

Development Management Report

Responsible Officer: Tim Rogers

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Summary of Application

<u>Application Number:</u> 18/04479/VAR	<u>Parish:</u>	Stoke Upon Tern
<u>Proposal:</u> Variation on Condition No.s 1 and 7 attached to Planning Permission 18/01257/VAR dated 07 June 2018 to double the number of caravans on Plot 7 from 2 to 4		
<u>Site Address:</u> Residential Caravan Site Known As The Paddocks Warrant Road Stoke Heath Shropshire		
<u>Applicant:</u> Mr Jamie Fitzgerald		
<u>Case Officer:</u> Jane Preece	<u>email:</u> planningdmne@shropshire.gov.uk	

Grid Ref: 364281 - 328627



Recommendation:- Approve, subject to the imposition of appropriate and revised planning conditions as discussed within this report and as set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

1.1 The application seeks consent to vary conditions 1 and 7 attached to planning permission 18/01257/VAR dated 07 June 2018 to double the number of caravans on Plot 7 from 2 to 4 at the residential caravan site known as The Paddocks, Warrant Road, Stoke Heath.

1.2 Under reference 18/01257/VAR, planning permission was granted for the following description of development:

‘Variation of Condition No. 7 attached to Planning Permission 16/02362/VAR dated 18 July 2017 so that the number of caravans that can lawfully be stationed at the Plot 2, can be increased from 2 to 4’

1.3 Conditions 1 and 7 attached to planning permission 18/01257/VAR read as follows:

1. *The development shall be carried out strictly in accordance with the approved plans and drawings.*

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

7. *There shall be no more than 8 pitches on the site and on each of the 8 pitches hereby approved no more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended), shall be stationed at any time on plots 1, 3, 4, 5, 6, 7 and 8 and no more than 4 caravans shall be stationed at any time on plot 2. Notwithstanding the provisions of Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended), only one caravan sited on plots 1, 3, 4, 5, 6 7 and 8 and only 2 caravans sited on plot 2 shall be a residential (static/chalet) mobile home.*

Reason: In the interests of visual amenities.

1.4 The application proposes to increase the number of caravans to satisfy the changing housing needs of the applicant. This is explained in the supporting Planning Statement:

‘The additional proposed mobile home and touring caravan on plot 7 is for the growing applicant’s extended family.

The applicant’s children have grown older and require their own caravan. It is a gypsy and traveller tradition to remain living close to their extended family and support each other with everyday jobs. Male family members usually go travelling

together to find work.'

- 1.5 The occupation of the site is restricted to gypsies and travellers by virtue of condition 6 of planning permission 18/01257/VAR.

2.0 **SITE LOCATION/DESCRIPTION**

- 2.1 The site forms part of a residential caravan site known as The Paddocks, Warrant Road, Stoke Heath. As detailed above the site has consent for 8 pitches. The caravan site is served by existing vehicular access off Warrant Road and the site boundaries are made up of well-established hedges.
- 2.2 The Paddocks site is approximately 3 miles from Hodnet and 6 miles from Market Drayton. Adjacent to The Paddocks site is an existing caravan site at Warren Park which, although set up originally as a transit site in the 1960's has no restrictions on occupancy. The surrounding residential development is made up of sporadic small groups of houses.

3.0 **REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

- 3.1 The Parish Council's views are contrary to that of officers. The Principal Planning Officer in consultation with the Local Member and the Planning Committee Chair/Vice Chair agree that the Parish Council has raised material planning considerations which warrant the referral of the application to the Planning Committee for consideration.

4.0 **Community Representations**

4.1 **Consultee Comments**

- 4.1.1 **SUDS** - Have no comment from the drainage and flood risk perspective, regarding the Variation on Condition No.s 1 and 7 attached to Planning Permission 18/01257/VAR dated 07 June 2018 to double the number of caravans on Plot 7 from 2 to 4.
- 4.1.2 **SC Regulatory Services** - No comment.
- 4.1.3 **SC Ecology** – No comments to make.
- 4.1.4 **SC Highways** – Recommendation: Further Details Required there is insufficient detail submitted with the application to make an informed highway comment, at this time.

