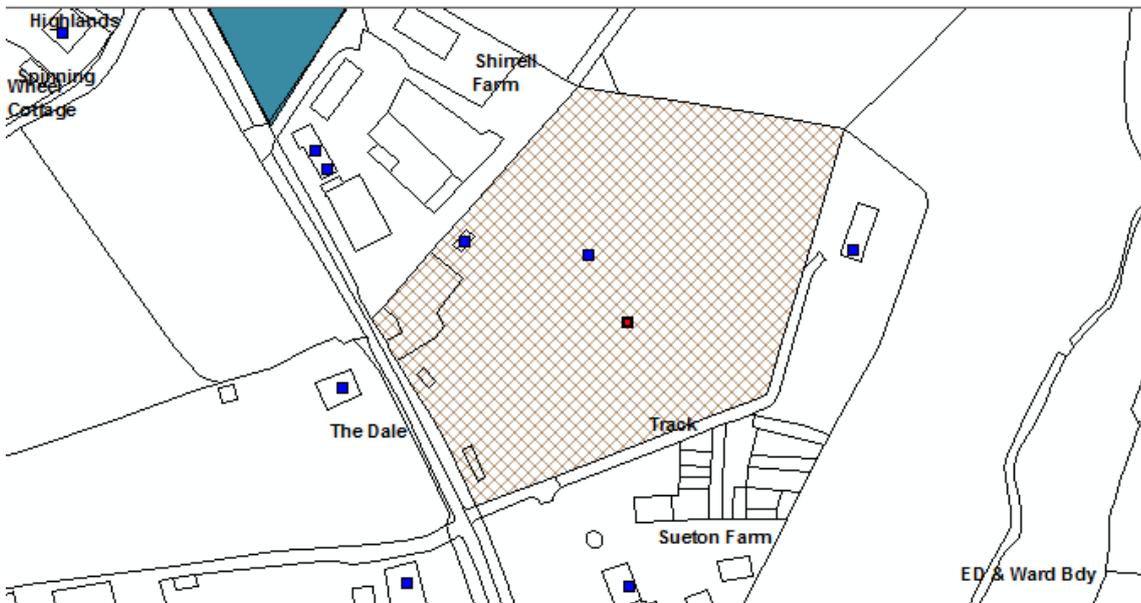


WINCHESTER CITY COUNCIL
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Case No: 20/02243/FUL
Proposal Description: Variation of conditions 2 and 4 to add an additional 3 mobile homes (18/01264/FUL)
Address: Straight Path Paddock Pricketts Hill Shedfield Hampshire
Parish, or Ward if within Winchester City: Shedfield
Applicants Name: Mr & Mrs N Sherwood
Case Officer: Rose Lister
Date Valid: 29 October 2020
Recommendation: Application Permitted

Link to Planning Documents : <https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple&searchType=Application>



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General Comments

Councillor Fern's request for application to be determined by Planning Committee, see Appendix 1

Application is reported to Committee due to the number of objections received which are contrary to the recommendation

Site Description

The application site is located to the east of Pricketts Hill, Shedfield. The site is approximately 1ha in size, though the majority of the site (approximately 0.7ha) would remain agricultural. The previous application, 18/01264/FUL, agreed the amount of land to remain agricultural, this is not proposed to change under this application. There is a level change making the site approximately 0.75m higher than the road. The majority of the site is laid to pasture, with new hedge planting along the southern boundary.

Proposal

Variation of condition 2 & 4 to add an additional 3 mobile homes (18/01264/FUL).

Relevant Planning History

18/01264/FUL - (Land Opposite the Dale) Change of use of land from agricultural to a mixed use of agricultural and the siting of caravans for the purpose of human habitation.- permitted 28.06.2019

19/01852/HOU - (PART-RETROSPECTIVE) Erection of front gates and 1.8m fence on southern boundary – permitted 15.10.2019

Consultations

Service Lead for Environment Services - Drainage:

No objection subject to condition 4

Service Lead for Environment Services - Landscape:

No objection subject to additional screening on southern boundary.

Service Lead for Built Environment - Strategic Planning:

Additional information submitted indicates compliance with policy TR6. No objection.

