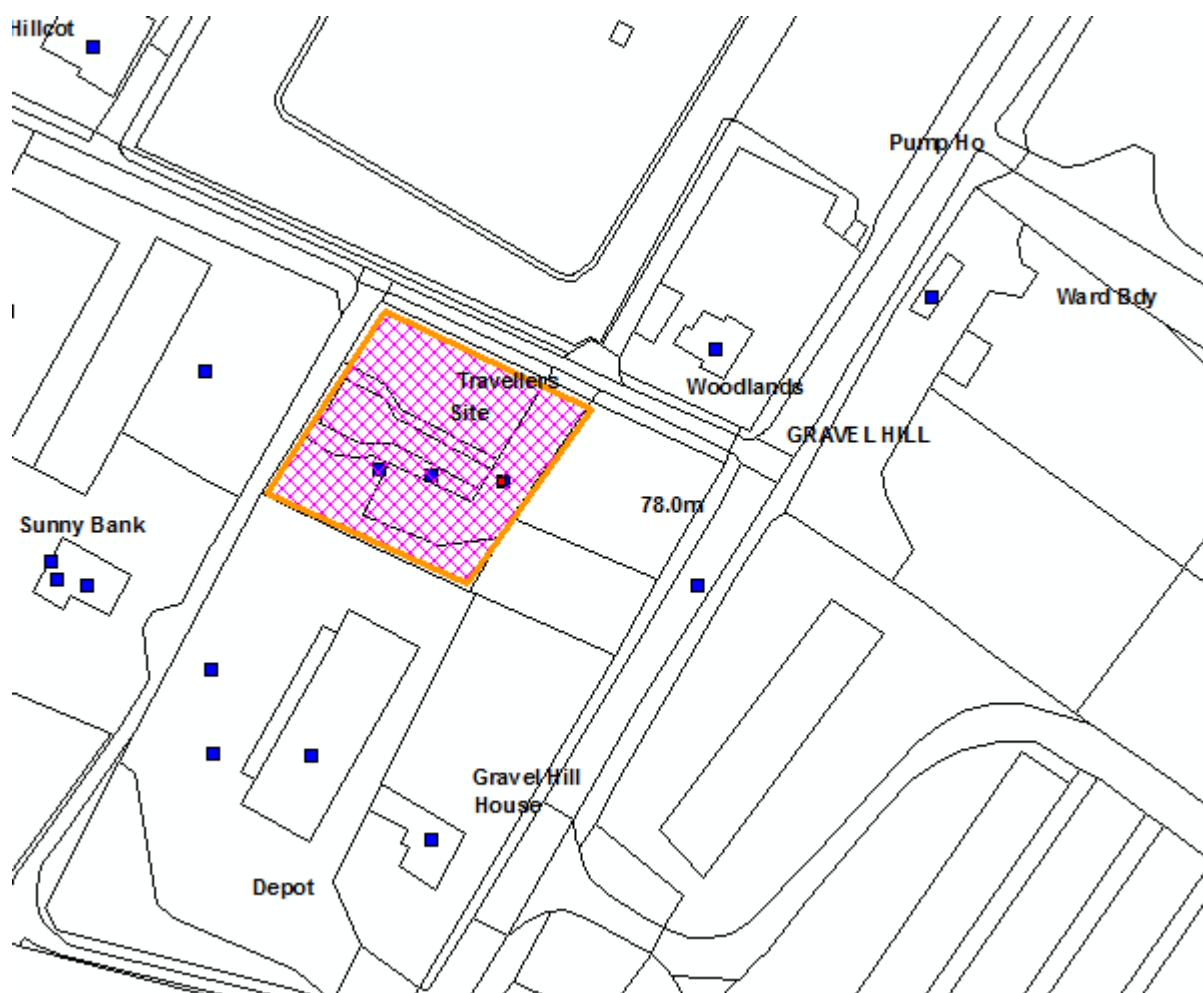


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 17/02213/FUL
Proposal Description: Variation of Conditions 01 and 02 of 16/00456/FUL to make the temporary permission permanent and to amend the site layout
Address: Land Adjacent To Gravel Hill Shirrell Heath Hampshire
Parish, or Ward if within Winchester City: Shedfield
Applicants Name: Ms Taylor Smith
Case Officer: Robert Green
Date Valid: 6 June 2018
Recommendation: Application Approved



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General Comments

The application has been reported to Committee at the request of Shedfield Parish Council, whose comments have been attached as an appendix to this report.

