



PLANNING COMMITTEE REPORT

TO: Planning Committee South

BY: Head of Development

DATE: 21 January 2020

DEVELOPMENT: Removal of condition 2 to previously approved application DC/16/2388 (Change of use of land to caravan site for stationing of up to three caravans for occupation by gypsy-traveller family with associated development (timber utility shed, utility trailer, septic tank, hard standing and additional landscaping)-part retrospective) to allow for the permanent use of the site for use a caravan site for occupation by gypsies and travellers.

SITE: Parsons Field Stables Pickhurst Lane Pulborough West Sussex

WARD: Pulborough, Coldwaltham and Amberley

APPLICATION: DC/19/2105

APPLICANT: **Name:** Mr and Mrs F Keet **Address:** Parsons Field Stables Pickhurst Lane Pulborough West Sussex

REASON FOR INCLUSION ON THE AGENDA: Pulborough Parish Council have requested to speak on the application at Planning Committee.

The application has been called to Planning Committee by a local Ward Member.

More than eight persons in different households have made written representations raising material planning considerations that are inconsistent with the recommendation of the Head of Development.

RECOMMENDATION: To approve permanent planning permission subject to conditions

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.1 The application seeks the removal of condition 2 attached to planning application reference number DC/16/2388 to allow for the permanent use of the site for the stationing of up to 3no caravans for use by gypsies and travellers.

1.2 From a case officer site visit in November 2019 it was evident that the site was currently in use for this purpose following the initial granting of planning permission for the change of use of the site in 2011 under planning reference DC/09/2130. The site has benefited from a

number of temporary permissions to allow for its use as a gypsy and traveller caravan site, the latest of which expired on the 31/12/2019.

- 1.3 It is noted that the application has been submitted seeking either a permanent or a further temporary permission. Given that the site has operated as a caravan site for gypsies and travellers for a considerable period under two temporary consents, it is considered appropriate to now consider the merits of a permanent permission on this site in the first instance. In the event a permanent permission is considered unacceptable, it would be appropriate to then consider whether a further temporary permission would overcome the identified concerns.

DESCRIPTION OF THE SITE

- 1.4 The site is situated within a rural location to the south of Pickhurst Lane, approximately 600m (as the crow flies) north of the built-up area boundary to Codmore Hill. Within the site are 2no static mobile home, a wooden clad outbuilding, a utility trailer, pole barn and a touring caravan. At the entrance to the site is a brick wall with timber inserts and gate, on the boundary to the north of the site is panel fencing, which is continued on the south eastern boundary. On the inner side of the fence leylandii trees have been planted. The site also benefits from a pole barn, a utility shed, a septic tank, and an ancillary building.
- 1.5 A mature hedgerow runs along the boundary to Pickhurst Lane. There are public footpaths to the east and west of the site. The boundary of the South Downs National Park is located some 175 metres to the west of the site. Whitehall Cottage a grade 2 listed building is located to the north east of the application site, on the opposite side of Pickhurst Lane. The site is not located within in a Conservation Area or a Flood Risk Zone.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework
- 2.3 The Government also published 'Planning Policy for Traveller Sites' in 2015 alongside the NPPF. Policy H advises on the determination of planning applications for traveller sites.

2.4 RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Planning Policy for Traveller Sites (PPTS)

Horsham District Planning Framework (2015):

- Policy 1 - Strategic Policy: Sustainable Development.
- Policy 2 - Strategic Policy: Strategic Development.
- Policy 3 - Strategic Policy: Development Hierarchy.
- Policy 21 - Strategic Policy: Gypsy and Traveller Sites Allocations.
- Policy 22 - Gypsy and Traveller Sites.
- Policy 23 - Strategic Policy: Gypsy and Traveller Accommodation.
- Policy 24 - Strategic Policy: Environmental Protection.
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character.
- Policy 26 - Strategic Policy: Countryside Protection.
- Policy 31 - Green Infrastructure and Biodiversity.
- Policy 32 - Strategic Policy: The Quality of New Development.

- Policy 33 - Development Principles.
- Policy 34 - Cultural and Heritage Assets.
- Policy 40 - Sustainable Transport.
- Policy 41 - Parking.
- Policy 42 - Strategic Policy: Inclusive Communities.
- Policy 43 - Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

2.5 The Parish of Pulborough was designated as a Neighbourhood Development Plan Area in February 2014. To date no draft Plan has been prepared for public consultation.

