is therefore accepted.

Background

- 11.5 By way of background to the allocation, the original consent for the stationing of the mobile home (SD/S/04/330) was granted in 2004 (by the predecessor local authority) and was subject to a number of conditions, including that the use would only be temporary (for five years) and that occupation was restricted to Mr David Webb and any resident dependents. The permission was granted due to Mr David Webb being acknowledged as a bona fide Romany gypsy, well-known to the Gypsy Liaison officer at Wiltshire (County) Council, and also with strong family connections to the area. The temporary permission was extended in June 2009 (09/94036) for a further five years.
- 11.6 A further permission (13/98900) was then granted in 2014 which was conditioned to allow Mr David Webb to reside at the site until he no longer required it.

Other issues

- 11.7 In allocating the site, its proximity to the Landford Bog SSSI was taken into consideration, and the policy therefore required certain mitigation measures to be put in place. In line with the criteria of the policy, these can be conditioned, together with details as to precisely how the site would be laid out. It should be noted that Natural England did not object to the allocation.
- 11.8 The site, however, lies in close proximity to the New Forest SAC and measures would need to be put in place to adequately mitigate against the potential for additional recreation on the sensitive areas and, specifically to this site, to prevent the introduction of invasive species through fly tipping of garden waste. A contribution would therefore be sought.
- 11.9 Natural England have recently advised that there is uncertainty as to whether future housing (which would include gypsy/ traveller's pitches) and visitor accommodation development will adversely impact the protected habitats of the Solent due to increased levels of nitrates entering the system. In accordance with Natural England's recent advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been considered in assessing this application and a condition is included to address the issue. This is consistent with the approach adopted by other planning authorities in the Solent to address the issue and ensures the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 (as amended) are met.

Conclusion

- 11.10 The comments raised by the objectors and the Parish Council are noted, but it has to be emphasised that its use for a single

additional gypsy/traveller's pitch would be fully compliant with the allocation of policy SP33. The objections raised are not dissimilar to those made at the time of the Local Plan process, and it was concluded then that the allocation was appropriate. It is therefore recommended that permission should be granted.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Development shall only be carried out in accordance with Drawing numbers: DR1 and DR2. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 3 Occupation of the site shall be limited to gypsies or travellers as defined in Planning Policy for Traveller Sites (2015) or any subsequent amendment and with a local connection to the New Forest National Park only.

Reason: Residential occupation of the site is only justified on the basis that it is necessary to provide accommodation for gypsies/travellers in accordance with Policy SP33 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019)

- 4 No development shall take place until a detailed site layout and scheme of landscaping of the site, the latter to include the removal of the existing high walls and fences, shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include:

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location) indicating an enhancement of the site;
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;

(e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 5 Prior to the commencement of development ecological mitigation for the New Forest Special Protection Area, Special Area of Conservation and/or Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial contributions in accordance with the Authority's Habitat Mitigation Scheme.

Reason: To safeguard sites of international ecological importance in accordance with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019), the Authority's Habitat Mitigation Scheme.

- 6 The development hereby permitted shall not be occupied until:

a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority;

