

Agenda Item 6.

Development Management Ref No F/2012/0276	No weeks on day of committee 175	Parish Arborfield	Ward Arborfield	Listed by:
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Applicant	Mr Edward Doherty	
Location	Land adjacent to Highfield Park, Eversley Road, Arborfield Cross	Postcode RG2 9PP

Proposal Proposed extension and re-design of gypsy site to include the stationing of caravans for 8 pitches and 3 transit pitches together with the formation of additional hardstanding and utility/day rooms ancillary to that use

Type	Full
PS Category	11 Small scale major developments – Gypsy and Traveller pitches
Officer	Jennifer Seaman

FOR CONSIDERATION BY	Planning Committee on 24/06/2015
REPORT PREPARED BY	Head of Development Management and Regulatory Services

SUMMARY

Members are reminded that this application was originally reported to the planning committee on 26 June 2014. The application was approved subject to completion of a Section 106 Agreement to secure contributions and details of management arrangements for the transit site.

The Section 106 Agreement has not been completed due to disagreement between the council and the applicants with respect to whether contributions for the 3 transit pitches should be paid. In the meantime the Council has adopted CIL and the proposed development is not CIL liable. The only contributions that are now required are for SANG mitigation. The proposal is therefore being reported back to committee subject to an amended recommendation for the provision of SANG mitigation and details of the management arrangements for the transit site only. Conditions remain the same except for a small change to condition 4 and the report remains the same as before with the exception of the information relating to the newly adopted Gypsy and Traveller Accommodation Needs Assessment Final Report March 2015.

The application site is in the countryside. Part of the application site includes one of the 11 gypsy pitches at Highfield Park. Permanent planning permission for use of the land at Highfield Park as a gypsy caravan site was granted on appeal in 1999 and included conditions limiting each pitch to one lorry, one mobile home and one caravan. The site also includes land directly adjoining and to the south east of Plot 11.

The proposal is for the redesign of the existing gypsy pitch and extension into the adjoining area of countryside to provide 8 permanent pitches and 3 transit pitches together with the formation of additional hardstanding and utility/day rooms. Each of the seven proposed new permanent pitches would have room for a mobile home, a touring caravan and a utility/day room and there is room for two car parking spaces on each pitch. The transit pitch would provide an area for 3 touring caravans, with one car parking space each and one communal utility/day room.

Although the site is in the countryside, the gypsy and traveller site at Highfield Park is long established in this countryside location. In addition to the gypsy pitches on Highfield Park, the adjoining site at Walkers Yard, formerly used for industrial purposes, has planning permission for 12 gypsy pitches. Adjoining the site is a long established scrap yard/car breakers (Berkshire Car spares) and beyond that an industrial estate (Boundoak Industrial Estate).

The existing gypsy pitches and industrial uses have resulted in a change to the character and visual appearance of the countryside, as they cover a considerable area of land. The site itself is not characteristic of either landscape character identified in the Wokingham Landscape Character Assessment due to the degraded and unmanaged nature of the site. The site is not considered to be an isolated site in open countryside, approximately half the site is already in use as a gypsy and traveller pitch and the proposal is not considered to result in a significant change to the character and appearance of this particular area of countryside. Approval is recommended accordingly subject to the completion of a satisfactory legal Agreement, to provide SPA mitigation.

PLANNING STATUS

- Countryside
- Thames Basin Heath SPA 5km/7km mitigation zone

RECOMMENDATION

APPROVAL, subject to:-

(A) Completion of a Section 106 Agreement/Section 111 Agreement to secure the following contributions:-

SANG contribution £646.76 X 11 = £7114.36
SAMM contribution £2,690.93 X 11 = £29600.23

And to secure management arrangements for the transit site.

(B) And 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: In pursuance of s91 of the Town and Country Planning Act 1991 (as amended by s51 of the Planning and Compensation Act 2004).
2. The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1: Glossary of the Planning Policy for Travellers Sites.
Reason: To ensure compliance with the needs of the local Gypsy and Traveller population
Relevant Policy: Planning policy for traveller sites
3. There shall be no more than 8 permanent gypsy and traveller pitches in total on the site in the area shown as Plots 1-8 which shall be provided as shown on the submitted plan 11_427_003 Rev A. On each of the permanent 8 pitches hereby

approved no more than two caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed at any time, of which only one caravan on each pitch shall be a static caravan or mobile home.

Reason: In the interests of visual and residential amenity and infrastructure provision.

Relevant Policy: Core Strategy Policies CP1, CP2, CP3 and CP4

4. The proposed mobile homes, utility/day rooms and touring caravans on the area of land shown as Plots 1-8 on the submitted plan 11_427_003 Rev A, shall be provided and sited in accordance with plan no 11_427_003 Rev A. The proposed utility/day rooms shall be constructed on site prior to occupation of the pitches. Any material change to the position of a mobile home, or its replacement by another mobile home in a different location shall only take place following the written agreement of the council.

Reason: In the interests of visual amenity and infrastructure provision.

Relevant Policy: NPPF, Wokingham Adopted Core Strategy policies CP2, CP3 and CP4.

