

# Agenda Item 20.

<b>Development Management Ref No</b> F/2015/0726	<b>No weeks on day of committee</b>	<b>Parish</b> Ruscombe	<b>Ward</b> Remenham, Wargrave and Ruscombe	<b>Listed by:</b> Head of Development Management
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**Applicant Location** Wokingham Borough Council  
Twyford Orchards, London Road, Ruscombe, **Postcode** RG10 9HF

**Proposal** Proposed erection of timber sheds on pitches 3, 4, 5, 6, 7, 8, 9, 11 and 12 and 1 metal shed on pitch 10

**Type** Full  
**PS Category** 18  
**Officer** Jennifer Seaman

**FOR CONSIDERATION BY** Planning Committee on 22/07/2015  
**REPORT PREPARED BY** Head of Development Management and Regulatory Services

## SUMMARY

The gypsy and traveller site at Twyford Orchards, which was approved in 1980, is within the Green Belt and owned and managed by Wokingham Borough Council.

Planning permission was granted in 2013 to extend the site and provide 20 pitches in total. While the site was extended further into the Green Belt, it was considered that the more spacious and organised pitches would improve visual amenity and with additional planting would not be detrimental to the character and appearance of the Green Belt. It would also allow the standards set out in the Borough Design Guide to be met.

The current proposal is for sheds to be provided for a number of the pitches. While the construction of new buildings is inappropriate development in the Green Belt, it is considered that very special circumstances exist.

The proposal is therefore considered to be acceptable and approval is recommended accordingly.

## PLANNING STATUS

- Green Belt
- Countryside
- Affordable Housing (outside development location)
- Mineral Site consultation area
- Groundwater zone

## RECOMMENDATION

APPROVAL, 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 s.91 of the Town and Country Planning Act 1990 (as amended by s.51 of the Planning and Compulsory Purchase Act 2004).*

2. This permission is in respect of the submitted application plans and drawings numbered WB/TO/01, WB/TSH/02, and WB/TSH/02a received by the local planning authority on 21 April 2015. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

*Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the application form and associated details hereby approved.*

3. Before the development hereby permitted is commenced, samples and details of the materials to be used in the construction of the external surfaces of the building/s shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the so-approved details.

*Reason: To ensure that the external appearance of the building is satisfactory.*

*Relevant policy: Core Strategy policies CP1 and CP3*

4. Prior to the commencement of the development there shall be submitted to and approved in writing by the local planning authority a scheme of landscaping, which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted, and any existing trees or shrubs to be retained.

Planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the building(s).

Any trees or plants which, within a period of 5 years from the date of the planting (or within a period of 5 years of the occupation of the buildings in the case of retained trees and shrubs) die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species or otherwise as approved in writing by the local planning authority.

*Reason: To ensure adequate planting in the interests of visual amenity. Relevant policy: Core Strategy policy CP3 and Managing Development Delivery Local Plan policies CC03 and TB21 (and TB06 for garden development)*

<b>PLANNING HISTORY</b>	
07884	Gypsy Caravan site of 15 pitches. Approved 19 February 1979.
11417	Provision and use of 15 pitch gypsy caravan site. Approved 16 January 1980. This amended the earlier scheme.
F/2005/6618	Additional 4 caravan plots. The application proposed 4 new pitches within the centre of the site, but was withdrawn after residents expressed concern over the proposal, since the centre of the site was used for parking.
F/2007/0634	Proposed provision of one additional plot consisting of hard standing and amenity wash block. Approved 02 May 2007.

SO/2012/1179	A Screening Opinion was submitted to determine if an Environmental Impact Assessment was needed. It was determined on 24 October 2012 that an EIA was not needed.
F/2012/2204	Change of use of agricultural land to enable the reorganisation and extension of the existing gypsy and traveller site providing 20 pitches in total. Formation of new roadway, additional hard standing and construction of 3 new single and 4 new double utility buildings ancillary to the gypsy and traveller pitches and temporary access during construction works. Demolition of existing ancillary and amenity buildings.  The application was approved on 06/02/13.