2.6 Supplementary Planning Guidance: Gypsy, Traveller and Travelling Showpeople Draft Site Allocations Development Plan Document (DPD) 2017

2.7 PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/09/0513	Stationing of mobile home for settled gypsy accommodation	Application Refused on 09.09.2009 Under Delegated Powers
DC/09/2130	Retrospective change of use of land to caravan site for two caravans for occupation by single gypsy family with timber shed and hard standing	Application Permitted on 28.04.2011 at Planning Committee. Permission granted for temporary and personal permission for use of the site until 19.04.2013.
DC/13/0577	Removal/variation of condition 1 and 2 (relating to timescale for permission and occupancy) pursuant to application DC/09/2130 (Change of use of land to caravan site for two caravans for occupation by single gypsy family with timber shed and hardstanding)	Variation of Condition 1 Permitted on 22.01.2014 at Planning Committee extending permission to 19.11.2015, with personal occupancy Condition 2 retained in full. Removal of Condition 2 Permitted at Appeal by the Planning Inspectorate 04.02.2015, with further temporary permission granted for use of the site until 31.12.2019.
DC/16/2388	Change of use of land to caravan site for stationing of up to three caravans for occupation by gypsy-traveller family with associated development (timber utility shed, utility trailer, septic tank, hard standing and additional landscaping)-part retrospective	Application Permitted on 18.01.2017 at Planning Committee. Temporary Permission granted until 31.12.2019 in line with DC/13/0577.
DISC/17/0027	Approval of details reserved by conditions 2, 8, 9, 11 and 13 on DC/16/2388	Split Decision on 18.04.2017

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

INTERNAL CONSULTATIONS

- 3.2 **Strategic Planning**: No objection
Verbal Comments. No objections raised given the current need and lack of 5-year supply for Gypsy, Traveller and Travelling Showpeople accommodation.
- 3.3 **Environmental Health**: No Objection.
This caravan site has been operating on a temporary basis with a Caravan Site Licence for over 2 years, with no issues occurring with regards to the Licence conditions or issues having been raised to this department over the site in that time. I would therefore have no objections to the renewal of the planning permission on a permanent basis.
- 3.4 **HDC Heritage Officer**: No objection
Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, in considering whether to grant planning permission.

Parsons Field is identified on the early additions of the Ordnance Survey on the southern side of Pickhurst Lane, to the west of the application site. To the east of the site are the grade 2 listed properties of Whitehall Cottage and Cherry Tree Cottage. Cherry Tree Cottage is described in the HE listing description as; "C17 or earlier timber-framed cottage with painted brick infilling, south end rebuilt in ashlar. Tiled roof. Casement windows. Two storeys. Three windows. Modern L-wing to west." Whilst Whitehall Cottage is described as "C17 cottage with modern wing to east. The original portion has two storeys and two windows. Stone, now painted. Hipped tiled roof with pentice behind. Casement windows." Both Whitehall and Cherry Tree Cottage are traditionally scaled rural vernacular buildings which reflect their rural setting. Their rural surroundings form part of the understanding of the dwellings.

Pickhurst Lane is a narrow rural lane, with sporadic buildings facing onto the road. The application site on its northern boundary is enclosed by hedging, and the road curves in this location. It is considered that the curvature of the road and the position of the application site, in conjunction with the distance to the listed buildings on the northern side of the road would result in limited/if any intervisibility between the listed buildings and the application site. The experience of the listed buildings in their rural setting would be retained, and the understanding of the listed buildings would not be harmed by the proposal. No objection would therefore be raised to the scheme.

- 3.5 **HDC Property Services (Drainage)**: Comment
No drainage information has been submitted to make any relevant comments or observations. Therefore if this development is permitted suitable drainage conditions should be applied that show full details of the measures to dispose of both foul and surface water.
- 3.6 **HDC Planning Compliance**: No Objection
Verbal Comments – No instances of reported issues have occurred or been received.

OUTSIDE AGENCIES

- 3.7 **Southern Water**: No Objection

3.8 **WSCC Highways:** No objection

The site is accessed by an existing established access on Pickhurst Lane. Whilst visibility at the access is somewhat restricted, Pickhurst Lane is considered lightly trafficked and vehicles are not anticipated to be travelling at the posted speed limit. This application is merely to make the site permanent and does not propose any additional mobile homes or caravans. Therefore there is no material intensification of use associated with this proposal.