HCC: Highways:

No objection subject to condition 10

Representations:

Shedfield Parish Council – Objection for the following material planning reasons:

- The proposal is contrary to policy
- The site is not well located for public amenities

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- Increase in noise
- Additional lighting would be detrimental
- Would result in additional vehicle movements
- Existing issues with bonfires
- No need for additional sites
- Over concentration in the area
- Overdevelopment of the area
- Close to SINC and would result in damage to the footpaths

19 letters received objecting to the application from 16 addresses for the following material planning reasons:

- Over development of the area
- Site is inappropriate
- No need for additional gypsy sites
- The applicants do not meet the criteria of annex A for gypsies and travelling show people
- Increased noise
- Commercial use of the site
- Odour/smoke generation on site
- Highways safety
- Encroachment into the countryside
- Overdevelopment of the site
- External lighting on site
- Drainage

14 letters of support received from 11 addresses raising the following material planning reasons:

- The family are a positive contribution to the area and have settled in well
- There is sufficient screening on site
- The site is well kept
- The applicants are a community asset
- Good use of land and layout
- The proposal would benefit the local economy
- Proposal would not create any additional car travel

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy
MTRA4, MTRA4, CP5, CP13, CP15, CP16, CP17

Winchester Local Plan Part 2 – Development Management and Site Allocations
DM4, DM15, DM16, DM17, DM23

Traveller DPD
TR5, TR6, TR7

National Planning Policy Guidance/Statements:
National Planning Policy Framework

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Planning Considerations

Principle of development

Paragraph 47 of the NPPF requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. Policy MTRA3 allows for development within settlements that have no defined settlement boundary, such as Shirrell Heath, provided development would be within a continuously developed road frontage. It is not considered that the proposal would be in accordance with this policy. Policy MTRA4 sets out the criteria for acceptable development within the countryside. The application is not for business or tourism uses, nor is the application for a agricultural/forestry worker. It is therefore considered that the application would not meet this policy.

Policy TR6 of the Traveller DPD allows that use for traveller accommodation will be permitted in prescribed circumstances as assessed below.

The site must be for occupation by persons identified as gypsies or travellers within the PPTS who can demonstrate a personal or cultural need to be located in the area and there is a lack of other suitable accommodation. The adopted DPD is considered to be valid until 2031 and while some of the allocations may not currently be available it is considered that they will be coming forward within the DPD period and therefore the 5 year Housing Land Supply for Gypsy, Traveller and Travelling Show people is considered to be intact.

The application is to amend the existing permission to allow for the dependents of the applicants to live on the site. Other sites have been explored in the local area that have all been found to be at maximum capacity.

Based upon the above assessment the proposal is considered to comply with policy TR6 of the Local Plan which allows for the expansion of existing sites to accommodate growth.

In addition to the above, sites must be in sustainable locations well related to existing communities, as defined by Policy CP5 of the Winchester District Local Plan Part 1 2013 and comply with the requirements of Policy TR7 which contains provisions applicable to all sites. These aspects of the proposals are assessed in subsequent paragraphs.

Impact on character of area and neighbouring property

In terms of detail assessment of the suitability of the site policy CP5 of the LPP1 sets out the criteria for suitable sites for pitches, these include:

- Sites being well related to existing settlements
- Avoiding over-concentration of sites in any one location
- Accessible by local services
- Avoid harmful impacts on nearby residential properties
- Be capable of accommodating acceptable facilities

In addition policy TR7 of the DPD provides a set of general requirements in relation to access and parking; environmental and general criteria for developments to satisfy. It has been established through the previous permission that the site is located near enough to the settled community of Shirrell Heath to become integrated without being too

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close to cause tension with other residents. It is considered that the proposed layout is acceptable with a communal parking area that would serve all the pitches on the site. Whilst the additional 3 plots will increase the presence of development in this area it is not considered to lead to an overconcentration of sites in this location relative to the size and scale of the existing settled community of Shirrell Heath.

Policy TR7 of the DPD requires that play areas for children are required. It is considered that the proposed site plan would provide sufficient space for dedicated amenity areas for each dwelling proposed.

In terms of impact on the character and appearance of the surrounding area it is considered that the site is elevated above the road level, and the proposed pitches would be situated to the rear of the site, reducing the visual impact on the street scene. The Landscape Architect requested that planting is included along the south elevation to provide additional screening. Amended plans have been submitted indicating the existing planting that was secured and implemented under the previous approval 18/01264/FUL. It is therefore considered that the proposal would be suitably screened from the street scene. There is a Public Right of Way to the west of the site, it is not considered that the proposal would be prominent in views from this as there is sufficient screening in place.

There are neighbours to the north and south of the application site. It is considered that the proposal would not result in overlooking, overbearing or loss of light to the neighbouring properties due to the distances involved with all properties being a minimum of approximately 36m from the proposed pitches.

It is therefore considered that the proposal would accord with development plan policies, CP5 and CP13 of the Local Plan part 1, DM4, DM15, DM16, DM17 and DM23 of the Local Plan part 2 and TR6 and TR7 of the Traveller DPD.