Due to the length of time since the submission of the Parish Council's comments and following the adoption of the Gypsy & Traveller Development Plan Document, the Parish were invited to revise their comments and the referral to committee was retained.

The application was submitted in August 2017 but could not be validated. Upon receipt of the required information, the case was validated in June 2018. Upon visiting the site, it was noted that the submitted site layout did not contain a gazebo structure and did not reflect the applicant's wishes for hard surfacing within Plot 3. An updated site layout was therefore requested and received in February 2019.

The application has been submitted under the applicant name 'Ms Taylor Smith' which is incorrect. The agent of the application has confirmed that the applicants are 'Ms Taylor' and 'Ms Smith'.

Site Description

The application site is 0.2 hectares in size and sits to the west of the Gravel Hill roadway.

To the south, a band of trees and vegetation divides the site from the parking facilities of a depot building which is being used for storage purposes.

To the north, an access track runs along the length of the site (which also provides access into the site), whilst a further access track serving a property known as 'Sunny Bank' sits to the west.

The site contains a combination of hard standing, shingle and grassed areas. Upon entering the site, there are 3 further entrances to individual plots with each containing their own parking facilities and residential amenity space.

All 3 homes on the site are moveable caravans. However 2 of the homes have been modified with a brick wall to the base of the caravan and cladding on the external surfaces.

The area is semi-rural in nature, with a mixture of residential and non-residential uses. The site adjoins a storage depot and is opposite a large site which is currently under the B2 (General Industrial) Use Class, known as Gravel Hill Farm. This site has recently been approved to change use to a flexible B1c/B2 and B8 use, under application 19/00001/FUL.

Proposal

In February 2017, the site received consent for the following under application 16/00456/FUL:

'Change of use of land to a private gypsy and traveller caravan site consisting of 3 no pitches'

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This consent contained a number of conditions regarding drainage, lighting and general limitations of the consent.

The application under consideration seeks to vary the wording of Conditions 01 and 02, which have been copied below:

1. The use of the site as a private gypsy and traveller caravan site consisting of 3 no. pitches hereby permitted shall be for a limited period expiring on 28th February 2019, on or before which date, the use shall cease, and all mobile homes and caravans shall be removed from the site and all other buildings, hardstandings, platforms and structures (including septic tanks and sewage treatment plants) shall be dismantled/ broken up and removed from the site and the land restored to its former condition.

Reason: The Council is in the process of establishing the required gypsy pitch provision for the District and allocation of gypsy and traveller sites so it would be premature to grant a permanent provision at this stage

2. The development shall be carried out in accordance with plan nos. TDA.2069.01 and TDA.2069.02 which include details of plot layouts, the siting of 3 mobile homes, landscaping details, boundary treatment and an acoustic fence.

Reason: For the avoidance of doubt and in the interests of proper planning.

This application seeks to remove the time limitation of condition 01 (allowing a permanent residence on the site) and vary the plan numbers contained within condition 02 to reflect alterations to the layout of the site.

Relevant Planning History

- 16/00456/FUL - Change of use of land to a private gypsy and traveller caravan site consisting of 3 no pitches – Approved 28.02.2017
- 15/00401/FUL - Change of use of land to a private gypsy and traveller caravan site consisting of 3 no pitches – Refused 21.05.2015
- 14/02405/FUL - Change of use of land to a private gypsy and traveller caravan site consisting of 3 no. pitches – Withdrawn 27.02.2015

Consultations

WCC Engineers - Drainage:

- Original response raised no objection but requested further details regarding drainage details for tarmac area.
- Confirmation received from agent that hard surfaced areas are cambered toward permeable areas on the site and the Drainage Engineer confirms they have no

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objections.

HCC Engineers - Highways:

- No highway objections to this application to make the temporary permission permanent and amend the site layout.

WCC Environmental Protection:

- Complaints have been submitted to the Environmental Heath department during the course of the application which are comparable to those submitted in planning representations.
- Site visits have been conducted and resolutions are available through primary Environmental Health legislation separate to planning.
- No adverse comments or objections raised.

WCC Strategic Planning:

- Allowing the proposal would be in line with the Council's strategy set out in the DPD, as the application site is identified in that document as one which should be given permanent permission.
- If permanent consent were not granted the applicants would remain part of the identified unmet need in the area and it is likely that a new site would need to be found on which to address this need.