There appears to be sufficient space on-site to accommodate enough vehicular parking to meet the needs of the site. There is also sufficient space for on-site turning to be achievable, allowing vehicles to exit onto Pickhurst Lane in a forward gear.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last 5 years reveals no recorded injury accidents within the vicinity of the site. Therefore there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS

3.9 **Pulborough Parish Council:** Objection

- This is not a proven case for a travelling way of life.
- The application refers to 3 caravans. Does this mean 3 separate caravan 'pitches' together with supporting infrastructure?
- Ref Plan 1, although not explained, the adjoining field to the west of the application site has already been sub-divided into an additional 3 plots by using Leylandii and Laurel hedging. Has the ownership of this land been established and is it included in this application?
- The application site/s are well outside the defined Built Up Area and adjacent to the SDNPA boundary.
- The 'yard' site was originally illegally occupied in 2005 without planning consent and given temporary permission for the education of a child. The site has subsequently been sold and this temporary permission expires at the end of December 2019.
- The site was the subject of failed appeals, on the grounds of "being harmful to the character of the surrounding area". This situation continues today, especially when the site is used for the parking of commercial vehicles, which are not consistent with the temporary permission.

There are many letters of objections from local residents, who refer to:

- The lack of road safety for drivers and pedestrians in Pickhurst Lane.
- The dangerous junction of Blackgate Lane with the A29, a local accident black spot.
- The distance from local amenities.
- Inappropriate lighting within the site.
- Numerous vehicle movements from the application site and parking of vehicles in the adjoining field.
- The close proximity to 2 listed dwellings.
- The applicants have a history of similar development with East Hants District Council, involving a site in Liphook.

- The Parish Council strongly support the comments made by The Wiggonholt Association and Batcheller Monkhouse.
- Pulborough Parish Council will send a representative to the Planning Development meeting to speak as an objector.

3.10 A total of 23 letters of objection from 21 separate households/bodies have been received for this application. The letters of objection can be summarised as follows:

- Conflict with national, regional and local neighbourhood planning policies.
- No need for additional gypsy sites
- Highways and Parking Concerns
- Issues with regards to drainage
- Unsuitable site owing to its location
- Lack of essential services to site
- Noise disturbance and Loss of privacy
- Detrimental effects on the character of the area
- Impact on listed buildings to the east

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

6.1 The main considerations material to this application relate to the principle of development, the suitability of the location; highways, parking and access; the amenities of the occupiers and adjoining properties; the impact on the landscape character of the area.

Principle of Development

6.2 This site has a complex planning history. Planning permission was granted on the site in April 2011 under DC/09/2130 for the change of use of land to a caravan site for two caravans for occupation by a single gypsy family, with a timber shed and hardstanding. Condition 1 of the permission required the permitted mobile home and touring caravan on the site to be removed on or before 19 April 2013. Condition 2 was a personal condition which restricted the occupation of the mobile home to Sarah Barnes and her family only.

6.3 In April 2013 application DC/13/0577 was submitted which sought to remove both conditions 1 and 2 to allow unrestricted permanent occupancy as a gypsy and traveller site. Rather than remove Condition 1, it was determined that the Condition should be varied to allow the mobile home to remain until 19 November 2015. It was determined that Condition 2 should not be amended. This permission was subsequently taken to appeal, with the Inspector allowing the appeal subject to Condition being revised to permit the temporary use of the site until 31 December 2019. The date of 31 December 2019 was considered appropriate by the Inspector as it would align with the end of the applicant's son's secondary education (but recognising that this matter alone was not necessary to justify the temporary permission), and with the anticipated timeframe by which the Council would be able to demonstrate a plan-led provision of gypsy and traveller sites.