Highways/Parking

The site benefits from an existing access onto Pricketts Hill. Amended plans have been submitted showing visibility splays available. The access has been considered acceptable to serve the existing 2 pitches and the agricultural business on the site. It is noted that the additional three pitches would result in a small uplift in traffic to the site however, it is considered that this will not have a detrimental impact on highways safety. The Highways officer raised a concern regarding the visibility splays for the site and therefore condition 10 has been recommended to ensure that sufficient visibility splays are achieved to sever the site.

The plans submitted show sufficient parking for 10 vehicles. It is considered that there is sufficient space on the plot to accommodate touring caravans on each plot without compromising amenity space.

The application is therefore considered to be acceptable in this regard.

Ecology

Concerns have been raised in relation to the impact on the local SINC. It is considered that the site is not within 100m of the SINC and therefore is unlikely to have a significant impact on the protected area. Further concerns have been raised in relation to external lighting. It

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is accepted that some lighting has already been approved under permission 19/01852/HOU. However as the site is located within the countryside a condition restricting external lighting has been recommended for this development (condition 9).

Other Matters

Personal circumstances

A statement has been submitted that verifies that applicants as gypsies/travellers under annex 1 of the PPTS. It is considered that the additional pitches would be occupied by the applicant's children who currently live within the existing 2 pitches. Other nearby sites have been investigated however they have been found to be fully occupied.

The future occupiers are registered at local GP surgeries and their children are enrolled within the local schools. Further comments have been made regarding the health of the future occupant's mother who is of failing health. The additional pitches would allow for the continuing care within the family.

Nitrates

The proposed development is within Winchester District where foul water is distributed into the European designated areas Solent SPAs/Ramsar sites via water treatment plants. In accordance with advice from Natural England and as detailed in Policy CP16 of the Winchester City Council Local Plan Part 1 Joint Core Strategy a net increase in housing development within Winchester District is likely to result in impacts to the integrity of those sites through a consequent increase in Nitrates. A nitrate calculation has been conducted in relation to this. It has been demonstrated that the proposal would generate a surplus of nitrates and therefore mitigation is required. As such a Grampian condition in line with the Winchester City Council Position Statement on Nitrate Neutral Development has been agreed to secure appropriate mitigation prior to occupation.

Recreational Disturbance on the Solent Special Protection Areas

The Solent coastline provides feeding grounds for internationally protected populations for overwintering waders and wildfowl, and is also extensively used for recreation. Natural England has concluded that the likelihood of a significant effect in combination arising from new housing around the Solent cannot be ruled out. Applications for residential development within 5.6 km of the Solent SPAs will need to propose measures to mitigate the direct impacts of their development on the Solent SPA. This can be done by the provision of a financial contribution either before planning permission is granted or by entering into a s106 agreement before planning permission is granted with an undertaking that the payment will be made before the development is implemented. The proposal would provide 3 dwellings with no confirmed bed numbers requiring a payment of £1785 to comply with policy CP16 as it has failed to mitigate the recreational harm to the Solent SPAs. This has been paid and secured.

Equality

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty as

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statutory planning authority for the council.

Conclusion

Policies TR6 and TR7 allow for the expansion of existing sites to accommodate growth. The application is to amend the existing permission to allow for the dependents of the applicants to live on the site. Other sites have been explored in the local area that have all been found to be at maximum capacity.

The layout is considered to be acceptable and planting has been put in place to mitigate and screen the site within the wider street scene and footpaths. There is an existing access to the site that requires improvements to visibility and it is considered necessary to require the improvements through condition 10.

It is therefore considered that the proposal complies with Development Plan policies CP5, CP13, CP15 and CP16 of the Local Plan Part 1, policies DM4, DM15, DM16, DM17, DM18, and DM23 of the Local Plan Part 2 and policies TR6 and TR7 of the Traveller DPD.

Recommendation

Permit subject to the following condition(s):

Conditions

1. The development hereby permitted shall be begun before the expiration of 28.06.2022.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be constructed in accordance with the following plans, drawing number: D01 rev A

Reason: In the interests of proper planning and for the avoidance of doubt.

- 3 The site shall not be occupied by any person other than gypsies and travellers as defined in Annex 1 of the Planning Policy for Traveller Sites.

Reason: The site is situated outside of a defined settlement boundary within a countryside location where new residential development would not normally be permitted. This proposal is an exception to countryside policy having regard to the needs and circumstances of Gypsy & Travellers.

- 4 No more than 10 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended) shall be stationed on the site at any time of which no more than 5 shall be static caravans/mobile homes.

Reason: To define the extent of this planning permission and to prevent more intensive use of the site.

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5 All mobile homes positioned on the site shall meet the definition of 'caravan' in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended)

Reason: The site is in an area where residential development is not normally permitted.

