

2.3 REFERENCE NO - 15/500330/FULL			
APPLICATION PROPOSAL			
Change of use of land to a gypsy site comprising the stationing of one mobile home and two touring caravans, erection of a day room, associated parking space and hard-standing and the formation of an earth bund around the site (Retrospective).			
ADDRESS Keycol Farm Keycol Hill Bobbing Kent ME9 8NA			
RECOMMENDATION Approval subject to further comments for the Parish Council and local residents in response to the gypsy status information (closing date expires prior to committee meeting).			
SUMMARY OF REASONS FOR RECOMMENDATION			
The application site lies within a sustainable location. It is not within a designated landscape area and would have little impact on visual or residential amenities. Access to the site is long and narrow but owing to the small scale of this development, would not give rise to a significant highway impact. It is though important to ensure that the site does not expand in the future. I have given weight to the particular need of the applicant and his dependents for a permanent base in order to access education and healthcare facilities.			
REASON FOR REFERRAL TO COMMITTEE			
Ward Member call-in			
WARD Hartlip, Newington & Upchurch	PARISH/TOWN COUNCIL Newington	APPLICANT Mr J Smith AGENT Woodstock Associates	
DECISION DUE DATE 09/03/15	PUBLICITY EXPIRY DATE 09/03/15	OFFICER SITE VISIT DATE 12/03/15	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/89/0007	CHANGE OF USE OF BUILDING TO CLASS B1 BUSINESS USE WITH ANCILLARY OFFICE ACCOMMODATION (different site but same access)	Refused	29/03/1989
<i>Vehicles entering, leaving and waiting to turn right into the sub-standard access will interfere with the free and safe flow of other traffic on the A2 -a secondary distributor, and increase the risk of accidents.</i>			
SW/84/1094 – Conversion of existing Oast house to single dwelling (different site but same access). Refused 07/12/1984			
1. <i>Backland development undesirable; 2. Unsafe access and; 3. Building not of sufficient architectural and historic merit to override reasons 1 and 2.</i>			

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site lies to the north of a row of properties fronting onto Keycol Hill/A2. It is accessed off Keycol Hill/A2 via a narrow track between two properties. The application site area totals 0.16ha. It is to the rear of a large former agricultural barn and to the west of two dilapidated agricultural barns (currently being rebuilt/repared and the subject of an enforcement investigation). Members should note that this is outside of the application site and so should have no bearing on the current proposal.
- 1.02 The site is relatively flat, having been levelled by the applicant prior to the submission of the current application. The land though is at a higher ground level than the properties fronting Keycol Hill. The land further to the east rises upwards sharply with the Rooks View housing estate sitting at the top of the hill. Agricultural land lies to the north and west of the site.
- 1.03 A man-made bund encloses the application site around the north, east and west boundaries of the site. This bund forms part of the current planning application.

2.0 PROPOSAL

- 2.01 This application seeks retrospective planning permission for the change of use of the land to a gypsy site comprising the stationing of one mobile home and two touring caravans. These would be positioned close to the northern and eastern boundaries of the application site. The caravans would be occupied by one gypsy family – two adults and four children. The mobile home would be occupied by the adults and two of the younger children and the touring caravans would be occupied by the applicant's two older children.
- 2.02 The proposal would also involve the provision of a permanent day room building (kitchen, bathroom and utility room) finished with a tiled pitched roof and weatherboarding to the elevations. Parking for four cars is shown to be provided adjacent to the caravans and there is a large area of hard-standing serving the caravans, parking and turning area. An earth bund (formed of the earth removed to level the land on which the caravans sit) surrounds the caravans and parking area on three sides.
- 2.03 It is understood that the applicant owns much of the surrounding agricultural land and buildings therein. However, this land and buildings does not form any part of the current proposal for a gypsy site.
- 2.04 This application has been revised since its original submission to better describe the development on site and the applicant's need for caravans. Originally the application was for the stationing of four mobile homes.

3.0 PLANNING CONSTRAINTS

Potential Archaeological Importance

The site lies within the Countryside and is covered by Policy E6.