Representations:

Shedfield Parish Council

- Questions the occupants meeting the definition of 'travellers'
- Shirrell Heath is an unsustainable village
- Dogs barking day and night
- Continuing nuisance and distress caused to neighbours is evidenced and undisputed.
- Dispute the inclusion of the site under policy TR2 of the emerging Gypsy and Traveller Development Document.

9 letters from 4 addresses received objecting to the application for the following material planning reasons:

- Extra burden on amenities such as schools, heath services, transport systems
- Already several traveller's sites in the area
- Site would not be considered for housing so should not be permitted for residential caravans
- Question the applicant's traveller status
- Dangerous access into the site
- Constant barking of dogs
- Misuse of paddock area

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- Questioning whether structures on the site are caravans

Relevant Planning Policy:

Winchester Local Plan Part 1 – Joint Core Strategy

DS1 – Development Strategy and Principles
MTRA1 – Development Strategy for Market Towns and Rural Area
MTRA4 – Development in the Countryside
CP5 – Gypsies and Travellers
CP7 – Open Space, Sport & Recreation
CP10 – Transport
CP13 – High Quality Design
CP18 – Settlement Gaps
CP20 – Heritage and Landscape Character
CP21 – Infrastructure and Community Benefit

Winchester Local Plan Part 2 – Development Management and Site Allocations

DM1 – Location of New Development
DM4 – Gypsies, Travellers and Travelling Showpeople
DM16 – Site Design Criteria
DM17 – Site Development Principles
DM18 – Access and Parking
DM19 – Development and Pollution
DM20 – Development and Noise
DM23 – Rural Character

Winchester District: Gypsy, Traveller and Travelling Showpeople Development Plan Document

TR2 – Sites with Temporary Consent

National Planning Policy Guidance/Statements:

National Planning Policy Framework

Planning Considerations

Principle of development

The site is located outside of a defined settlement boundary and is therefore within the countryside.

In this area, policy MTRA4 of the Local Plan Part 1 (LPP1) only allows development which an essential or operational need for a countryside environment. MTRA4 continues to offer other uses which are considered suitable in principle. A permanent residential use, as proposed by this application, is not supported by MTRA4.

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However, the Planning Policy for Traveller Sites Document, alongside Policy CP5 of the LPP1 and DM4 of the Local Plan Part 2 (LPP2) accept that there may be justification to use rural sites for the special needs of Gypsies and Travellers subject to the sites being sustainable economically, socially and environmentally.

In February 2019, following an examination period by the Planning Inspectorate, the Council adopted the Winchester District Gypsy, Traveller and Travelling Showpeople Development Plan Document (DPD). This provides a strategy to plan for the expected demand of Traveller accommodation in the District by safeguarding existing sites from alternative development, allowing certain sites with temporary permission to become permanent and allowing the expansion of existing sites or creation of additional sites if precise criteria are met.

The DPD contains policy TR2 ('Sites with Temporary Consent') where *planning permission will be granted on [sites] with temporary consent for permanent gypsy and traveller accommodation*.

This application site is listed under this policy as Site W085 and its inclusion has been accepted by the Planning Inspectorate in the adopted DPD. Therefore, the principle of allowing the 3 pitches on the application site to receive permanent consent is acceptable.

The result of DPD is that the Council is able to demonstrate a 5 year supply of Traveller accommodation and the granting of permanent planning permission, as sought by this case, contributes toward meeting ongoing identified need over the Plan period; allowing the proposal is therefore in line with Council's strategy within the Adopted DPD.

Design/layout

Upon entering the site from the access track which runs from Gravel Hill, the paddock area, which is to be retained as such under condition 03 of this consent, sits to the left hand side. This is generally an open space which contains stables and temporary structures such as play equipment, and is divided from the pitch areas by the access track.

The 3 pitches form similar sized areas to the west of the track. A combination of boundary treatments and gates face toward the centre of the site, and each pitch is separated by fences of 1.6m in height.

Pitch 1 contains an area of hard standing which contains parking facilities, a gazebo structure and a mobile home which runs parallel with the boundary of the site. To the rear of the pitch, a gravelled area contains ancillary structures such as play houses alongside storage for the touring caravan associated with this pitch.

Pitch 2 sits in the centre of the site and contains a long gravel driveway bordered by areas of grass. The mobile home is set to the rear of the pitch and runs parallel with the border.