Observations/comments: The application is seeking approval to increase the number of caravans stationed at Plot 7 on the site from 2 to 4, originally restricted to 2 under condition 7 of permission 16/02362/VAR. The siting of the additional 2 caravans is shown on Proposed Site Plan (Drawing No. 15-753B-003) and the need for the variation described in the supporting Planning Statement.

The application follows the approval of a variation to the same condition to also increase the number of caravans by 2 stationed on Plot 2 of the site under

reference 12/01257/VAR (NB: this should read 18/01257/VAR not 12/...)

The current application is the same in principle as the previous application and is appearing to be establish a continuing trend, with several the outstanding permanent pitches also potentially capable of accommodating additional caravans within their respective plots to cater for the changing demographics of resident families. The progressive increase in caravans, in effect doubling up on the plots could potentially increase the number of vehicles using the main site access accommodating this change in traffic flows could potentially have highway implications on the adjoining Class III Road and will need to be assessed.

As currently submitted the Proposed Site Plan (Drawing No. 15_753_003) has not demonstrated compliance with condition 5 of planning permission 16/02362/VAR which requires visibility splays of a depth of 2.5 metres and length of 95 metres from the centre point of the junction of the access road with the public highway to be provided. The visibility splays are to be kept free of any obstacles or obstructions for the lifetime of the development. The visibility provision has not been satisfactorily detailed on the submitted drawing. The submission of appropriate site photographs clearly qualifying the camera position at the setback position within the site access are also sought to confirm compliance with the condition.

4.1.5 **SC Gypsy Liaison** – No comments received.

4.1.6 **SC Learning and Skills** – No comments received.

4.1.7 **SC Planning Policy** - No comments received.

4.2 **Public Comments**

4.2.1 **Parish Council** - The Parish Council **OBJECT** to the Application on the basis of over development of a comparatively small site, one of the smallest at The Paddocks, and visual intrusion. The Committee is also concerned in terms of over development as the site has no formal drainage for either foul or surface water.

4.2.2 **Public representations** – Two public representations of objection have been received. The main points of objection raised are:

- ☐ This application ignores the original points made by the planning inspector at the original appeal. It demonstrates no consideration for the impact of over-development of this site on the local community. It also demonstrates no consideration for the fact that in this area of the county we have already been forced to accept more than our fair share of this particular type of development.
- ☐ Although we recognise the need for communities to change and grow, we have the following concerns about this application:
 - (i) It ignores the conditions established by the Planning Inspector, when the site was approved for a limited number of plots for specific residents.
 - (ii) It represents the potential over development of the site, which is not in-

keeping with the draft neighbourhood Plan.

5.0 THE MAIN ISSUES

- ☐ Overdevelopment
- ☐ Visual intrusion
- ☐ Highways
- ☐ Drainage

6.0 OFFICER APPRAISAL

6.1 Planning history background

6.1.1 **Appeal decision:** The development of the overall site to include for the '*... mixed use for the stabling/keeping of horses and stationing of caravans for residential occupation with associated works (hard standing, widen access tracks, electricity box, water/electricity connections, utility blocks, fencing, package treatment plant, refuse bin store)*', was granted on appeal on the 14th June 2013, subject to planning conditions.

6.1.2 The conditional appeal approval included 10 conditions, summarised below:

1. Development to accord with approved plans.
2. Residential use limitation to named persons and to temporary 3 year period.
3. Restoration of land when residential use ceases.
4. Prior approval of any amenity buildings prior to erection.
5. Limitation to 8 pitches and no more than 2 caravans per pitch.
6. Details of waste water system, animal water waste disposal, hard landscape works and lighting to be submitted for approval within two months and with timetable for implementation. LPA to give decision on submitted details/scheme within 10 months or appeal to be made. In the event of failure to meet these requirements then residential use to cease and all caravans and associated works to be removed.
7. No additional lighting without prior approval.
8. No vehicle over 3.5 T and no more than one commercial vehicle per pitch.
9. No commercial activities other than horse trading on the land.
10. Visibility splays of 2.5 m x 95 m to be provided within 3 months and thereafter kept free of obstruction for the lifetime of the development.