4.0 POLICY AND OTHER CONSIDERATIONS

- 4.1 The National Planning Policy Framework (NPPF) and Planning Policy Traveller Sites (PPTS) and the Development Plan (saved policies of the Swale Borough Local Plan 2008):
- 4.2 The national policy position comprises of the National Planning Policy Framework (NPPF) and Planning Policy Traveller Sites (PPTS). Both documents were released in 2012. Together they provide national guidance for Local Planning Authorities on plan making and in determining planning applications. A presumption in favour of sustainable development runs throughout both documents and this presumption is an important part of both the plan-making process and in determining planning applications. In addition there is a requirement in both documents that makes clear that Council's should set pitch targets which address the likely need for pitches over the plan period and maintain a rolling five year supply of sites which are in suitable locations and available immediately.
- 4.3 Whilst regard has been paid to all of the guidance as set out within the NPPF, the following extracts are particularly relevant to this application:

“2.31 There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- ***an economic role*** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- ***a social role*** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- ***an environmental role*** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy. (Para 7 NPPF)”

- 4.4 Whilst regard has been paid to all of the guidance as set out within the PPTS, the following extracts are particularly relevant to this application:

“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 (para 3 PPTS).

To help achieve this, Government’s aims in respect of traveller sites are:

that local planning authorities should make their own assessment of need for the purposes of planning to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites to encourage local planning authorities to plan for sites over a reasonable timescale that plan-making and decision-taking should protect Green Belt from inappropriate development to promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites that plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply to reduce tensions between settled and traveller communities in plan-making and planning decisions to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure for local planning authorities to have due regard to the protection of local amenity and local environment (para 4 PPTS)

Local planning authorities should ensure that traveller sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies:

promote peaceful and integrated co-existence between the site and the local community promote, in collaboration with commissioners of health services, access to appropriate health services ensure that children can attend school on a regular basis provide a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampment provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well-being of any travellers that may locate there or on others as a result of new development avoid placing undue pressure on local infrastructure and services do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability (para 11 PPTS)

Applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the National Planning Policy Framework and this planning policy for traveller sites (para 21 PPTS)

Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites: the existing level of local provision and need for sites the availability (or lack) of alternative accommodation for the applicants other personal circumstances of the applicant that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites that they should determine applications for sites from any travellers and not just those with local connections (para 22 PPTS)

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. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate the nearest settled community, and avoid placing an undue pressure on the local infrastructure (para 23 PPTS).

Subject to the implementation arrangements at paragraph 28, if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission (para 25 PPTS)

- 4.5 The Council responded positively and quickly to the change in the national policy position in respect of Gypsy and Traveller accommodation. The LDF panel quickly supported the commissioning of a new Gypsy and Traveller Accommodation Assessment (GTAA), which was completed in June 2013 and identified a need for 82 pitches to be provided during the plan period (adjusted down from 85 pitches in reflection of those sites granted consent whilst the document was under preparation). There was a suggested phasing for the delivery of sites, a figure of 35 pitches in the first five years. This need figure was incorporated within the draft Bearing Fruits Swale Borough Local Plan: Part 1 consultation document in August 2013 with a policy introducing provision for pitches on major housing development and criteria for any potential windfall applications that might come forward.
- 4.6 Shortly after that the Council quickly begun work on Part 2 of the Swale Borough Local Plan which will deal with site allocations for Gypsy and Traveller pitch provision only.
- 4.7 Over 40 pitches have already been granted planning permission in the first two years; however almost all of these are already occupied meaning that although they come off the need figure, they are no longer available. As such, the Council are not currently able to demonstrate a five year supply of sites. The remaining need will be provided either through pitch provision on

Local Plan mainstream housing allocations or specific Gypsy allocations in a separate DPD. The Local Plan is due for its Examination in September which will validate the Council's approach and effectively allocate a number of pitches per housing site.

- 4.8 Until these allocations are adopted or progressed the Council will be reliant on windfall planning permissions to meet the need.
- 4.9 Given the above, and the fact that the Council does not consider it is currently able to demonstrate a five year supply of available pitches, paragraph 25 of Planning Policy for Traveller Sites is engaged, and there are grounds for considering the grant of temporary or permanent planning permission on the basis that such a supply cannot be demonstrated.
- 4.10 Other relevant planning policies within the Swale Borough Local Plan 2008 are: E1 (general development criteria); E6 (countryside); E7 (Strategic gap); E9 (landscape); E11 (biodiversity); E19 (design); H4 (accommodation for Gypsies); T1 (access) and; T3 (vehicle parking standards).
- 4.11 The emerging Local Plan – Bearing Fruits 2031 is a material planning consideration. Relevant policies within this document are: DM6 (managing transport demand and impact); DM7 (vehicle parking); DM10 (Gypsy and Travellers sites); DM14 (general development criteria); DM24 (conservation and enhancement of valued landscapes) and; DM34 (scheduled monuments and archaeological sites).
- 4.12 Other legislation of particular relevance to planning applications involving gypsies is as follows:

Human Rights Act 1998

s6(1) – comply with the European Convention

The key part of the Convention to consider is article 8;

“Everyone has the right to respect for his private and family life, his home and his correspondence.”

Children’s Act 2004

In addition to taking into account the race equality duty, Local Planning Authorities have a duty to safeguard and promote the welfare of children under section 11 of the Children’s Act 2004.

Equalities Act 2010

Public sector equality duty which forms section 149 of the Equalities Act 2010

(1) A public authority must, in the exercise of its functions, have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Housing Act 2004

One of the key factors which Local Planning Authorities must take account of is the duty to carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to their area, and then take the strategy into account when exercising their functions. This duty is covered by section 225 of the Housing Act 2004.

5.0 LOCAL REPRESENTATIONS

5.01 Twenty six representations have been received from surrounding residents, all objecting to the proposal. A summary of their comments is as follows:

- the site is not allocated as a gypsy site;
- loss of privacy to properties along Keycol Hill;
- increase in noise;
- increase in traffic;
- light pollution;
- concern about water run-off from the site;
- reference to the re-building of a barn (outside of the application site);
- impact on archaeology;
- access inadequate and unsafe;
- insufficient parking;
- track not suitable for refuse vehicles;
- no provision for sewage, gas or water;
- danger of adjacent land being developed and concern that this needs to be monitored;
- proposal does not protect or enhance the rural environment;
- visual harm;
- incompatible with agricultural land;
- temporary permission should not be granted;
- The applicant previously lived in a permanent residents in Maidstone – the applicant is therefore not a gypsy.
- Concern about security of property;
- Commercial vehicles will access the site;
- There are already a number of gypsy sites in the area;
- Concern about who would use the touring caravans;
- A gypsy site is planned for a site adjacent to the Bobbing Apple and the applicant should move there;
- Concern about the breaches of planning control and the apparent lack of action by SBC enforcement;
- Unacceptable backland development;
- Unsuitable for emergency access;
- The application does not have enough information;

- Access unsuitable for post and delivery vehicles;
- Concern about notification of the application to neighbours;
- An Environmental Impact Survey is required;
- The cumulative harm outweighs the benefits of the proposal;
- This is a conservation area and the proposal would be harmful (not in a Conservation Area);
- The development may impact on several pairs of Skylarks nesting in the land to the rear of the site;
- The use of soakaways may put the houses fronting Keycol Hill at risk of flooding;
- It will take years before a landscape screen will become effective;
- Reference to previous refusals for development using this access on the grounds of harm to highway safety;
- Query the ownership of the track;
- The track has not been repaired/maintained and;
- House prices adversely affected.

6.0 CONSULTATIONS

6.01 Newington Parish Council objects on the grounds that the applicant has not considered policy DM10; the application does not provide safe play areas, there is insufficient parking and no identification of space for visiting caravans; the access to the site is unsafe; there is no information about connection to mains gas/drainage and the utilities are not sustainable; this is an important archaeological site; works carried-out without planning permission; incompatible with the setting/agricultural land; the proposal neither protects or enhances the rural environment; harm to residents of Keycol Hill due to lack of privacy; impact on ecology is unknown and already damaged by unauthorised work; granting a temporary planning permission would be unlawful as there is no guarantee that a site would be available at the end of the term. In response to the amended plans submitted, they highlight the need for further information on the needs of the family and their position with the GTAA. They are concerned about the lack of enforcement action against the breaches.

6.02 Kent Highway Services have no objection to the revised proposal noting:

'Having reviewed the revised details, and received clarification of the extant use of the site and the scale of the development proposals, I would like to withdraw my objection to this planning application. Although the access to the site is not ideal, it is appreciated that the site has a lawful agricultural use that could be brought back into operation at any time, and it is considered that this agricultural use could generate a reasonable level of vehicle movements through the exiting access. I am also aware that the track is already used by a number of the dwellings fronting Keycol Hill to access their parking areas, and also provides the only access to Crook Cottage. The vehicle movements likely to be generated by a single gypsy family are not considered to be a material increase over and above that from the existing and lawful uses that can

currently occur. On balance, therefore, I do not think it would be appropriate to maintain an objection on highway grounds.