b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

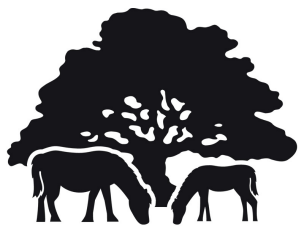
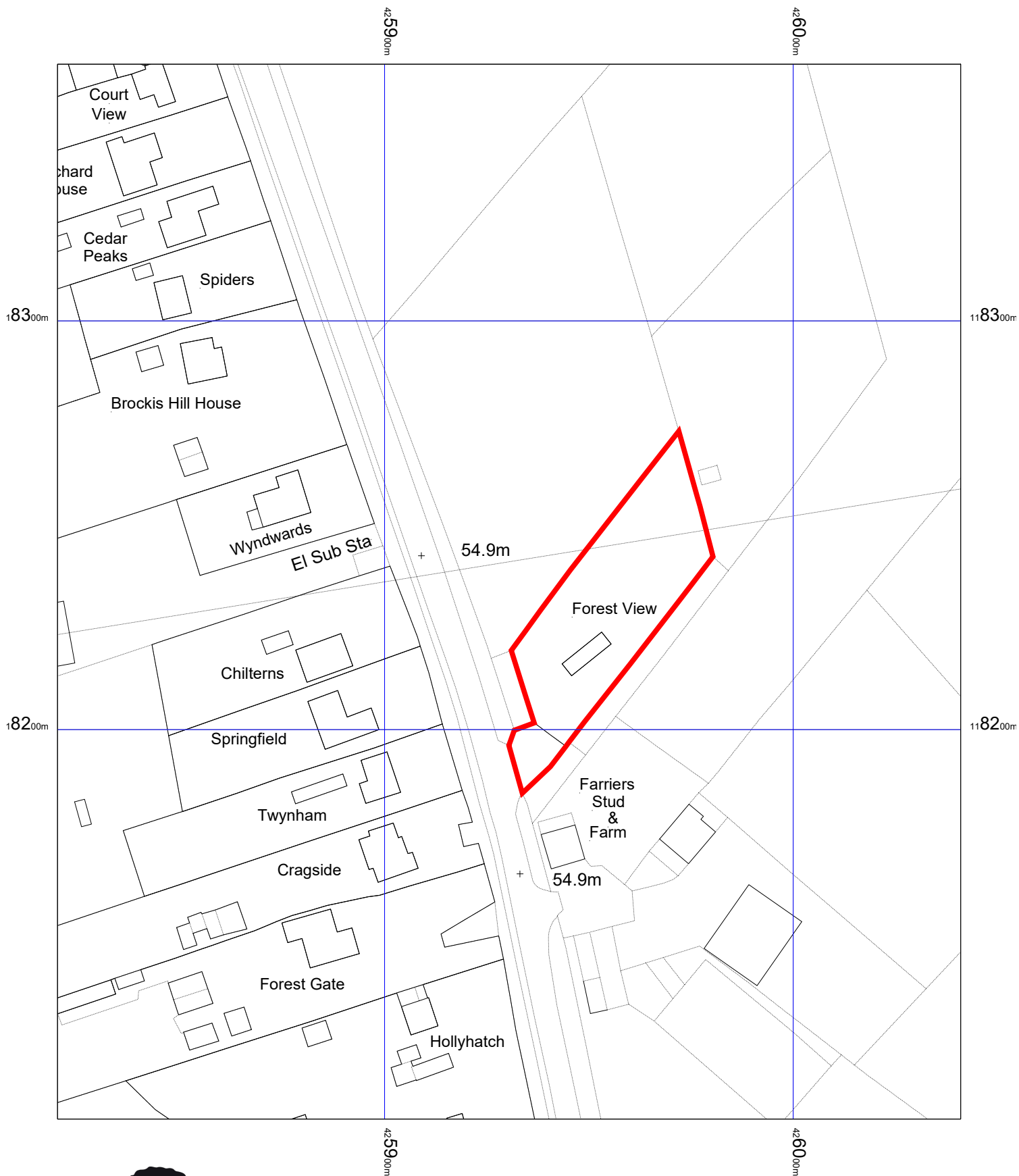
The development shall be carried out in accordance with and subject to the above details.

Reason: There is existing evidence of high levels of nitrogen and

phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. To ensure that the proposal may proceed as sustainable development, there is a duty upon the Local Planning Authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Authority has had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Policy DP2 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).

- 7 No more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended (of which no more than one shall be a static caravan) shall be stationed within each of the two plot at the site at any time.

Reason: The site is only justified on the basis that it is necessary to meet the needs for Gypsy/Traveller sites in the National Park in accordance with Policy SP33 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).



NEW FOREST
NATIONAL PARK

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