Finally, pitch 3 contains an area of gravel which the application seeks to change to tarmac. This contains the mobile home and parking facilities, with a grass area to the

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rear providing amenity space.

The layout of the site has therefore been organised in a manner which clearly separates the 3 pitches but maintains shared spaces such as the driveway and paddock area. The location of the mobile homes within the pitches is considered appropriate.

Concern has been raised regarding the appearance of the mobile homes, with some comments mentioning that dwellings have been built rather than mobile homes. A site visit has confirmed that all 3 homes on the site are caravans, with 2 of the homes being more substantial and decorated (with cladding and brick plinths) in a manner which makes them appear as more permanent features.

As it is the nature of Traveller applications that the appearance of the mobile home will change as homes are updated and revised, condition 04 has been retained in this application which ensures that all homes on the site must meet the legislative definition of a caravan and not exceed the dimensions of the homes shown on the documents submitted as part of this application which have been assessed as appropriate and suitable for the site.

Impact on character of area and neighbouring property

The character of the surrounding area is semi-rural in nature.

Gravel Hill in general is a straight roadway with a mixture of dense vegetation and open spaces to either side. In the area immediately surrounding the application, there is a mixture of residential properties and commercial buildings which are largely set back from the roadway or discrete due to the strong boundary treatment. To the south of the application site, a row of dwellings sits on the eastern side before shortly reaching the first cluster of dwellings which form part of Shirrell Heath.

As detailed further in the Landscape section of this report, the site is to retain the strong boundary treatment which borders the Gravel Hill roadway alongside the example which borders the site and the access track. As a result, the physical structures on the site (such as the mobile homes and parking facilities) are well screened from the public realm and physically separated from the roadway due to the retention of the paddock area.

Therefore, although introducing a residential use into the countryside, the character of the area is not adversely harmed.

'Woodlands' is the nearest residential property, located to the opposite side of the shared access track from Gravel Hill. The closest distance between the pitch 3 and perimeter of Woodland's residential curtilage is 12m. 'Sunnybank' and 'Hillcot' are to the rear, both share the access track with the site and are 25m and 55m from the boundaries of the application site respectively.

Gravel Hill House shares a boundary with the paddock area and is 35m from the boundary of pitch 1.

It is not considered that the proposed changes to the original consent making the presence of the residential occupation permanent would have an adverse impact on adjacent residential amenity through overbearing, overlooking or overshadowing.

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Concern has been raised regarding additional noise from the site and the impact this may have on the residential amenity of surrounding occupants. The Environmental Health department were duly consulted and confirmed that complaints had been received during the publicity period of the application. The Environmental Health Officer conducted a joint site visit with the Animal Welfare Officer who met with residents.

As with any domestic premises, resolutions and control are available through primary Environmental Health legislation rather than through a planning assessment which seeks to allow residential use on the site. Therefore, the Environmental Health officer raises no adverse comments regarding noise.

The application site shares a boundary with a non-residential site which is currently occupied and being used as a B8 (Storage and Distribution) building. Pitch 1 shares a boundary with the neighbouring site, and the mobile home is located 2.3m from the boundary which uses a 1.8metre high hedge alongside supporting vegetation for boundary treatment. To the opposite side of the boundary, the hard surfaced parking area for the commercial units provides a separation of 11m before reaching the building.

In the specific requirements of policy TR2, an appropriate acoustic barrier is required. At the time of submitting the application, the formal use class of the neighbouring building is a B8 (Storage and Distribution) facility which is a less intensive use with reduced noise outputs. In addition, a large fence already divides the site alongside vegetation which acts as a form of acoustic barrier between the site. These two aspects combined result in this aspect of the policy being satisfied.

In addition, the neighbouring site has been subject to an approved Prior Notification application which allows for the neighbouring storage building to be converted into 5no. residential dwellings. Such a neighbouring use would also not require an acoustic barrier.

However, it is acknowledged that circumstances may change and an opportunity may arise where an improved acoustic barrier is required if the neighbouring building is to change to a more noise intensive use. Therefore, condition 10 (which removes permitted development rights for the construction of further fences) has been amended to continue to allow the occupants of the site to construct an acoustic barrier, in accordance with the submitted noise assessment, if the need arises.

Landscape/Trees

As previously assessed, the site sits within an area characterised by its semi-rural nature, with a combination of uses and boundary treatments in the immediate area.

The application site itself sits behind a tall hedge of 2.6m which runs parallel to the Gravel Hill roadway, whilst a conifer with a height of approximately 7m sits between the site and the access track to the north.