Consequently, I would have no objections to the proposals in respect of highway matters subject to....condition...'

The condition recommended would ensure that the parking and turning space shown on the approved plans is provided and retained.

- 6.03 The County Archaeological Officer objects to the application noting that the area is archaeologically sensitive being close to the findings of a Roman settlement, metal findings and cremation. The levelling of the ground and hardstanding has already taken place at the site. Such works should have been undertaken following an archaeological evaluation and possible subsequent investigation or mitigation.
- 6.04 The Environmental Health Manager has no objection and suggests checking that the water supply is of potable quality.
- 6.05 Councillor Wright, Ward Member for Newington, Hartlip and Upchurch, objects to the proposal on the grounds that the applicant does not control the visibility splay required at the entry to the A2; the private road is not suitable for further traffic; traffic will reverse onto the A2; collection of waste bins and other services would be an issue and; this is not an allocated site in the emerging Local Plan.

7.0 BACKGROUND PAPERS AND PLANS

- 7.01 Block Plan; Typical mobile home details; Typical day room plans and elevations; Section drawing; Gypsy Status document; Health and Education Statement.

8.0 APPRAISAL

Principle of Development

- 8.01 A key issue to be considered is the status of the applicant as a gypsy or traveller. The PPTS provides a definition of gypsies and travellers as:

“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.”

- 8.02 The gypsy status of the applicant has been questioned by some local residents. They assert that the applicant previously lived in a permanent residence. The applicant’s agent has submitted information about the applicant’s gypsy status. The information provides details about Mr Smith’s family and ancestry, links to the local gypsy community, details of past living

accommodation and information about Mr Smith's current way of life which involves travelling to other areas of the country for work and for horse fairs etc. Members should note that there is much case law on the subject of gypsy status and I am appraised of the key cases. I am of the view that the information provided demonstrates that the applicant does hold gypsy status and is keeping up a nomadic way of life while ensuring a permanent base for this family to access health and education.

- 8.03 The site lies within the countryside where the principle of new residential development is normally resisted. However, as discussed above, it is clear that policies relating to the provision of gypsy and travellers' accommodation permit such development in the countryside as this is in line with their cultural heritage and lifestyles, and a reflection on the availability of land for such sites.
- 8.04 The site is not located in an area at risk of flooding, nor is it located in a designated area relating to landscape or biodiversity. There are no TPOs or listed buildings nearby.
- 8.05 The site is not listed within the Gypsy and Traveller Corporate Policy or the accompanying Site Assessment Report, and therefore should be considered a windfall site in terms of contribution to the Council's pitch provision requirements. Furthermore the site scores very highly on the Council's Site Allocation Assessment Methodology (attached as appendix), with all but two of the indicators falling within the "fully meets criteria" range. The site is therefore acceptable, at least in terms of the Council's adopted assessment tools, for gypsy / traveller accommodation.
- 8.06 I therefore consider that the principle of the proposed development is acceptable under national and local policy and that a permanent planning permission should be granted in this case as I can identify no harm from, or other policy objection to, this development (see discussion below). It should though be noted that if Members found that the site did cause harm in terms of planning considerations, they must consider granting a temporary planning permission in accordance with the NPPF and PPTS as set out in the Policy section above. This temporary permission would acknowledge the fact that this Council does not at present have a 5 year supply of deliverable gypsy sites.

Visual Impact

- 8.07 The application site is concealed from view from Keycol Hill/A2 by the houses fronting this main road and also the large disused agricultural barn that lies to the south of the application site. There is a public right of way that extends away from the site diagonally to the northwest. Views of the caravans and day room building from this public right of way would be limited by intervening buildings and also the bund that the applicant has put in place. There are some limited views of the site from the Rooks Views properties (175m to the east) owing to their elevated position. However, the impact of the caravans, day room, bund and hardstanding would be limited in my view by the distance

between the application site and these residential properties and intervening buildings and landscape features. I am also mindful of the fact that the caravans etc. are positioned close to existing buildings thereby ensuring that they do not pose as stand alone features within an open area of countryside. I therefore conclude that the development would have no detrimental impact on visual amenities of the surrounding area.