6.1.3 **16/02362/VAR:** Under planning application reference 16/02362/VAR consent was granted on the 18th July 2017 to vary conditions 1, 2 and 8 and remove condition 3 attached to the appeal decision.

6.1.4 In relation to conditions 1 and 2, justification was provided for a permanent, non personal use and to revise the layout and to provide for additional dayrooms to serve a permanent as opposed to a temporary use. As the proposals were considered development plan policy compliant, the variation to the approved plans was permitted, alongside varying the temporary and personal use to allow for a permanent use and for occupation by gypsies and travellers only. These agreed variations made condition 3 unnecessary so it was removed.

- 6.1.5 In relation to condition 8, it was also agreed to vary this condition by removing the restriction of the number of commercial vehicles per plot but retaining the restriction of the size of the vehicles to no more than 3.5 T.
- 6.1.6 Whilst not specified within the description of development condition 6 (drainage) was also varied at the time. It was reported that: *‘The drainage and waste storage information required was submitted to the Council within the deadline. However, the Council considered that additional information was required and as such the submitted details were never approved. The Case Officer did request that the drainage information be submitted as part of the current application, however the agent has advised that he does not intend to submit the information at this stage and confirmed that a further condition can be imposed.’* Hence the drainage condition was also varied to request the submission of the drainage system. There was some renumbering of the conditions within the decision for 16/02362/VAR, whereby the drainage condition was listed as condition 3.
- 6.1.7 **17/04136/DIS:** Following on from the approval of application 16/02362/VAR a discharge of conditions application (under reference 17/04136/DIS) was submitted to discharge conditions 2 (materials) and 3 (drainage). The prior approval requirements of the conditions were discharged on the 30th October 2017.
- 6.1.8 **18/01257/VAR:** Under the appeal decision and re-imposed under application 16/02362/VAR (as condition 7) the number of pitches on the land is restricted to 8 and the number of caravans per pitch to 2. In June 2018 an application to vary condition 7 of planning permission reference 16/02362/VAR was permitted to allow for the increase in the number of caravans on plot 2 to 4. As the prior approval requirements of the drainage condition (condition 3) had been discharged, condition 3 was also varied to incorporate this.
- 6.2 **Principle of development**
- 6.2.1 The site has planning permission for the stationing of residential caravans: the number of pitches (8); caravans (2 per pitch) and occupancy (gypsies and travellers only) being restricted by planning condition. A proposal is to increase the number of caravans allowed on plot 2 from 2 to 4 (to comprise 2 mobile homes and 2 touring caravans), was permitted under application 18/01257/VAR to serve the applicant’s growing family needs. It was accepted that that proposal was justified to fulfil the long-term housing needs of the extended family. In Gypsies and Traveller culture, the importance of the extended family is something which is recognised and acknowledged in the Council’s adopted Housing SPD. This current variation application is made on a similar basis and likewise is considered acceptable in principle.
- 6.3 **Overdevelopment and visual intrusion**
- 6.3.1 The application has attracted objections from the Parish Council and local residents on the grounds of overdevelopment and visual intrusion. However, it is considered by officers that the submitted site plan shows ample space to accommodate the additional mobile home and touring caravan without appearing cramped and further that the caravan site is surrounded by existing hedgerows which serve to screen the site and mitigate against any unacceptable visual intrusion.
- 6.3.2 The extent of development and visual impact are not new issues to this caravan

site. Referring back to the views of the Planning Inspector in determining the appeal which granted the temporary occupation of this site, the Inspector commented that:

'In addition to a group of retained buildings the site is laid out in a series of spacious pitches each of which has an area proposed for hardstanding and a substantial paddock area on which the Appellants could keep animals. The south-west corner of the site has been planted with trees.