- 6.4 The Inspector also determined to remove Condition 2, which restricted occupancy to the applicant only, so that any Gypsy and Traveller family (provided they meet the current definition contained within the Planning Policy for Travellers Sites (PPTS) document) could occupy the site.
- 6.5 Planning permission was then subsequently granted under planning reference DC/16/2388 to amend the red edge of the application site in order provide for an additional caravan, allowing for up to 3no caravans on the site (one of which would be a touring caravan) a utility trailer, utility block and septic tank.
- 6.4 In 2015, the government published its 'Planning Policy for Traveller Sites' (PPTS) to be read alongside the NPPF. This national policy document informed the Inspector's decision to extend the temporary use of the land to 31 December 2019 and remove the personal occupancy condition. Policy H of the PPTS relates to the determination of planning applications for traveller sites. At paragraph 23, it states that applications should be assessed and determined in accordance with the presumption in favour of sustainable development. Also, paragraph 24 of the Planning Policy Guidance requires Local Planning Authorities to consider the existing level of local provision and need for sites, along with the availability (or lack) of alternative sites for the applicants, and other personal circumstances of the applicant. It is noted at Paragraph 27 of this document that if a local planning authority cannot demonstrate an up-to-date 5-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.
- 6.5 In terms of local planning policy, Policy 21 of the HDPF: 'Gypsy and Traveller Site Allocations' makes provision for 39 net additional permanent residential pitches for Gypsies and Travellers within the period 2011-2017 in order to fulfil the backlog of unmet need identified through the Council's current Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment (2013). The policy confirms that Horsham District Council will make provision for further pitches over the rest of the Plan period from 2017 to 2031 in a Gypsy and Traveller Site Allocations Development Plan Document (DPD).
- 6.6 However, it is acknowledged that a number of sites allocated through Policy 21 of the HDPF have yet to come forward and the DPD was not able to progress, therefore the Council is currently unable to demonstrate an up-to-date 5 year supply of deliverable sites.
- 6.7 The application site was put forward as a possible site within the draft DPD document but was subsequently excluded from the draft allocations on the grounds of impact on the landscape and historic impact. However, the draft DPD has not advanced owing to draft site allocations subsequently falling away. Consequently the draft DPD does not contain sufficient sites to meet the identified needs of the district. As a result the weight to be attached to the landscape and heritage justification not to allocate the site in the draft DPD is limited.
- 6.8 There have been no reported issues in relation to the use of this site and it appears to have been operating in accordance with the site licence in place. As the Council currently has a lack of identified sites for this purpose and cannot demonstrate a 5-year supply, the principle of retaining its use on a permanent basis is considered to be acceptable subject to all other relevant material considerations, including impact on landscape and heritage which is considered later in this report.

Landscape Character

- 6.9 Policy 22 of the HDPF: 'Gypsy and Traveller Sites' sets out criteria for allocating land for pitches for Gypsies and Travellers, including the use of publically owned land; and the allocation of sites in strategic development sites or stand-alone allocations. Policy 23 (1) of the HDPF: 'Strategic Policy: Gypsy and Traveller Allocations' confirms in relation to any

planning applications for non-allocated sites that there must be no significant barriers to development that exist in terms of flooding, drainage and ground stability; that the site is served by a safe and convenient vehicular and pedestrian access; that the site has essential services; that the site is located in or near to existing settlements and that the development will not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties.

- 6.10 The Inspector's decision on DC/13/0577 and the subsequent permission for three caravans on the site under DC/16/2388 are material consideration in the determination of this current application.
- 6.11 In respect of landscape matters, the Inspector concluded that 'the view of the site from the lane does not produce any harm to character or appearance that is relevant to my decision'. In the near 5 years have passed since the Inspector's decision it is noted that the existing boundary hedging has been left to mature thereby providing improved screening of the site, particularly when viewed from Pickhurst Lane. On this basis it is considered that the Inspector's conclusion remains relevant.
- 6.12 The Inspector did however identify that although the site was relatively small and neatly set out in well-kept surroundings contained, the harm to the rural character and appearance of the countryside was considerable. This was on the grounds that the site was distinctively residential in nature set in the corner of a larger field with only buildings of an agricultural nature adjoining. In the intervening years however, Leylandii have been planted to create a buffer screen along the previously open western site boundary, thereby reducing the visual impact and harm of the development on the rural character and appearance of the area. Whilst some of the landscape character harm identified by the Inspector remains, it is not considered so significant as before with the caravans and associated buildings/structures not appearing as such prominent additions within the landscape. The conflict with Policy 23(e) is therefore now considered moderate.