### SUMMARY INFORMATION

Site Area: 1.39 hectares

Existing units: 20 gypsy and traveller pitches

### CONSULTATION RESPONSES

Land Use And Transport Team – Comment as follows:-

- Policy TB10 of the MDD (*Traveller Sites*) was adopted since the decision on F/2012/2204 and requires that *'Unacceptable impacts on the character and appearance of the surrounding landscape will be minimised through the sensitive and appropriate design of the scheme'*. The current application involves no overall enlargement of the site or additional encroachment into the surrounding Green Belt. However, the addition of the storage sheds will alter the amount of open space available on the affected pitches
- The impact of additional structures on the available amenity space and landscaping must be balanced against the scale and siting of the sheds – the Design and Access statement makes reference to screening and modest appearance (paragraphs 5.3 and 5.4) - and also their potential to reduce the likelihood of unauthorised structures being erected on site in future.
- In addition, the DCLG document 'Designing Gypsy and Traveller Sites: A Good Practice Guide' (2008) states that: *'Where soft landscaping is adopted in the design consideration should be given to the inclusion of a storage facility on each pitch for residents to keep equipment to maintain it'* (paragraph 7.6). In addition, it notes that an average family pitch must be capable of accommodating *'a lockable shed (for bicycles, wheelchair storage etc.)'* (paragraph 7.12). Whilst this is guidance, it could be considered to weigh in favour of the requirement for external storage on Twyford Orchards that may contribute towards very special circumstances for the proposed addition to this established Traveller site in the Green Belt.

## **REPRESENTATIONS**

Ruscombe Parish Council – No objection

## **APPLICANTS POINTS**

The agent has made the following points:-

- The earlier application did not consider any form of external storage which represents a significant oversight.
- Static caravans have little to no storage internally.
- Residents previously benefited from outbuildings/sheds on their original pitches
- There are families on site with their own businesses and need to store their day to day equipment
- The sheds would provide space to store bicycles, gardening equipment, lawn mowers, car maintenance equipment, tools, etc
- One resident has a requirement for a metal shed as the location will be within the 3m fire protection zone and therefore a non-combustible structure is required
- The timber sheds have been carefully located to avoid placement within the 3 metre fire zone

## **PLANNING POLICY**

### NPPF (March 2012)

The National Planning Policy Framework was published on 27 March 2012. This is a key part of Government reforms to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth.

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions (Paragraph 2).

A set of core land-use planning principles should underpin both plan-making and decision-taking (Paragraph 17). These principles include:-

- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. (Paragraph 79)

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. (Paragraph 88)

A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. (Paragraph 89)

### PLANNING POLICY FOR TRAVELLER SITES (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. (Paragraph 3)

Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. (Paragraph 14)

Paragraph 4 includes the governments aims in respect of traveller sites which include:-

- 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

### MANAGING DEVELOPMENT DELIVERY LOCAL PLAN

(Adopted February 2014)

Policy CC01 – Presumption in favour of sustainable development

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 TB01 – Development within the Green Belt

Policy TB21 – Landscape Character

### WOKINGHAM ADOPTED CORE STRATEGY (Adopted 29 January 2010)

Policy CP1 – Sustainable development

Policy CP3 – General Principles for Development

Policy CP11 – Proposals outside Development Limits (including countryside)

Policy CP12 – Green Belt

### BOROUGH DESIGN GUIDE SPD (June 2012)

Policy R24 - Gypsy, traveller and travelling showpeople sites.

This policy outlines key considerations for the layout of sites for gypsies and travellers. These include the provision of a healthy and safe environment for residents, integration between the site and local community and visual and acoustic privacy.

### 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.

In the document it states that:

*“Where soft landscaping is adopted in the design consideration should be given to the inclusion of a storage facility on each pitch for residents to keep equipment to maintain it”* (paragraph 7.6). In addition, it notes that an average family pitch must be capable of accommodating ‘a lockable shed (for bicycles, wheelchair storage etc.)’ (paragraph 7.12).