... the spacious, low-key nature of this scheme helps it to sit within the surrounding countryside without it being viewed as an incongruous intensive development and landscaping that has taken place would help to assimilate the development into the rural area.

... some of the caravans and associated development within the site were clearly visible from the site access from Warrant Road and also in glimpses through the mature hedgerow at points along the road.

However, I accept that at times of the year when the hedgerow is in leaf such views into the site would be reduced.

Partial views through gaps in field hedgerows of the upper parts of some caravans in the site would also be gained at a distance from a footpath (one field away) to the south-east of the site. However, both from close quarters and from points further afield in the public domain the effect of the development on the character and appearance is limited.'

6.3.4 The Inspector went on to conclude that there was harm but the harm was not unacceptable in this location and in those terms there was no material conflict with the aims of Core Strategy policy CS5.

6.3.5 Despite the proposed introduction of a further two caravans on plot 7, it remains to be considered the development will continue to be relatively low-key, spacious and adequately screened, particularly bearing in mind that the boundary hedging any tree planting has further matured since the consideration of the appeal in 2013. Overall, therefore the accumulative impact of the additional caravans proposed is not considered so substantially harmful as to warrant refusal on the grounds of overdevelopment and visual intrusion in comparison with the scheme considered by the appeal inspector in 2013 or permitting the permanent use of the site under application 16/02362/VAR; or the additional two caravans on plot 2 permitted under application 18/01257/VAR.

6.4 Highways

6.4.1 In respect of the previous application reference 18/01257/VAR considered earlier this year and seeking to increase the number of caravans by two, the Highway Authority raised no objection, commenting that: *'The likely change in traffic associated with the stationing of 2 additional caravans within an existing plot on the established site is not considered to result in undue highway safety issues to sustain an objection. The variation of condition 7 of planning permission 16/02362/VAR is considered to be acceptable purely in terms of the increase in caravans relating to plot no.2 only and condition 7 being revised accordingly.'*

6.4.2 In respect of this current application, the Highway Authority submitted a comment that there is *'insufficient detail submitted with the application to make an informed highway comment, at this time.'* The Highway Authority goes on to comment that the application appears to be establishing a continuing trend to cater for changing demographic needs of resident families and that the progressive increase in caravans could potentially have highway implications for the capability of the main site access and the adjoining class II road to accommodate this change. Furthermore, the currently submitted proposed site plan has not satisfactorily demonstrated the required visibility splays of 2.5 m x 95 m, as specified in condition 5 attached to planning permission 16/02362/VAR and re-imposed in respect of planning permission 18/01257/VAR. Condition 5 as relevant reads as follows:

6.4.3 *Within 3 months of the date of planning permission 16/02362/VAR (granted 18th July 2017) visibility splays of a depth of 2.5 metres and length of 95 metres from the centre point of the junction of the access road with the public highway shall be provided. Thereafter these splays shall be kept free of any obstacles or obstructions for the lifetime of the development.*

Reason: To ensure a satisfactory means of access.

6.4.4 Additional information has been invited from the applicant's agent in response to the comments raised by the Councils' Highway advisor. In the absence of any response, further clarification has been sought from Highways and the Area Highway Manager has provided the following additional advice:

6.4.5 *'I have viewed the application submission and highway advice from our term consultant WSP. It is noted that a highway site inspection has not been undertaken. The WSP advice clearly link the potential increase in traffic movements generated by the addition 2 caravans occupying Plot 7 and the current access to the site. The issues raised however surrounding the conformity of the access and visibility splay requirements that were imposed by the Inspectorate previously are, in my view, a matter for enforcement to consider and the appropriate action taken.*

The site itself and Plot 7 indicate that adequate parking is available and raises no fundamental highway issues. The provision of 2 additional caravans within Plot 7 is unlikely to materially increase the site traffic movement in the context of the development as a whole.

Having regard therefore to the above I do not consider that a highway objection is warranted to the development sought. I consider however that your enforcement team should consider the site access and visibility splays set against the criteria set by the Inspectorate decision and specific highway conditions.'