5. There shall be no more than three transit pitches and one communal utility/day room on the site shown in the area identified as Transit pitch on the submitted plan 11_427_003 Rev A. On each of the pitches hereby approved, no more than one touring caravan shall be stationed at any time. Any caravans sited on the transit pitches shall be capable of being lawfully moved on the public highway without division into separate parts. No static caravans or mobile homes shall be stationed on the transit site.

Reason: To ensure that the transit pitch is used only for that purpose and not as a permanent gypsy and traveller pitch.

Relevant Policy: NPPF, Wokingham Adopted Core Strategy policies CP2, CP3 and CP4.

6. No gypsy or traveller shall stay on the transit pitch hereby approved, within the area shown as Transit pitch, as identified on the submitted plan 11_427_003 Rev A, for a period of longer than 12 weeks, and following his/her departure shall not use the transit site again until a period of at least 8 weeks have elapsed.

Reason: To ensure that the transit pitch is used only for that purpose and not as a permanent gypsy and traveller pitch.

Relevant Policy: NPPF, Wokingham Adopted Core Strategy policies CP2, CP3 and CP4.

7. Within a period of 2 months from the date of this approval, samples of the materials to be used in the construction of the external surfaces of the utility/day rooms shall have been submitted to 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 visual amenity

Relevant Policy: Core Strategy Policies CP1 and CP3

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no external lighting shall be installed on the site or affixed to any buildings on the site except in accordance with details that have first been submitted to and approved in writing by the Local

Planning Authority.

Reason: In the interests of visual amenity and highway safety.

Relevant Policies: Core Strategy policies CP1, CP3 and CP6

9. No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site and no commercial activities shall take place on the land, including the external storage of materials
Reason: In the interests of highway safety and residential amenity
Relevant policies: NPPF and Core Strategy policies CP3 and CP6
10. No commercial activities shall take place on the land, including the storage of materials.
Reason: In the interests of visual amenity and highway safety
11. Within a period of 2 months from the date of this approval, a scheme of landscaping and hedgerow mitigation, which shall include details of species, planting sizes, spacing and numbers of trees/shrubs to be planted as well as a hedgerow mitigation scheme shall be submitted to and approved in writing by the local planning authority . The landscape and hedgerow mitigation scheme shall include a timetable for implementation and development shall be carried out in accordance with the approved scheme within a period of 6 months.
Reason: In the interests of visual amenity.
Relevant Policies: NPPF, Core Strategy Policies CP1 and CP3 and Wokingham District Local Plan policy WBE5.
12. All planting comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons after the details have been approved and any trees or plants which within a period of 5 years of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
Reason: In the interests of visual amenity.
Relevant Policies: NPPF, Core Strategy Policies CP1 and CP3
13. The existing fence surrounding the perimeter of the site, on the two sides that face the countryside, shall be painted in a colour to be agreed in writing with the Local Planning Authority. Details shall be submitted within a period of two months of the date of this permission and the painting shall be carried out in accordance with the approved details within three months of the date of this permission.
Reason: In the interests of visual amenity and the character of the countryside.
Relevant Policies: NPPF, Core Strategy Policies CP1 and CP3
14. Within a period of two months from the date of this approval, details of secured and covered bin stores shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented as approved within three months of the date of this permission and thereafter permanently retained.
Reason: In the interests of visual amenity and neighbouring amenity.
Relevant Policies: NPPF, Core Strategy Policies CP1 and CP3
15. Within a period of 2 months from the date of this approval details of the method for the disposal of foul and storm water sewage shall be submitted to and approved in writing by the local planning authority. The approved works shall be implemented in

full in accordance with the approved scheme of works within a period of 3 months.
Reason: To prevent the increased risk of flooding, both on and off the site in accordance with the NPPF and Core Strategy policy CP1

16. Within a period of 2 months from the date of this approval details shall be submitted to and approved in writing by the local planning authority to direct run-off water from the hard surface to a permeable or porous area in accordance with details which have been submitted to, and approved in writing by, the local planning authority.
Reason: To prevent the increased risk of flooding, both on and off the site in accordance with the NPPF and Core Strategy policy CP1

17. No development shall take place within the site, including any works of demolition or ground preparation, until the applicant, or their agents or their successors in title, has secured and implemented a programme of archaeological work (which may comprise more than one phase of work) in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition.
Reason: To ensure that any archaeological remains within the site are adequately investigated and recorded or preserved in situ in the interest of protecting the archaeological heritage of the borough.