- 8.08 In terms of the impact of this proposal on the character and appearance of the landscape, for the reasons set out above, I consider that the impact would be insignificant. I note that the area is not covered by any particular landscape designations and do not consider that this particular site is unduly sensitive to change. The bund, although obviously a man-made feature could, if planted appropriately, help the proposal to blend into the landscape and/or avoid landscape harm. I have recommended a condition to address this.
- 8.09 In considering the above, I have given weight to the small scale of the proposed gypsy site, with only one static proposed and two tourers.

Residential Amenity

- 8.10 The application site is 51 metres from the closest neighbouring properties and an average of approximately 90m to the properties fronting Keycol Hill/A2. In terms of noise and activity at the site, I am of the view that this gypsy site would cause no undue disturbance to local residents given the residential nature of the use and the distances to neighbouring properties. There is potential increased noise from cars using the access track from A2 to the application site. This would have most affect on the properties immediately adjacent to the access – Tenby House and Bryngwyn. However, given the small scale of this gypsy site, which would essentially amount to a single household i.e. two adults and their children, I do not consider that the level of noise generated from traffic movements along the track would be unacceptably detrimental to the amenities of the identified properties. I also consider that the distance between the application site and the adjacent properties would be sufficient to ensure that any overlooking of rear gardens is insignificant.

Highways

- 8.11 Kent Highways Services have given careful consideration to the proposal and, although they originally objected to the application, their views are now that the development would not have a significant or materially worse impact on highway safety/amenity than the current use of the access does. The scheme was amended to better reflect the applicant's needs which would see the provision of caravans for Mr Smith and his immediate family. This would be akin to one household and it is the view of Kent Highway Services that traffic associated with one gypsy family using the access would not make the access materially worse in terms of highway safety/amenity. Members should note that the access is already used by four other properties for parking. The access would have also been used by the working farm when it was in operation and could be brought back into this use at any time without

the need for planning permission. This is a material planning consideration and I believe that the test should be whether the proposal would increase the use of the access to the extent that the harm to highway safety would be materially worse. I am in agreement with Kent Highway Services that this is not the case here. However, it will be very important to ensure that the use of the access does not notably increase and this can be controlled by way of a condition to limit the number of caravans allowed on the site.

Other Matters

- 8.12 As part of my assessment of this application, I am mindful of the information that the applicant has submitted in respect of the health and education needs of Mr Smith and his dependents. This confidential information sets out a good case for this Council supporting a permanent base for this gypsy family with two children requiring full-time education and two members of the family requiring regular healthcare. I have also given weight to the applicant's claim that they would be homeless if they were not allowed to stay on this site.
- 8.13 I note the objection from the County Archaeological Officer on the grounds that works to the ground at the site have already taken place and that there was potential for archaeological finds. The potential for the identification and study of archaeological finds at this site has therefore been lost. This is unfortunate, but the potential damage has already been done. I therefore consider that refusing this application based on lost opportunities for archaeological finds is inadvisable. I have also taken account of the fact that the groundwork to level the site (essentially scrapping off the top layer of ground and building up the perimeter bund and laying type one) covered a relatively small area and one must weigh up the potential loss of archaeological remains in situ against the need for the provision of gypsy sites within the borough, as well as the particular needs of this gypsy family. I suggest that the positive considerations hold more weight.
- 8.14 It is unfortunate that the works have already taken place at the site and that ecological protection cannot be considered i.e. potential for protected species at the site. However, the landscaping scheme that I have requested by condition can ensure that native species are planted at the site which will go some way towards encouraging wildlife back to the site.
- 8.15 Concerns about drainage will be addressed by conditions suggested below, which seek to ensure that details are provided and an approved drainage scheme implemented. In respect of connections to sewers, water, gas, and electricity, it is not uncommon for gypsy sites to make use of cess pool and gas cylinders and water and electricity supply would be a matter for the relevant utility companies. There is no reason to suggest that such utilities cannot be provided for this site.