Impact on Listed Buildings

- 6.13 Policy 34 of the Horsham District Planning framework states that the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets. The proposal would be required to ensure it has no adverse effect upon the historic character and appearance of the listed building or its setting.
- 6.14 As stated above, there are two Grade II Listed properties located to the north-east of the site on the opposite side of Pickhurst Lane. It is noted that the site was rejected as part of the considerations of the draft DPD document because of the impact on the setting of these heritage assets. Notwithstanding this, following a case officer site visit and consultation with the Council's Design and Conservation Officer, who also carried out a site visit to assess the relationship, it is considered that the existing boundary treatments to the site and the distances maintained to the listed buildings ensure that there is no detrimental impact on the setting of these heritage assets. As such, the proposals to allow for the permeant use of the site are considered to be acceptable from this standpoint, and would not have a detrimental impact on the special historic interest of the heritage assets or their setting, in accordance with Policy 34 of the HDPF, chapter 16 of the NPPF, and the requirements of s.66 of the Planning (Listed Buildings and Conservation Areas Act) 1990.

Sustainable Development

- 6.15 The application site is outside of the built-up area and as such is classified as being in a countryside location. The nearest settlement is Codmore Hill, defined in the HDPF alongside Pulborough as a small town/larger village, which are settlements with a good range of services and facilities. Paragraph 21 of the PPTS states that applications should be assessed and determined in accordance with the presumption in favour of sustainable

development. As such, given the countryside location of this site at some distance away from these services it could be considered that the proposal is contrary to the Government guidance.

- 6.16 Notwithstanding the above, it must be noted that there is another gypsy and traveller site located approximately 200m away to the south-east (as the crow flies) at Oakdene Blackgate Lane, which was initially granted planning permission for this use in 2012 under planning reference DC/12/2093. Two further applications have been submitted and approved to allow for additional caravans to be stationed on this site. In Policy terms, Oakdene Blackgate Lane is also considered to be located within the countryside and outside of any defined built up areas and is considered to be viewed in the same context as Parsons Field.
- 6.17 Similar to the site at Oakdene, the application site has an existing and established access onto Pickhurst Lane which then connects to the A29 and to existing settlements. There are bus stops along the A29 which provide sustainable transport routes into Codmore Hill and Pulborough to the south.
- 6.18 It is accepted that walking is more likely to replace short car trips, if the distance is under 2 km, whilst cycling has the potential to substitute short car trips and to form part of a longer journey by public transport, particularly if under 5km. It is recognised that most local facilities are not within walking distance of the application site, with the school and railway station approximately 2.7 km and approximately 3.4 km away respectively. However, it should be recognised that many facilities e.g. the railway stations and the local school, appear to be within cycling distance, which suggests this location is not wholly unsustainable. It is also understood that buses do run daily along the A29, which is within walking distance of the site (approximately 610m away). It is a fact that the site is outside the settlement boundary, but it is not so isolated as to make non-private vehicle journeys inconvenient or unlikely. In that respect the site is considered to be in a reasonable distance of local services and facilities to accord with Policy 23(d).

Impact on Neighbouring Amenity

- 6.19 Policy 33 of the HDPF require consideration be had to the resulting amenities of neighbouring occupiers of nearby land and properties and that development should consider the scale, massing and orientation between buildings.
- 6.20 With regard to the impact of the proposed development on neighbouring occupiers, there are two residential properties close to the site. 'Whitehall Cottage' a listed building is located to the north east of the site, whilst "Cherry Tree Cottage" also a listed building is adjacent to Whitehall Cottage. Whitehall Cottage is approximately 60 metres from the site boundary. It is considered that given the single storey nature of the caravans/buildings/structures on site, the distances maintained and the existing boundary treatments, the existing make-up of the site does not cause harm to neighbouring amenity and the permeant retention of this use and the caravans would not alter this beyond that of the current situation on site. In reaching this determination it is noted that there have been no recent issues reported to the Council's Environmental Health or Compliance teams.
- 6.21 The Inspector as part of the earlier appeal noted that "I do not consider that the possible effect of noise from the caravan affecting the persons using an area of hardstanding near an outbuilding on the opposite side of the Lane is unlikely to involve material harm." Overall, it is not considered that the scheme would contribute to any harmful impact on the privacy or amenity of the occupiers of the neighbouring residential properties, or users of adjoining land.