PLANNING HISTORY

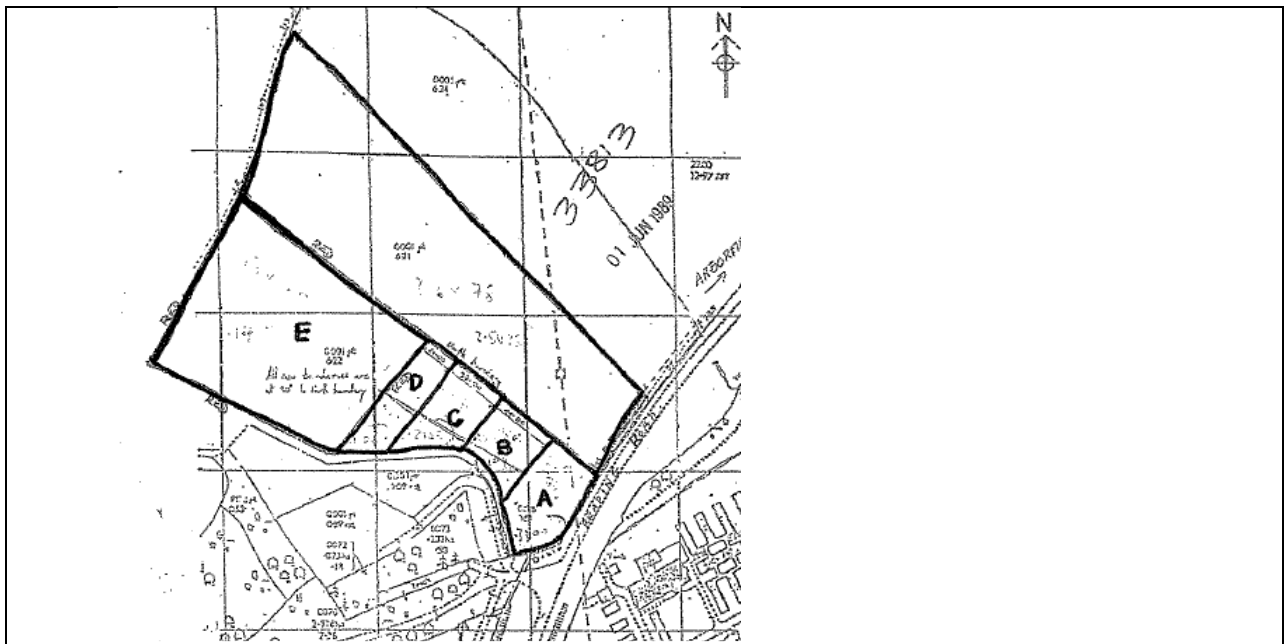
There is a long and complex planning history on this application site involving enforcement notices, planning applications and appeals.

33812 – Planning permission for continued use of agricultural land as a permanent site for a gypsy caravan was refused on 12 September 1989. This site, known as Plots B and C, was located directly to the south east of the existing Highfield Park. Plot C is part of the current planning application site.

33813 – Planning permission for change of use from agricultural land to a mobile home for an agricultural worker was refused on 12 September 1989. This site, known as plot E included Walkers Yard and Plots 1-10 of the existing Highfield Park.

33815 – Planning permission for change of use from agricultural land to a permanent site for 1 gypsy caravan was refused on 12 September 1989. This site, known as Plot D, is Plot 11 on the existing Highfield Park and part of the current planning application site.

Plots A, B, C and D referred to in the planning history are shown on the following plan:-



Planning appeals T/APP/C/90/H0330/000005-7/P6 & T/APP/H0330/A/89/138934-6
 Appeals dismissed 5 June 1991. These appeals involved an enforcement notice and three refusals of planning permission for use of the land to the north of Wokingham Road as a caravan site.

The land subject of the enforcement notice had an area of just over 6 hectares, that included Walkers Yard, Highfield Park site and land to the south and east as well. The three refused planning applications involved four parcels of land (those identified as Plots A, B, C and D). This appeal includes all the land which is subject of the current planning application.

The Inspector stated that in his assessment, the appeal sites were in a sensitive and relatively fragile gap between the settlement areas of Arborfield Cross and Arborfield Garrison and the spread of caravans, associated vehicles and structures was readily visible from adjoining roads. Unauthorised development was seriously damaging to the open and undeveloped character and appearance of the area. Due to size of the site the Inspector was not convinced that the impact of the development could be mitigated by a scheme of planting and that screening would not overcome the objection to the extension of development within the gap between settlements.

Notwithstanding the need for further accommodation for gypsies in the area, given the prominence of the appeal sites and the fragility of the gap between settlements the Inspector considered that the development should not be permitted. The Inspector therefore dismissed all four appeals.

Planning applications 37457, 37458, 37459, 37460, 37464 and 37465

These planning applications were for the provision of individual caravans on individual plots of land. The plots of land are on the same site as Plots 1-10 of the existing Highfield Park. The applications were refused on 18/12/91.

Planning Appeals T/APP/C/92/HO330/617908-11 & T/APP/HO330 A/92/ 201752-57

All appeals dismissed 6 January 1993. These appeals involved an enforcement notice on 4 individual plots of land and 5 planning applications for 6 plots of land (Planning application references 37457, 37458, 37459, 37460 and 3764).

The Enforcement notices were dismissed on the grounds that the development would have an adverse impact on the character of the rural area and be contrary to policies restricting development in the rural area. The Inspector concluded that while the visual impact could be limited from views from the road it would be harder to screen views when seen from the fringes of Arborfield Cross and the footpath along the ridge. He considered that these views were important in preserving the separation of settlements.

However the Inspector in his decision letter took into account the Council's letter indicating it would help identify a suitable alternative site and that it would exercise its discretion to extend the period of compliance if a suitable alternative site had not been found within 12 months. The occupiers were given 12 months from January 1993 to find alternative premises.

43644

Planning permission was granted December 1994 for a two year temporary consent for use of the land at Highfield Park as a gypsy caravan site for 11 pitches.