9.0 CONCLUSION

- 9.01 Having considered the views of consultees, the Parish Council, local residents and the relevant planning policies, I am of the view that the proposal would be

compliant with national and local planning policies and would be acceptable in principle. I have not identified any harm to visual amenities, the character and appearance of the landscape, residential amenities and highway safety/amenity. I have considered the lost opportunity to protect potential archaeology and wildlife and whilst this is regrettable, I do not consider that the application should be refused as a consequence. I have also given weight to the particular needs of the applicant and his dependents and the information about the applicant's options for alternative sites/accommodation should planning permission be refused. I therefore consider that permanent planning permission should be granted.

10.0 RECOMMENDATION – GRANT Subject to the following conditions:

CONDITIONS

- (1) The site shall not be occupied by any persons other than gypsies and travelers as defined in Annex 1 to the DCLG Planning Policy for Traveller Sites.

Reasons: In recognition of the terms of the application, and because an uncontrolled use of the land would be unacceptably detrimental to the character and amenities of the area.

- (2) No more than one static caravan and two touring caravans shall be stationed on the site at any one time, as shown on drawing SM/14/187.01A.

Reasons: In recognition of the terms of the application, and because an uncontrolled use of the land would be unacceptably detrimental to the character and amenities of the area and could lead to harm to highway safety.

- (3) The site shall only be used for residential purposes and it shall not be used for any business, industrial or commercial use. In this regard no open storage of plant, products or waste may take place on the land, no vehicle over 3.5 tonnes shall be stationed, parked or stored on the land.

Reasons: In recognition of the terms of the application, and because an uncontrolled use of the land would be unacceptably detrimental to the character and amenities of the area.

- (4) No floodlighting, security lighting or other external lighting shall be installed or operated at the site, other than in accordance with details that have first been submitted to and agreed in writing by the Local Planning Authority.

Reasons: In the interests of preventing light pollution and preserving rural amenity.

- (5) Within 6 months from the date of this permission the area shown on the submitted layout as vehicle parking space shall be provided, surfaced and drained in accordance with details to be agreed in writing by the Local Planning Authority, and shall thereafter be retained for the use of the

occupiers of, and visitors to, the premises, and no permanent development, whether or not permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order), shall be carried out on that area of land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reasons: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to parking inconvenient to other road users and be detrimental to highway safety and amenity.

- (6) The use hereby permitted shall cease and any caravans, utility blocks, sheds, other structures, hard standings, fences, materials and equipment on the site and connected with the use, together with all ancillary vehicles and equipment, shall be removed within 28 days of any one of the following requirements not being met:

(i) within 3 months of the date of this decision there shall have been submitted for the approval of the Local Planning Authority a landscaping scheme comprising full details of soft landscape works. These details shall include existing trees, shrubs and other features, planting schedules of plants, noting species (which shall be native species and of a type that will encourage and enhance wildlife and biodiversity), plant sizes and numbers where appropriate, means of enclosure and an implementation programme. In addition, details of a surface water drainage scheme and details of the external finishing materials to the utility buildings shall be submitted shall be submitted within 3 months of the date of this decision.

(ii) within 11 months of the date of this decision the landscaping and drainage schemes and schedule of finishing materials shall have been approved by the Local Planning Authority or, if the Local Planning Authority fail to approve such a scheme, or fail to give a decision within the prescribed period an appeal shall have been lodged and accepted as validly made, by the Secretary of State.

(iii) if an appeal is made in pursuance of requirement (ii) above, that appeal shall have been finally determined and the submitted landscaping scheme shall have been approved by the Secretary of State.

(iv) all works comprised in the landscaping scheme as approved shall have been implemented, and completed within the timetable set out in the approved scheme and the drainage scheme shall have been implemented.

Reasons: In the interests of the visual amenities of the area, highway safety and amenity, and encouraging biodiversity.

- (7) The area shown on the submitted plan as car parking and turning space shall be kept available for such use at all times and no permanent development, whether permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting

that Order) or not, shall be carried out on the land so shown or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the occupation of the caravans hereby permitted.

Reasons: Development without adequate provision for the parking of cars is likely to lead to car parking inconvenient to other road users and detrimental to amenity.

- (8) The development shall be carried out in accordance with drawings SM/14/187.01A; SM/14/187.02A and; SM/14/187.03A.

Reasons: For the avoidance of doubt.

The Council's approach to this application:

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

The applicant/agent was advised of minor changes required to the application and these were agreed.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.

The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.