6.4.6 In light of the above, there is no outstanding highway issue that forestalls the determination of this current application and no reasons for refusal are warranted on highway grounds. The requirement for an adequate visibility remains a conditional requirement by virtue of condition 5, a variation of which is not sought as part of this application. The requirements of the condition will continue to apply and if not satisfied then this is will need to be looked at separately as a potential

enforcement matter.

6.5 Drainage

6.5.1 The Parish Council is '*... also concerned in terms of over development as the site has no formal drainage for either foul or surface water.*'

6.5.2 The requirement to provide a foul drainage scheme for prior approval together with a timetable for implementation was a conditional requirement of the appeal decision. That conditional requirement was carried through as a varied condition as part of planning permission 16/02362/VAR, ie condition 3 which reads as follows:

6.5.3 *Within two months of the date of this decision details of the proposed waste water treatment system(s) for the site and animal waste storage and disposal method shall be submitted to and approved in writing by the Local Planning Authority. The approved schemes shall thereafter be installed fully in accordance with the approved details within 4 months of the date of this decision and maintained as such for the lifetime of the development.*

Reason: To ensure suitable waste water and animal waste treatment does not adversely affect the amenities of the local area.

6.5.4 A discharge of conditions applications was consequently submitted to include for the discharge of the prior approval requirements of the above condition 3. The submitted drainage scheme denoted each plot to be served by individual septic tanks and soakaway arrangements, together with a designated concrete base for the storage of animal waste close to the site entrance. The discharge of conditions application was approved on 30th October, 2017.

6.5.5 Whether or not the drainage scheme has been installed in accordance with the approved details is a conditional compliance issue and not determinative to this current application. This matter will need to be looked at separately and potential enforcement action considered in the event of non-compliance with this condition.

6.5.6 As regards this current application, the foul drainage and associated soakaway arrangements are denoted on the submitted existing and proposed site plans. The plans show that plot 7 will continue to be served by a septic tank and soakaway arrangement, but that the soakaway system will be modified for the plot in terms of position due to the proposed siting of the additional two caravans.

6.5.7 In connection with this current proposal, the expectation is that the foul drainage arrangements will need to be upgraded to cater for the additional caravans. It is considered that this can be covered by an appropriate planning condition to secure the prior approval of a detailed scheme of foul and surface water drainage for plot 7 and this will require the additional variation of condition 3 attached to planning permission 18/01257/VAR. Condition 3 currently reads as follows:

6.5.8 *No development shall take place until a scheme of the surface and foul water drainage associated with the additional accommodation proposed on plot 2 the subject of this application reference 18/01257/VAR has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be*

fully implemented before the development hereby approved is occupied/brought into use (whichever is the sooner) and thereafter maintained as such for the lifetime of the development.

With the exception of the foul and surface water drainage arrangements associated with the additional accommodation for plot 2 the subject of this application reference 18/01257/VAR, details of the proposed waste water treatment system(s) for the site and animal waste storage and disposal method submitted to the Local Planning Authority under discharge of conditions application reference 17/04136/DIS and approved in writing by Local Planning Authority on 30th October 2017 shall be installed fully in accordance with the approved details within 4 months of the date of planning permission reference 16/02362/VAR (granted 18th July 2017) and maintained as such for the lifetime of the development.

Reason: (i) The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding and (ii) To ensure suitable waste water and animal waste treatment does not adversely affect the amenities of the local area.

- 6.5.9 With a varied drainage condition in place to include for the current proposals for plot 7, then the proposal is considered capable of compliance with adopted planning policies in drainage terms.

6.6 **Conditions**

- 6.6.1 When considering an application to modify conditions, Planning Practice guidance on the matter is that: *‘To assist with clarity, decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged. In granting permission under section 73 the local planning authority may also impose new conditions – provided the conditions do not materially alter the development that was subject to the original permission and are conditions which could have been imposed on the earlier planning permission.’*

- 6.6.2 Aside from the requested modification of conditions 1 and 7, condition 3 will also require modification to include for the drainage requirement in relation to plot 7 as discussed in section 6.4 above.