Highways & Parking Considerations and Implications

- 6.22 Criterion (b) of Policy 23 of the HDPF requires that sites for gypsy and traveller accommodation are served by a safe and convenient vehicular and pedestrian access, and that proposals should not result in significant hazard to other road users. This is supported by Policies 40 and 41 of the HDPF which require, amongst other matters, safe and suitable vehicular access and adequate parking facilities. Paragraph 109 of the NPPF sets out that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.
- 6.23 The site benefits from an existing and established access from Pickhurst Lane which has functioned appropriately for a number of years in relation to the use of the site. It is noted that no incidents or accidents have been recorded over the last 5 years which is confirmed by collision and accident data held by WSCC, indicating that the access is operating safely. It is also evident that there is sufficient parking and turning on site. WSCC Highways have raised no objections to the proposals and have stated that there would not be a severe impact on the operation of the highway network. Overall, it is considered that the continued permanent use as a gypsy and traveller site would accord with the relevant section of Policies 23, 40 and 41 of the HDPF.

Drainage

- 6.24 It is noted that a condition pertaining to the foul and surface water drainage provision on site was attached to the previously approved application, reference number DC/16/2388. There have been a number of representations received in relation to the drainage on site and given that the condition has not been previously discharged, it is considered appropriate to attach a condition to this application which requires details of drainage to be submitted within two months of the date of permission.

Conclusion

- 6.25 In conclusion, it is acknowledged that the Council cannot currently identify sufficient sites to meet the identified gypsy and traveller accommodation need or future need as required by the PPTS. This is a material consideration that weighs heavily in favour of the grant of permission.
- 6.26 Although the site was not allocated within the 2017 draft Gypsy, Traveller and Travelling Showpeople Site Allocations DPD, it must be noted that the site has operated as a gypsy and traveller caravan site for a number of years with no apparent issues or contraventions of planning control. Whilst concerns have been previously identified in respect of impact on landscape character, the planting around the site has suitably reduced the level of harm previously identified by the Inspector. In respect of the impact on the setting of the nearby Grade II listed buildings, no harm is now identified. Furthermore, the site is within a reasonable distance from services and facilities and the setting would not be dissimilar to an existing example of gypsy and traveller accommodation within a very short distance away at Oakdene, Blackgate Lane.
- 6.27 Overall, given the clear need identified by the Council with regards to gypsy and traveller sites, and the existing use of the site, the permanent use of the site for gypsies and travellers and the stationing of up to three caravans is now considered to be acceptable, with the benefit of the permanent retention of this accommodation considered to outweigh the identified harm to the landscape character of the area. The proposal would therefore be in accordance with Policy 23 of the HDPF and the guidance within the Planning Policy for Traveller Sites 2015. In reaching this recommendation regard has been had to the opportunity to extend the temporary permission for a further period of time, however for the

reasons set out above a permanent permission is considered most appropriate, and therefore recommended.

7. RECOMMENDATIONS

7.1 To approve planning permission subject to the following conditions:

1 A list of the approved plans and documents.

2 **Regulatory Condition:** Within two (2) months of the date of this permission a drainage strategy detailing the means of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage strategy shall be implemented in full accordance with the approved scheme within two (2) months of approval and shall be retained as such thereafter.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

3 **Regulatory Condition:** This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government 2015).

Reason: To enable the Local Planning Authority to control the use of the site and in accordance with Policy 21, Policy 22 and Policy 23 of the Horsham District Planning Framework 2015.

4 **Regulatory Condition:** No more than 3 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (or any Act revoking or re-enacting these Acts), of which no more than 2 shall be a static caravan or mobile home, shall be stationed on the site at any time.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity in accordance Policy 33 of the Horsham District Planning Framework 2015.

5 **Regulatory Condition:** There shall be no more than one (1) touring caravan stationed on site at any time and this shall not be occupied by any person at any time whilst stationed on the application site.

Reason: To avoid an overcrowded appearance and to secure satisfactory standards of space and amenity and to enable the Local Planning Authority to control the use of the site, in accordance with Policy 21, 22, 23 and 26 of the Horsham District Planning Framework (2015).

6 **Regulatory Condition:** No industrial, commercial or business activity shall be carried out on from the site, including the storage of materials.

Reason: In the interests of amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition:** No Heavy Goods Vehicles (defined as any vehicle having 3 axles or more and with a weight exceeding 3,500kg) shall operate to or from the site or be stationed, parked or stored on the site at any time.

Reason: In the interest of highway safety and amenity in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 8 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or Orders amending or revoking and re-enacting the same, no additional gates, fences, walls, or other means of enclosure shall be erected or constructed on the site unless prior written permission has been granted by the Local Planning Authority.

Reason: In the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework 2015.

Background Papers: DC/09/2130, DC/13/0577, DC/16/2388, DC/19/2105