The result of this is that when travelling from the north along Gravel Hill, the site is well screened by existing surrounding vegetation and users of the highway are largely unaware that a residential use exists behind the boundary treatment. This is further supported by the retention of the paddock area between the roadway and the residential pitches.

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From the opposite direction, the 2.6m hedge on the Gravel Hill roadway combines with the dense vegetation within the garden of Gravel Hill House to screen the pitches on the site. In the event that the vegetation within Gravel Hill House (outside the control of this application) dies or is removed, the view of the site from the public realm would be of the paddock area and fencing with the majority of the residential area screened by the depot building which, whilst less preferable than the existing situation, does not expose the residential use on the site to an adverse level.

Policy TR2 requests that a landscape framework is submitted to provide suitable boundary treatment around the site to ensure that the site is visually contained. As the existing landscaping of the site has been assessed as capable of visually containing the site, an additional condition (11) has been included to ensure that the surrounding boundary treatment is maintained at heights dictated by the submitted landscape drawing, and that any alteration to this height must be first approved in writing by the Local Planning Authority following an assessment.

The site is located within a 'settlement gap' as defined by Policy CP18 of the LPP1. This policy seeks to retain the generally open and undeveloped nature of the area and does not allow development that physically or visually diminishes the gap.

As the site is located in an area which contains a variety of built form and presents landscaping opportunities which screen the residential use on the site, the proposal does not physically or visually diminish the settlement gap and does not harm its wider function.

Therefore, based on the above assessment the permanent residential use of the site for the purposes proposed would not have an adverse visual impact on the surrounding landscape.

Highways/Parking

The revised layout has been assessed by the WCC Highway Engineer who raises no objections. The Highway Engineer also assessed the highways impact of allowing the site to be used permanently as 3 residential pitches and raises no objection.

Policy TR2 asks for access to be site to be improved 'as required'. However, as a highways impact has not been identified access improvements are not required in this case. If, in the future, further pitches are required on the site, this would be subject to further applications and improvements to the access arrangement can be requested if considered appropriate at that time.

Sufficient facilities are provided to allow occupants to park private vehicles within individual plots. Conditions 09 and 10 have been retained which ensure that no commercial activities take place on the site and no vehicles over 3.5 tonnes are stationed, parked or stored on the site; in the interests of highway safety and to protect the amenity of the nearest residential dwellings.

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Other Matters

Comments have been made alleging that occupants of the site are not Gypsy/Travellers. A joint site visit was undertaken with a member of the Enforcement team and the case officer where meetings were held with the occupants; it was concluded that those on the site meet the statutory definition of a Traveller. Notwithstanding this, condition 01 has been included which limits the consent to those who meet the definition and this can be enforced against if this is not complied with.

As a member of the Solent Recreation Mitigation Partnership, the Council are working together with other local authorities and conservation bodies to protect the thousands of birds that spend the winter along the coast through the Solent Recreation Mitigation Strategy.

The Solent is internationally important for its over-wintering birds, with 90,000 waders and more than 10 per cent of the world's Brent Geese. Many of these waders and wildfowl fly thousands of miles to spend the winter here and must be able to feed undisturbed to build up enough energy reserves to survive the winter and complete their migratory journey back to their breeding grounds. In recognition of its importance the coast and adjoining estuaries have been designated Special Protection Areas (SPAS).

The Solent is also renowned for its coastal walks and other recreational opportunities. Millions of people visit each year, and planned new housing is set to increase that figure. People who are walking along the shore can, often unintentionally, disturb the birds especially dog walkers. So local authorities and conservation bodies are working together through the Solent Recreation Mitigation Partnership to prevent that disturbance.

Under the Strategy, all residential development within 5.6km of the SPAs resulting in a net increase in dwellings will be asked to make a contribution towards mitigation projects in the Strategy. Through funding from developers in association with planning permissions for new housing, the Partnership has already established a team of rangers who will talk to visitors to the coast in the county about how to enjoy a walk without disturbing the birds who are spending winter along our shores.

As the proposal results in 3 no. 2-bedroom residential units, a contribution of £500 per property is required and is to be obtained prior to the issuing of the decision via an up-front payment form.