7.0 **CONCLUSION**

- 7.1 It is considered by the Local Planning Authority that the proposed variation the subject of this application for the increase of the number of caravans that can lawfully be stationed at plot 7 from 2 to 4 will not have an unacceptable impact on the visual amenities of the locality or local highway conditions and that the proposal can be adequately served by foul and surface water drainage arrangements, all subject to compliance with planning conditions.
- 7.2 It is apparent that there are two conditional compliance issues that have been raised in relation to i) the provision of the required visibility splays and ii) the implementation of the approved site drainage scheme. These need to be looked at separately as enforcement matters and do not prevent the determination of this application.

- 7.3 Accordingly, approval is recommended subject the imposition of appropriate and revised planning conditions as discussed within this report and set out in the attached Appendix.
- 7.4 In considering the proposal due regard to the following local policies and guidance has been given, when applicable: Shropshire Core Strategy policies CS5, CS6, CS12, CS17 and CS18; SAMDev Plan policies MD2, MD7A and MD12; the Council's SPD on The Type and Affordability of Housing; the GTAA 2017; the PPTS and the NPPF.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- ☐ As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- ☐ The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Shropshire Core Strategy and SAMDev Plan policies:

CS1 - Strategic Approach
CS5 - Countryside and Greenbelt
CS6 - Sustainable Design and Development Principles
CS9 - Infrastructure Contributions
CS17 - Environmental Networks
CS18 - Sustainable Water Management
MD1 - Scale and Distribution of Development
MD7A - Managing Housing Development in the MD7A - Managing Housing Development in the Countryside
MD12 - Natural Environment
Settlement: S11 - Market Drayton
SPD Type and Affordability of Housing
Shropshire Gypsy and Traveller and Travelling Showperson Accommodation Assessment 2017

Central Government Guidance:

National Planning Policy Framework 2018
Planning policy for traveller sites 2015

RELEVANT PLANNING HISTORY:

12/01315/FUL Application under Section 73a of the Town and Country Planning Act 1990 for change of use of land to form residential caravan site comprising 8 pitches, erection of day room/WC outbuilding and installation of septic tank drainage system (Retrospective) NPW 4th April 2012

12/01424/FUL Application under Section 73A of the Town & Country Planning Act for the change of use of land to form residential caravan site to include 8 pitches (2 caravans per pitch), erection of 8 utility blocks and boundary fencing; works to widen existing vehicular access and formation of internal access tracks; installation of package treatment plant; change of use of existing agricultural building to equestrian use REFUSE 8th August 2012

13/03171/DIS Discharge of conditions 4 and 6 on planning permission 12/01424/FUL for the stabling/keeping of horses and stationing of caravans for residential occupation with associated works (hard standing, widen access tracks, electricity box, water/ electricity connections, utility blocks, fencing, package treatment plant, refuse bin store) DISREF 10th May 2016

16/02362/VAR Variation of Condition No.s 1, 2 and 8 and removal of Condition No. 3 attached to planning permission 12/01424/FUL dated 14 June 2013 (Appeal Decision ref: APP/L3245/A/12/2186880) - Application under Section 73A of the Town & Country Planning Act for the change of use of land to form residential caravan site to include 8 pitches (2 caravans per pitch), erection of 8 utility blocks and boundary fencing; works to widen existing vehicular access and formation of internal access tracks; installation of package treatment plant; change of use of existing agricultural building to equestrian use GRANT 18th July 2017