### **PLANNING ISSUES**

#### The Site

1. Twyford Orchards is owned and managed by Wokingham Borough Council and is a permanent gypsy and travellers site sited approximately 1km from Twyford and 800m from Ruscombe. It is a settled site with very little turnover and the residents of Twyford Orchards are considered as part of the local community.
2. The site is located within the countryside and designated as Green Belt. There is some existing vegetation surrounding the site, and views are restricted into the existing traveller site by existing fencing and hedgerows.
3. Planning permission was granted on 06/02/13 to extend and reorganise the site to provide 20 gypsy and traveller pitches in total.
4. To the south of the site is an existing industrial unit and to the north and east are agricultural fields. The west boundary of the site adjoins London Road.

#### The Proposal

5. The proposal is for the erection of two timber sheds, approximately 2.4m x 3.0m in size with a height of 2.5m, on each of pitches 3, 4, 5, 6, 7, 8, 9, 11 and 12.
6. One metal shed is proposed on pitch 10 which is 2.95m x 4.54m with a height of 2.25m.
7. All the proposed sheds are located at the rear of the pitches.

#### Principle of Development

8. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
9. The site is in the Green Belt and substantial weight needs to be given to any harm to

the Green Belt. Inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

10. The NPPF does provide some exceptions which are not inappropriate development in the Green Belt, but the proposal does not fall within any of these exceptions. New buildings in the Green Belt are inappropriate development. Therefore the proposal can only be approved if very special circumstances are demonstrated.

### Planning Issues

11. The sheds do not fall within a category of appropriate development outlined in the NPPF within a Greenbelt location and therefore very special circumstances are required to justify support of this scheme. The very special circumstances for allowing the proposal set out in the Design and Access Statement submitted by the applicant are as follows:-

- The earlier application did not consider any form of external storage which represents a significant oversight.
- Static caravans have little to no storage internally.
- Residents previously benefited from outbuildings/sheds on their original pitches
- There are families on site with their own businesses and need to store their day to day equipment
- The sheds would provide space to store bicycles, gardening equipment, lawn mowers, car maintenance equipment, tools, etc.
- One resident has a requirement for a metal shed as the location will be within the 3m fire protection zone and therefore a non-combustible structure is required
- The timber sheds have been carefully located to avoid placement within the 3 metre fire zone

12. Residents previously had outbuildings/sheds on site before the planning permission for the reorganisation of the site was implemented although these all appear to have been unauthorised. However, this does not justify approving the current planning application.

13. There is little storage for bicycles, or garden equipment to maintain landscaping on site or anywhere for storage of work equipment. It is accepted that many gypsies and travellers are self-employed and it is not unusual for them to have businesses such as landscape companies where storage would be useful. This justifies the need for the storage buildings.

14. It is also accepted that it would not be helpful to go back to a situation where sheds and outbuildings of all different sizes and heights are put on site without planning permission due to a need for storage. Previously the original site had a variety of outbuildings of different size, height and materials – the result being a cramped and unsightly mishmash of buildings on the site which definitely detracted from the character and appearance of the area.

15. The proposal provides storage which the residents want on site. It provides it in a way that minimises any impact on the character and appearance of the area by limiting size and height and by ensuring consistency of built form and materials. This will limit any impact on the openness of the Green Belt. Furthermore, the position of the sheds is

such that they will be largely screened by landscaping limiting the impact of their appearance on the openness of the Greenbelt and a further landscaping condition is recommended (Condition 4).

16. If the development was in relation to residential dwellings then the sheds would be permitted development. Furthermore, they would constitute appropriate development within a greenbelt location. Therefore, a pragmatic approach to supporting limited domestic type stores can be supported.

17. It is considered that while the proposal is for inappropriate development in the Green Belt, there is a need for the storage sheds and these are a preferred alternative to open storage. Also, the scale and limited visual impact result in limited planning harm. As result, on balance, the proposal is considered to be acceptable and is recommended for approval.

### **CONCLUSION**

It is considered that on balance, very special circumstances have been demonstrated and the proposal will not be detrimental to the character and openness of the Green Belt. Approval is recommended accordingly.

### **CONTACT DETAILS**

<b>Service</b>	<b>Telephone</b>	<b>Email</b>
Development Management and Regulatory Services	0118 974 6428 / 6429	development.control@wokingham.gov.uk