Planning Obligations/Agreements

In seeking the planning obligation(s) and/or financial contributions for..., the Local Planning Authority has had regard to the tests laid down in para 204 of the NPPF which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Recommendation

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(a) Subject to the provision of a completed up-front payment form which secures a total contribution of £1500 toward the Solent Recreation Mitigation Partnership

(Note: If the Legal Agreement is not completed within 6 months then the application may be refused without further reference to Committee) and;

(b) subject to the following conditions:

Conditions

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

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

02 The development shall be carried out in accordance with plan nos. TDA.2069.03 which includes details plot layouts, the siting of 3 mobile homes, landscaping details and boundary treatment.

Reason: For the avoidance of doubt and in the interests of proper planning.

03 The front part of the site, outlined in blue on plan no. TDA.2069.02, shall be retained as pasture for the grazing of horses

Reason: To prevent the spread of residential development into this part of the site as the site is in an area where residential development is not normally permitted.

04 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) and shall not exceed the dimensions shown on plan no. TDA.2069.01 dated September 2014.

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

05 There shall be no external outdoor lighting on the site, whether fixed or free standing.

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

06 Within 2 months of the date of this permission, details of the proposed water supply, proposals for the disposal of foul and surface water and proposals for recycling/waste management (including any associated structures) shall be submitted to the local planning authority. The submitted details shall include a timetable for implementation of the proposals when they have been approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and timetable.

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Reason: To ensure satisfactory water supply, provision of foul and surface water drainage and recycling/waste management.

07 Within 2 months of the date of this permission, details of proposals for the disposal of surface water shall be submitted to the local planning authority. The submitted details shall include a timetable for implementation of the proposals when they have been approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and timetable.

Reason: To ensure satisfactory disposal of surface water.

08 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no means of enclosure (including fences, gates or walls) shall be erected on the site, other than the acoustic barrier fence shown on plan no. TDA.2069.01.

Reason: To ensure the development does not impact unduly on the character of the countryside, within a designated gap.

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

Reason: To protect the amenity of the nearest residential dwellings.

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

Reason: To protect the amenity of the nearest residential dwellings.

11 The existing hedges, other established planting and boundary treatment must be retained and maintained at the heights shown by drawing TDA.2069.03 [dated June 2018 and received February 2019].

If any tree or plant is removed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged, defective or diseased, another tree or plant of the same species and size as the existing shall be planted in the same place, within the next planting season, unless the Local Planning Authority gives its written consent to any variation.

N.B – For the avoidance of doubt, and in accordance with drawing TDA.2069.03, the maintained height of the hedge parallel to the Gravel Hill roadway must be 2.6m and the Conifer line height must be approximately 7m.

12 Reason: To retain and protect the trees which form an important part of the amenity of the area and support the visual integration of the site.

Informatives:

1.

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In accordance with paragraph 38 of the NPPF (July 2018) , Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

In this instance a site meeting was carried out with the applicant.

2.

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

Winchester Local Plan Part 1 – Joint Core Strategy

DS1 – Development Strategy and Principles

MTRA1 – Development Strategy for Market Towns and Rural Area

MTRA4 – Development in the Countryside

CP5 – Gypsies and Travellers

CP7 – Open Space, Sport & Recreation

CP10 – Transport

CP13 – High Quality Design

CP18 – Settlement Gaps

CP20 – Heritage and Landscape Character

CP21 – Infrastructure and Community Benefit

Winchester Local Plan Part 2 – Development Management and Site Allocations

DM1 – Location of New Development

DM4 – Gypsies, Travellers and Travelling Showpeople

DM16 – Site Design Criteria

DM17 – Site Development Principles

DM18 – Access and Parking

DM19 – Development and Pollution

DM20 – Development and Noise

DM23 – Rural Character

Winchester District: Gypsy, Traveller and Travelling Showpeople Development Plan Document

TR2 – Sites with Temporary Consent

3.

This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out above, 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.

4.

All building works including demolition, construction and machinery or plant operation should only be carried out between the hours of 0800 and 1800 hrs Monday to Friday and 0800 and 1300 hrs Saturday and at no time on Sundays or recognised public holidays. Where allegations of noise from such works are substantiated by the Environmental

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Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act 1974 may be served.

5.

No materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

6.

Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practice

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-considerate-practice>

7.

Please be advised that Building Regulations approval may be required for this development. Please contact WCC Building Control Department for more information (T: 01962 848176, E: buildingcontrol@winchester.gov.uk)

8.