The application was recommended for refusal. However approval was given by the Subcommittee and the minutes from the meeting stated:-

Whilst members recognised the policy constraints relating to this site, they were aware that the applicants were local people who had integrated well in to the local community. In the circumstances they felt that, rather than displace them from their present site, it would be appropriate to grant a temporary permission for the use of the land. In the meantime, the council would have produced the District Plan which would contain policies relating to the location of gypsy sites and which would enable the council to review the situation at the end of that temporary period and in the light of those policies.

44091

Erection of toilet block on caravan site. Approved 25/05/95.

96/64792V

Proposed variation of condition 1 of planning permission 43644 to allow continued use of caravan site refused 12/2/1997.

97/66796/T

Planning permission for the proposed change of use of Highfield Park to residential occupation as a gypsy caravan site was approved on 2 April 1998 subject to condition 1 which stated "The use hereby permitted shall cease on 30 April 2000 and all the structures and materials removed from the land". The reason for the condition was "Consent has only been granted in order to allow sufficient time for relocation to a more appropriate site and for such a site to be found through the emerging District Plan process".

An appeal against the imposition of condition 1 was submitted and the appeal was allowed on 4 January 1999. (Appeal reference: T/APP/X0360/A/98/294314/P2)

The Inspector stated that it was clear that the site is within the countryside and he considered that the permanent residential occupation of the site would consolidate and intensify an area of existing sporadic development away from any identified settlement. The Inspector concluded the proposal would encroach into open countryside and not

accord with aims of approved and emerging policies to protect the countryside and control the unplanned growth of settlements.

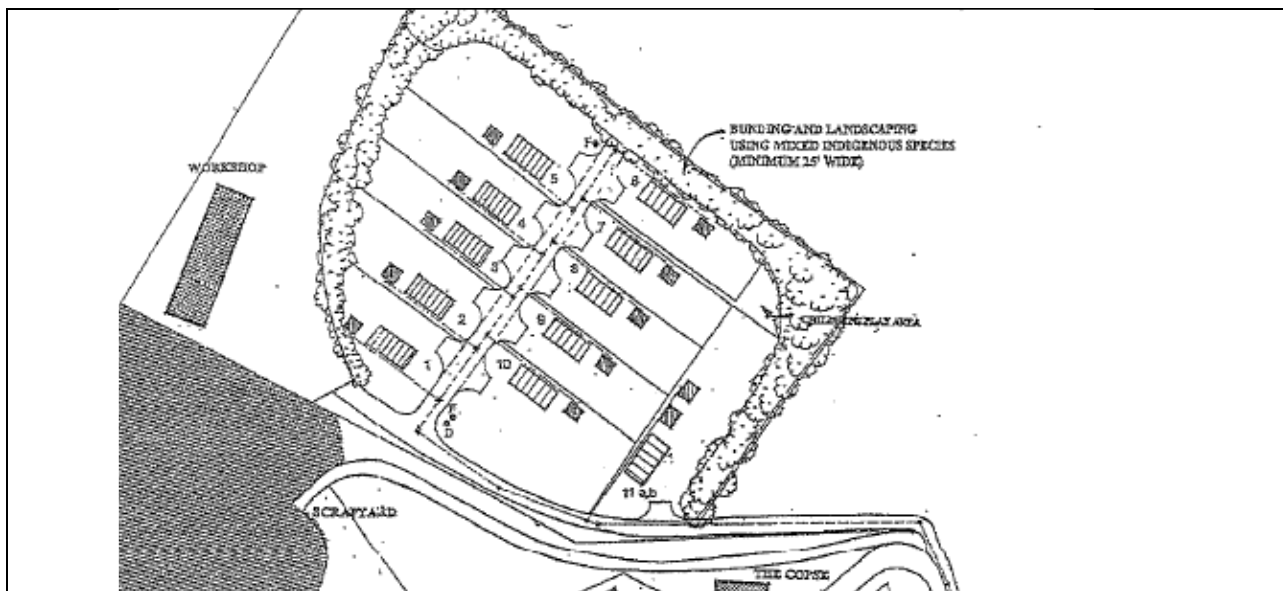
He stated that public views of the site are limited by distance, intervening hedgerow and a grassed earth bund, and although mobile homes could be seen from the public footpath, so too could a bungalow and other buildings forming part of the adjoining cluster of commercial buildings and uses. While the site did intrude visually into the open countryside and detract from its otherwise open rural character, this was to a limited extent and was likely to be less visually harmful from most public viewpoints than at the time of the earlier enforcement appeal by reason of the landscaping which had already taken place.

Wokingham Council had accepted a need to provide more permanent gypsy caravan pitches in the district, but had not identified any sites.

The Inspector noted that the council had accepted that the educational and medical information submitted showed that it would be in the best interests of their health and education if they could remain in the area. He further concluded "Along with their parents they were now accepted and integrated within the local community" and also stated "On the available evidence I consider it is likely to be many years before a suitable site in the Arborfield area with less environmental harm than the appeal site becomes available, if ever".