17/04136/DIS Discharge of Conditions 2 (Materials) and 3 (Drainage) relating to Planning Permission 16/02362/VAR for the variation of Condition No.s 1, 2 and 8 and removal of Condition NO.3 attached to planning permission 12/01424/FUL dated 14 June 2013 (Appeal Decision ref: APP/L3245/A/12/2186880) - Application under Section 73A of the Town & Country Planning Act for the change of use of land to form residential caravan site to include 8 pitches (2 caravans per pitch), erection of 8 utility blocks and boundary fencing; works to widen existing vehicular access and formation of internal access tracks; installation of package treatment plant; change of use of existing agricultural building to equestrian use. DISAPP 30th October 2017
18/01257/VAR Variation of Condition No. 7 attached to Planning Permission 16/02362/VAR dated 18 July 2017 so that the number of caravans that can lawfully be stationed at the Plot 2, can be increased from 2 to 4 GRANT 7th June 2018

Appeal

12/01999/REF Application under Section 73A of the Town & Country Planning Act for the change of use of land to form residential caravan (gypsy traveller) site to include 8 pitches (2 caravans per pitch), erection of 8 utility blocks and boundary fencing; works to widen existing vehicular access and formation of internal access tracks; installation of package treatment plant; change of use of existing agricultural building to equestrian use ALLOW 14th June 2013

11. Additional Information

[View details online:](#)

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
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Cabinet Member (Portfolio Holder)

Cllr R. Macey
Local Member
Cllr Karen Calder
Appendices APPENDIX 1 - Conditions

APPENDIX 1**Conditions****STANDARD CONDITION(S)**

1. The development shall be carried out strictly in accordance with the approved plans and drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

2. The materials to be used in the construction of the amenity buildings shall accord with the details of the materials approved under the discharge of application reference 17/04136/DIS, approved on 30th October 2017. The amenity buildings shall be erected and retained thereafter in accordance with the approved details.

Reason: To ensure that the amenity buildings are appropriate for the area.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No development shall take place on either plot 2 or 7 until a scheme of the surface and foul water drainage associated with the additional accommodation proposed on plot 2 the subject of application reference 18/01257/VAR and plot 7 the subject of this application reference 18/04479/VAR as relevant has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development approved on either plot 2 or 7 as relevant is occupied/brought into use (whichever is the sooner) and thereafter maintained as such for the lifetime of the development.

With the exception of the foul and surface water drainage arrangements associated with the additional accommodation for plot 2 the subject of application reference 18/01257/VAR and plot 7 the subject of this application reference 18/04479/VAR, details of the proposed waste water treatment system(s) for the site and animal waste storage and disposal method submitted to the Local Planning Authority under discharge of conditions application reference 17/04136/DIS and approved in writing by Local Planning Authority on 30th October 2017 shall be installed fully in accordance with the approved details within 4 months of the date of planning permission reference 16/02362/VAR (granted 18th July 2017) and maintained as such for the lifetime of the development.

Reason: (i) The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding and (ii) To ensure suitable waste water and animal waste treatment does not adversely affect the amenities of the local area.

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

4. No additional lighting shall be erected on site until such details have been submitted and approved in writing by the Local Planning Authority.

Reason: To protect the amenities of the local area.

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

5. Within 3 months of the date of planning permission 16/02362/VAR (granted 18th July 2017) visibility splays of a depth of 2.5 metres and length of 95 metres from the centre point of the junction of the access road with the public highway shall be provided. Thereafter these splays shall be kept free of any obstacles or obstructions for the lifetime of the development.

Reason: To ensure a satisfactory means of access.

6. 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 August 2015 or any subsequent amendment of that document.

Reason: to ensure that the occupation of the site complies with policy CS12 of the Shropshire Core Strategy.

7. There shall be no more than 8 pitches on the site and on each of the 8 pitches hereby approved no more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended), shall be stationed at any time on plots 1, 3, 4, 5, 6 and 8 and no more than 4 caravans shall be stationed at any time on plots 2 and 7. Notwithstanding the provisions of Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended), only one caravan sited on plots 1,3, 4, 5, 6 and 8 and only 2 caravans sited on plots 2 and 7 shall be a residential (static/chalet) mobile home.

Reason: In the interests of visual amenities.

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

Reason: In the interests of visual amenities.

9. No commercial activities other than the trading of horses shall take place on the land including the storage of materials in connection with commercial activities.

Reason: To protect residential and visual amenities