The applicant is advised that one or more of the Conditions attached to this permission need to be formally discharged by the Local Planning Authority. Details, plans or samples required by Conditions should be submitted to the Council at least 8 weeks in advance of the start date of works to give adequate time for these to be dealt with. If works commence on site before all of the pre-commencement Conditions are discharged then this would constitute commencement of development without the benefit of planning permission and could result in Enforcement action being taken by the Council.

The submitted details should be clearly marked with the following information:

- The name of the planning officer who dealt with application
- The application case number
- Your contact details
- The appropriate fee.

Further information, application forms and guidance can be found on the Council's website - www.winchester.gov.uk.

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Appendix 1 – Shedfield Parish Council Comment

From: **Shedfield Parish**

Case No: 17/02213/FUL

Closing Date for comments: **06 July 2018**

Location: Land adjacent to Gravel Hill, Shirrell Heath, Hampshire

Proposal: Variation of Conditions 01 and 02 of 16/00456/FUL to make the temporary permission permanent and to amend the site layout

LISTED BUILDING GRADE:

Comments:

Shedfield Parish Council wish to object strongly to this proposal on the following grounds:-

With the backing of the entire community, Shedfield Parish Council has opposed this development from the start. It has reached this stage only as a result of past failures of Winchester City Council.

The site is in a strategic settlement gap, whose importance is highlighted in the adopted Village Design Statement. The Response by Strategic Planning makes clear just how many other key policies are violated – DS1, MTRA1, MTRA4, CP5, CP7, CP10, CP13, CP18, CP20, CP21 within LPP1; DM1, DM4, DM16, DM18, DM19, DM20, DM23 in LPP2.

CP5 and DM4 refer specifically to Gypsies, Travellers and Travelling Showpeople, and emphasise that sites should 'encourage social inclusion', 'be accessible to local services' and 'avoid harmful impacts on nearby residential properties'. As long-established residents of Droxford whose entitlement to be considered as 'travellers' remains open to question, the applicants have never sought any 'social inclusion' and by repeated and persistent anti-social behaviour have further alienated local residents. In terms of 'local services', the unsustainable village of Shirrell Heath has no shop, pub, post office, bus service, doctor or dentist. The applicants' behaviour, for example in burning the plastic covering off copper wire, but particularly as regards noise (DM20) is persistent and unacceptable. The day-and-night barking of dogs in the kennel prevents neighbours from opening windows even in the current heatwave. The police have had to attend on more than one occasion to deal with violent incidents involving the applicants. The continuing nuisance and distress caused to neighbours is evidenced and undisputed.

It has long been recognised that the application for two years' temporary planning permission was granted only because WCC had, at that time (February 2017), no Traveller Plan in place, having failed over more than a decade to produce one. WCC Planning Committee initially voted against it, but were persuaded by officers that a successful appeal could be launched, so reversed their opposition while noting all the reasons to reject the application.

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The Draft Traveller DPD, whose belated appearance we welcome, will shortly undergo examination. However, TR2 seeks to make permanent the temporary planning permission awarded to site W085. Having consulted our residents, Shedfield Parish Council strongly objected to its inclusion. We hope to speak to our objection at the examination, principally on four grounds:

- Permitting this site contravenes the most significant policies of the Local Plan
- The three permitted pitches are not necessary to meet demonstrated present and future Traveller needs, since the DPD predicts a surplus of seven pitches
- The applicants, who in our view do not meet the definition of gypsies/travellers, have consistently and repeatedly treated the community and the planning process with utter contempt and failed to observe the conditions imposed: they have four caravans on site, some of them sub-let; the site plan submitted as part of 17/02213/FUL bears no relation to the reality as regards number and location of caravans, while the paddock is given over to play equipment and rarely contains a horse
- The nuisance and noise - especially from kennels – is impacting neighbours' wellbeing

It would add insult to injury to allow the kennels to be moved even nearer to the neighbouring dwelling, and this request should be immediately rejected.

Shedfield Parish Council supports TR4 of the draft DPD, and even prior to its publication had supported permanent planning permission for Travelling Showpeople in our parish. We oppose 17/02213/FUL not from hostility to travellers, but because it contravenes so many planning principles.

Request for application to be considered by Committee (NB: Case Officer to forward form to Head of Planning Control if this section completed)

If the case officer is minded to approve this application, Shedfield Parish Council would request that it is considered by Committee.

Signed: T S Daniels

Planning and Projects Officer

Date: 05 July 2018

Case No: 17/02213/FUL