His conclusion was that "Having carefully weighed all of the material considerations, I have come to the overall conclusion that the acknowledged harm that would be caused to the environment and the countryside policy aims, would be outweighed by the social and humanitarian benefits in the very particular and exceptional circumstances in this case. I am supported in this judgement by the pressing general shortage of, and need for, gypsy accommodation in the area, and the social and personal benefits which would accrue to the appellants and their families in being able to settle in a community where they and their children are already accepted and in which the education of the latter is progressing well. In my judgement the greater long term community good would come from allowing this appeal subject to controlling conditions".

Layout approved for the gypsy pitches as shown below:-



99/70775/V

Approved 21 February 2000. Proposed variation to condition 1 of consent 97/66796/F to allow subdivision of Plot 5 to allow an extra mobile home.

SUMMARY INFORMATION

Site Area	0.4 hectares
Existing units	1 permanent gypsy pitch
Proposed units	8 permanent gypsy pitches and 3 transit pitches
Previous land use	Part gypsy caravan pitch/part countryside
Existing parking spaces	1 lorry parking space
Proposed parking spaces	2 spaces for each new permanent pitch and 1 space for each transit pitch

CONSULTATION RESPONSES	
Berkshire Archaeology	Recommend inclusion of condition to secure a programme of archaeological work
Countryside Officer (Biodiversity)	No objections however if great crested newts or signs of great crested newts are encountered at any point during development then all works must stop immediately and the local Natural England office informed.
Highways	No objections subject to a contribution and conditions securing:- <ul style="list-style-type: none"> - Surface water drainage - Parking and Turning - Access

Landscape and Trees	No objection, but suggest some form of planting on the outside of the close boarded fence to visually soften the boundary edge adjacent to the open countryside.
Thames Water	No objection with respect to water and sewerage infrastructure. Surface water drainage is the responsibility of the developer.
Councillor Gary Cowan	Not compliant with policy

REPRESENTATIONS

7 Letters of objection on the following grounds:-

- Injurious to the environment
- Gypsy site already causes problems such as trespass and theft. Extension will increase problems
- Increase in rubbish
- Gypsies have already started work
- Don't want to see land around spoiled
- Devalue property with a gypsy site at the end of the road

Arborfield and Newland Parish Council

Strongly oppose this application for the following reasons:-

- Does not comply with Core Strategy Policy CP11
- 21 pitches required in Core Strategy, this number already exceeded
- 11 pitches approved at Walkers Yard but have not yet been made available
- Highfield Site is not currently fully used
- More than sufficient pitches available

APPLICANTS POINTS

Permission is sought for family gypsy pitches and transit pitches to meet a recognised need for such facilities in the area to facilitate a gypsy lifestyle. The site layout has been determined to best meet the applicants' requirements and has been designed with reference to the standards defined in Circular 01/2006 Planning for Gypsies and Traveller Caravan sites and Designing Gypsy and Traveller Sites: Good Practice Guide May 2008.

The proposed caravans will conform to the definitions within Section 29(1) of the Caravan Sites and Control of Development Act 1960 and Section 13(1) of the Caravan Sites Act 1968 and therefore plans and elevations of individual units are not required.

The site is organised around a central access road, with turning head for refuse and emergency vehicles. Adequate parking for a minimum of two vehicles of less than 3.5 T is provided within each proposed pitch and the transit pitches. The utility/day rooms will provide facilities that enable the occupants of the caravans to minimize the recognised hazards associated with cooking and fire in the close confines of caravans and provide facilities for washing and bathing.

The proposal contains numerous measures that will be taken in order to minimise any resultant visual impact. Existing hedgerows, bunds and areas of substantial vegetation will be retained and augmented wherever possible and no existing trees will be affected.

PLANNING POLICY

NATIONAL PLANNING POLICY FRAMEWORK

(Adopted 27 March 2012)

This Framework should be read in conjunction with the Government's planning policy for traveller sites. Local planning authorities preparing plans for and taking decisions on travellers sites should also have regard to the policies in this Framework so far as relevant. The Framework is a material consideration in planning decisions.

PLANNING POLICY FOR TRAVELLERS SITES

(Adopted 23 March 2012)

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.

To help achieve this, Government has set out a number of aims in respect of traveller sites which include:

- Local planning authorities should make their own assessment of need which address the likely permanent and transit site accommodation needs of travellers in their area
- Increase the number of traveller sites in appropriate locations
- Enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- Due regard to the protection of local amenity and local environment.

The document states that criteria should be set to guide land supply allocations where there is identified need. Where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward.

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

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.

WOKINGHAM BOROUGH ADOPTED CORE STRATEGY

(Adopted 29 January 2010)

Policy CP1 – Sustainable Development

Policy CP2 – Inclusive communities.