6 No development, including the movement and placement of mobile homes on the site, shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

Hard landscaping details must include:

- areas of hardstanding provided for vehicle parking
- any hardstanding associated with the residential units

Works must then continue in accordance with the approved details.

Hard landscaping works shall be completed prior to the occupation of the dwellings.

Soft landscaping details must be in accordance with the details agreed in writing by the LPA 08.08.2019.

If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the rural characteristics of the area are retained and supported by the development.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected on the site without the written consent of the Local Planning Authority

Reason: In the interests of the site's location within the countryside.

8 No commercial activities shall take place on the land, including the storage of materials

Reason: To protect neighbouring amenities and the character of the countryside

9 No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site

Reason: To protect neighbouring amenities and the character of the countryside.

10 There shall be no external outdoor lighting on the site, whether fixed or free standing unless otherwise agreed in writing by the Local Planning Authority.

Reason: The site is located within an area of countryside where excessive light pollution would harmfully impact on the character of the area.

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11 The area to the north-east of the fence labelled 'picket fence 1200 high' on drawing D 1703 01 dated 9 2 17 must not be used for residential purposes.

Reason: To control the extent of the residential permission and to ensure that only areas immediately outside the mobile homes undergo a change of use to residential.

12. Detailed proposals for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before occupation of the building.

Reason: To ensure satisfactory provision of foul and surface water drainage.

13. The three additional caravans hereby permitted shall NOT BE OCCUPIED until:

- a) A water efficiency calculation which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to and approved in writing by the Local Planning Authority
- b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development and be implemented in full prior to first occupation and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
- c) All measures forming part of that mitigation have been secured and submitted to the Local Planning Authority.

Reason: To accord with the Conservation of Habitats and Species Regulations 2017, and Policy CP11, CP16 and CP21 of the Winchester District Local Plan Part 1.

14. Prior to the occupation of the dwellings hereby permitted the sightlines as indicated on the approved plan shall be constructed in which there should be no obstruction to visibility exceeding 1.0m in height above the adjacent carriageway channel line have been completed. Such sightlines shall thereafter be retained for the lifetime of the development

Reason: To provide and maintain adequate visibility in the interests of highway safety.

Informatives:

1. This permission is granted for the following reasons:
The development is in accordance with the Policies and Proposals of the Development Plan set out below, and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

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2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Local Plan Part 1 Joint Core Strategy; CP5, CP13.

Local Plan Part 2: DM4, DM15, DM16, DM17, DM23.

Traveller DPD (2019) - TR6 and TR7.

High Quality Places SPD (2015)

3. In accordance with paragraphs 186 and 187 of the NPPF, Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;
- offering a pre-application advice service and,
 - updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

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City Councillor's request that a Planning Application be considered by
the Planning Committee

| |
|--|
| Request from Councillor: Jonathan Fern |
| Case Number: 20/02243/FUL |
| Site Address: Straight Path Paddock, Pricketts Hill, Shedfield, Hampshire |
| Proposal Description: Variation of condition 2 & 4 to add an additional 3 mobile homes (18/01264/FUL) |
| Requests that the item be considered by the Planning Committee for the following material planning reasons: 1) Layout and density of site - Excessive units crammed into a small area 2) Inadequate parking spaces - Caravans of these sizes usually have multiple bedrooms and thus minimum requirements do not appear to have been met. 6 spaces for 5 caravans seems highly inadequate. 3) Highway safety - Entrance is very narrow, and now with a potential increase in cars, plus regular visits for septic tank emptying, i am not convinced a lorry will be able to safely enter/exit the site, let alone the issues with visibility at the exit and risk to pedestrians on both sides of the road, as well as oncoming traffic. 4) Traffic - Mentioned above and relevant to my points 2 & 3. Increase in traffic to the site let alone inadequate parking provisions. 5) Overlooking/loss of privacy - The units look like they pretty much overlook each other. It is my opinion that the above scheme falls down in the above areas, let alone the sheer volume of local opposition and how there are a number of caravan sites locally already. I am hereby opposed to this planning application. |

- Whilst requests will be accepted up to the determination of the application, Members should make their request as quickly as possible and preferably within the publicity period of the application. Otherwise the case may be determined under delegated powers soon after the

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expiry of the publicity period. The committee date for the application will depend upon when the request is received in relation to the committee cycle.

- It would be helpful if Members can indicate their preferred outcome to avoid it going to the committee unnecessarily
- Members should note that referral of an item to the Committee will require consideration as to whether a declaration of interests and / or pre-determination and bias may be necessary. If you require advice, please contact the appropriate Democratic Services Officer, prior to the meeting. *Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests, and on Predetermination or Bias in accordance with legislation and the Council's Code of Conduct.*

Once completed, please email this form to the relevant Planning Case Officer and the Service Lead: Built Environment