Planning permission will be granted for proposals that address the requirements of minority groups in the borough including gypsies and travellers where the proposals demonstrate that:-

- (i) The site is located either within or close to the development limits of a settlement in Policy CP9 in order to maximise the possibilities for social inclusion and sustainable patterns of living; and
- (ii) The proposed site is not disproportionate to the scale of the existing settlement whether singly or cumulatively with any existing sites in the area

Policy CP3 – General Principles for Development

Policy CP4 – Infrastructure Requirements

Policy CP6 – Managing Travel Demand

Policy CP7 – Biodiversity

Policy CP8 – Thames Basin Heaths Special Protection Area

Policy CP9 – Scale and location of Development proposals

Policy CP11 – Proposals outside Development Limits (including countryside)

MANAGING DEVELOPMENT DELIVERY LOCAL PLAN

(Adopted February 2014)

Policy CC01 – Presumption in favour of sustainable development

Policy CC07 – Parking

Policy CC10 – Sustainable Drainage

Policy TB10 – Traveller Sites

This policy sets out criteria for development of new gypsy and traveller pitches and extensions to existing sites and requires proposals to demonstrate that:-

- The site is located in an existing settlement or is adjacent to an existing settlement
- Avoids impacting on the separate identity of settlements
- Has access to a range of local services such as shops, health facilities, schools and a range of amenities including play areas and other recreational facilities
- No significant barriers to development such as flooding, poor drainage, poor ground stability or proximity to other hazardous land or installations
- Unacceptable impacts on the character and appearance of the surrounding landscape will be minimised through the sensitive and appropriate design of the scheme
- Will not result in an unacceptable loss of amenity of neighbouring land uses
- Mixed use proposals (including a business use) will only be considered if appropriate to the locality
- Scheme avoids any adverse impacts on the Special Protection Area

Policy TB21 – Landscape Character

Policy TB23 – Biodiversity and Development

Policy TB25 – Archaeology

WOKINGHAM BOROUGH COUNCIL – BOROUGH DESIGN GUIDE

Supplementary Planning Document (Adopted May 2012)

Page 57 sets out guidance for Gypsy, traveller and travelling showpeople sites.

Design considerations for suitable locations include:

- Means of access and accessibility to local transport and services;
- Provision of a healthy and safe environment for residents;
- Integration between the site and local community;
- Appropriate ground conditions, site levels and avoidance of areas with high flood risk;
- Visual and acoustic privacy.

Policy R24 states: The layout and design of gypsy sites should provide a safe living environment that meets the needs of residents, while respecting the character of the local area.

The policy further sets out a number of key considerations for site layout including amongst other things:-

- clear demarcation of boundaries
- clear gap of 3m inside site perimeter boundaries for fire prevention;
- a degree of privacy for individual households
- safe access and egress to site and adequate space for car parking
- natural surveillance to allow residents to oversee all areas of the site;
- a 6m separation distance between each caravan, trailer and park home,
- infrastructure such as water and electricity supply, surface water and storm drainage, lighting and waste disposal arrangements.
- hard standing area suitable for use by trailers, touring caravans or other vehicles;
- an amenity building to provide as a minimum: water and electricity supply, toilet, personal washing and laundry facilities.

Wokingham Gypsy and Traveller Accommodation Needs Assessment Final Report March 2015

The Wokingham GTAA was adopted in March 2015. This was prepared taking into account the current Government policy documents with respect to how Local Authorities should plan for gypsy and traveller pitches

The 2015 GTAA sets out that additional pitch provision required for Gypsies and Travellers to 2029 in Wokingham Borough is 52 net additional pitches. 21 pitches are required for the period between 2014-2019, 15 pitches between 2019-2024 and 16 pitches between 2024-2029.

It should be noted that since the GTAA was prepared, there have been the following changes:-

- Wallys Mobile Home park was listed as an unauthorised, but tolerated, site with 3 pitches. Planning permission was approved on 16/04/2015 for 5 pitches, regularising the 3 unauthorised pitches and approving an additional 2 pitches.
- Planning permission for one additional pitch at the Belvedere Park site (junction of Bearwood Road and Chestnut Avenue) was approved on 02/06/2015.
- Planning permission was approved in principle for 4 additional pitches at Plots 1 and 2 Little Moor and 1 Hogwood Meadows, subject to the completion of legal agreements to secure SANG mitigation.

So 6 additional pitches have been approved, and 4 additional pitches have been approved subject to the completion of legal agreements. Therefore 6 of the required 21 pitches for the period between 2014-2019 have already been secured and a further 4 will be approved when legal agreements are completed.

Planning applications have also been submitted for the following sites which are currently under consideration:-

- Highfield Park – 7 additional pitches (this is the proposal subject of this application)
- Land at Old Kingsbridge – 1 additional pitch
- Highfield Park – 3 mobile homes and 1 touring caravan on each of Plots 8 and 9 of Highfield Park (currently limited by condition to 1 mobile home and 1 caravan on each plot).
- 166 Nine Mile Ride – 2 additional caravans (currently limited by condition to 2 caravans for gypsies and travellers).

Balanced against this is the fact that since the GTAA was produced there are four more families on unauthorised sites; two at Blagrove Lane and two at Falcon Avenue. The application for two pitches at Blagrove Lane was refused before the two families moved onto the site and an appeal has been lodged against the refusal. An enforcement notice has also been served at the Blagrove Lane site, and it is anticipated that an appeal will be lodged in respect of the enforcement notice as well.

While it is considered that the immediate need for pitches is met, more pitches will be required up to 2019, and therefore if a site comes forward earlier, and that site is considered acceptable, the sensible approach is to approve the planning application.

DESIGNING GYPSY AND TRAVELLERS SITES: GOOD PRACTICE GUIDE

(May 2008)

This gives guidance on designing gypsy and traveller sites, including transit pitches, but makes clear that there is no single, appropriate design for sites.

PLANNING ISSUES

The Site and surroundings

1. The site is located to the western side of the A327 (Eversley Road) and is accessed by an access road from the point where Wokingham Lane meets the A327. The site is approximately 100m from Eversley Road.

2. Part of the site is within the countryside and has planning permission for one gypsy pitch. The remainder of the site is within the countryside and no planning permission exists on this site. It should be noted however that the whole application site has been hardsurfaced and a fence runs around the boundary of the whole application site.

3. At the time of the case officers site visit in 2012, in addition to the authorised mobile home on the site of Plot 1 there were also 3 mobile homes and 3 touring caravans on site. The part of the site within the countryside and covered by the injunction was empty.

4. To the north-west of the site is the existing gypsy caravan site at Highfield Park and beyond that Walkers Yard, which has planning permission for 12 gypsy pitches. To the north-east and south-east of the site is an open countryside. To the south-west of the site is Berkshire car spares, which is a car breakers yard and beyond that is Boundoak Industrial Estate which has mixed industrial use including B1 (Light industrial), B2 (General Industrial) and B8 (Storage) .

The Proposal

5. The proposal involves redesigning the existing single gypsy pitch on Plot 11 to provide five permanent gypsy pitches. The new pitches are each shown with one mobile home, one touring caravan and one utility/day room. The agent has advised that no dayroom is shown on Plot 1 as this is an existing plot that the applicant intends to retain as it is, but should the applicant require a dayroom in the future then a planning application will be made. Members are advised that there is sufficient room on the plot to provide a day room if that is required.

6. The proposal also involves extending into part of the undeveloped countryside to provide three permanent gypsy pitches, each shown with one mobile home, one touring caravan and one utility/day room. Into this area it is also proposed to locate three transit pitches, with room for three touring caravans, three parking spaces and one shared utility/day room.

7. The main access road from Eversley Road is shared by all plots on Highfield Park, by Walkers yard and also by Berkshire Car Spares. Plot 11 has its own access point which serves only Plot 11 and is gated, and all the proposed pitches, permanent and transit, would use this existing access point.

Principle of Development

8. The proposal is for the change of use of the land to a residential caravan site providing eight permanent gypsy and traveller pitches and three transit pitches.

9. The Planning Policy for Traveller Sites states that 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”. The site is within the countryside, or within a town, village or recognised settlement and nor is it within an area allocated in the development plan for new development.

10. In this case however, the site adjoins an existing gypsy and traveller site and a car breakers yard and is in close proximity to an industrial estate and a site which has planning permission for 12 gypsy pitches. It is also in close proximity to the Arborfield Strategic Development Location.

11. The Planning Policy for Traveller Sites states that criteria should be set to guide land supply allocations where there is identified need and where there is no identified need, criteria-based policies should be included to provide a basis for decisions in case applications nevertheless come forward.

12. The Council has adopted criteria in Policy CP2 of the Adopted Core Strategy, which predates the NPPF and the Planning Policy for Traveller Sites and in Policy TB10 of the very recently adopted Managing Development Delivery Local Plan, which also references the Wokingham Gypsy and Traveller Accommodation Assessment which was adopted in March 2013. Guidance is also provided within the Borough Design Guide Supplementary Planning Document.

Impact on the Character of the Area:

13. The application involves using land in the countryside that already has planning permission for one gypsy pitch, and also using similar sized adjoining land in the

countryside to extend the gypsy site.

14. The site is in countryside, but a gypsy and traveller site at Highfield Park is long established, and permission has also been granted for Gypsy pitches on the adjoining Walkers Yard site. Half of the application site is already used as a gypsy site and the additional area proposed is not considered to be of a size or form that would result in a significant change to the appearance of the countryside in this location.

15. The site is not considered to be in an isolated area of open countryside. There is a breakers yard to one side of the site with an industrial estate beyond that. Two gypsy caravan sites (Highfield Park and Walkers Yard) adjoin the application site. The site is not visible from Eversley Road. It is considered that approving this application would not mean that the countryside on this particular site would be significantly changed or detrimentally affected. It is not considered that views from the Public Footpath would be greatly different than the views which currently exist. The proposed site will read as part of the developed area of countryside encompassed by the gypsy sites, car breakers and industrial uses. Landscaping is proposed which will help to soften the appearance of the site.

16. The site does not intrude at all into the area to the north east of the gypsy site, which would be far more sensitive, as that area is viewed as completely open countryside.

Trees and Landscaping

17. The site is located on the boundary of two landscape character areas as identified in the Wokingham Landscape Character Assessment; L2: Farley Hill Wooded Sand and Gravel Hills and J2: Arborfield Cross and Barkham Settled and Farmed Clay.

18. The site itself is not characteristic of either landscape character due to the degraded and unmanaged nature of the site which is not in agricultural production. There are views from Eversley Road towards the site and these views include the existing gypsy site and the adjoining breakers yard.

19. The formation of a proposed extension to the gypsy site would be consistent with the existing land uses adjoining the site and therefore would not be out of character in this immediate area.

20. Planting has now been included as part of the application on the boundary of the site which will help to visually soften the boundary edge where it adjoins the open countryside.

Level of amenity for future occupiers

21. The proposal meets the majority of key considerations for site layout set out in the Borough Design Guide in respect of boundaries, fire prevention distances, privacy, and access.

22. The proposal does not include a childrens play area, however a contribution is sought towards childrens play as part of the Section 106 Agreement.

Personal Circumstances

23. No personal circumstances have been put forward in this case. The agent was asked if there were any personal circumstances that they wanted to be taken into

account as part of the determination of the planning application.

24. The applicant is willing to provide personal circumstances for those intending to occupy the site should this be required in the determination of this application. However the agent has asked for details of any harm that has been identified through the process of the balancing exercise that requires the submission of personal circumstances in order to address said harm.

25. In this case the proposal is considered to be acceptable and therefore personal circumstances are not considered to be an overriding factor.

Level of amenity for future occupiers

26. The proposal meets the majority of key considerations for site layout set out in the Borough Design Guide in respect of boundaries, fire prevention distances, privacy, and access.

Impact on neighbouring properties

27. The site is approximately 100m from Eversley Road. It is approximately 130m from the objectors in Poperinghe Way and Bound Oak Industrial Estate and approximately 200m from objectors in Howell Close. The site is separated from properties in Poperinghe Way and Bound Oak Industrial Estate by landscaping and the car breakers yard. Howell Close is separated from the site by Eversley Road and landscaping. Given these distances the proposals are not considered to be detrimental to the amenities of these properties.

28. As no properties directly adjoin the site (with the exception of other gypsy and traveller pitches) and most properties are a considerable distance away, it is not considered that the proposal would be detrimental to the amenities of nearby properties. The only two residential properties near the proposal site are already adjoined by the gypsy site, car breakers and Bound Oak Industrial Estate and this proposal will not noticeably change the situation for them.

Ecology and Biodiversity

29. Initially an objection was raised on biodiversity grounds due to insufficient information on wildlife as the site is within 100m of a pond to the north east of Walkers Yard and woodland.

30. However the Countryside Officer has confirmed that he is satisfied that the great crested newt survey submitted for the Walkers Yard development (Planning ref. F/2010/2515) demonstrates that this development is unlikely to adversely affect the local great crested newt population and works can proceed.

31. For information, the Walkers Yard survey which was undertaken in Spring 2011, showed that no great crested newt eggs were found and no adult great crested newts. Only Palmate and Smooth newts were recorded. The results of the survey indicate that great crested newts are absent from the pond and that no mitigation plan is needed.

32. An informative is included which states that if great crested newts are encountered at any point during development works must stop and the local Natural England office and Wokingham Borough Council must be informed.

Thames Basin Heaths Special Protection Area

33. The site is within 5/7km of the Thames Basin Heath Special Protection Area. Subject to a contribution in a Section 106 Agreement, there will be no detrimental impact on the SPA.

Environmental Issues

34. No potential environmental issues have been identified and Environmental Health has no objections to the proposal.

Archaeology

35. With respect to archaeology, a condition to secure a programme of archaeological work was recommended by Berkshire Archaeology. Given that the site is already hard surfaced, Berkshire Archaeology were asked if they still required a condition.

36. Further advice was given by Berkshire Archaeology who stated that:-

“Without further information regarding levels, depth of concrete etc. and or geotechnical works it is impossible to say how much damage the laying of the hardstanding has had on the ground surface. We find it varies a great deal – from little previous impact where just the topsoil was removed to truncation beyond that which we would expect archaeology to survive”.

“If they do not plan to remove the hardstanding then archaeological monitoring of the services to be dug as part of the proposals may be the best time to check the levels of truncation beneath the hardstanding”.

“If they are to remove the hardstanding then preliminary investigation or monitoring will indicate whether archaeology survives there. And they will be laying hardstanding on the greenfield part of the site too I believe and some stripping of soil will be needed for that so archaeological mitigation is also likely to be required there but I’ll be able to provide more details on archaeological approaches and minimising when I know more about the work to be done if permission is granted”.

37. Given the additional comments, the condition requiring a programme of archaeological work is still included.

Highways and Transportation

38. The site is located near to existing residential development and within 1km of Arborfield Village. The nearest bus stop is 0.5km away and provides a regular service to surrounding towns and villages and the services within them.

39. The proposed layout, level of parking and turning area are considered acceptable to serve the development. (Although for clarity a plan should be provided showing the position of the parking spaces – it is accepted that satisfactory parking can be provided).

Drainage issues

40. It has not been made clear how infrastructure on the site, such as drainage and surface water drainage will be provided. It is indicated that a package treatment plant will discharge to the existing waste water drain. Details of the provision of infrastructure need to be provided and are required by conditions 15 and 16.

Section 106/Section 111 requirements

41. The site is within 5/7km of the Thames Basin Heath SPA. Therefore SANG and SAMM payments are required which would need to be obtained via Sections 106 and 111. The payments required are as follows:-

SAMM payment - £646.76 x 11 = £7114.36

SANG payment - £2,690.93 x11 = £29600.23

CIL requirements

There is no CIL requirement in this particular case.

CONCLUSION

The proposal will enable a sufficient level of amenity for future users of the site. The proposal is not however considered to be detrimental to the character and appearance of the area and would not have an unacceptable impact on infrastructure and services if a satisfactory Section 106 Agreement is completed.

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