## COMMITTEE REPORT

<table>
<thead>
<tr>
<th><strong>Application Ref.</strong></th>
<th>18/00167/FUL</th>
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<tbody>
<tr>
<td><strong>Site Address</strong></td>
<td>Field View, Croft Lane, Temple Grafton</td>
</tr>
<tr>
<td><strong>Description of Development</strong></td>
<td>Erection of wooden shed (retrospective)</td>
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<tr>
<td><strong>Applicant</strong></td>
<td>Riley Smith</td>
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</tbody>
</table>
| **Reason for Referral to Committee** | Objection from Ward Member  
Objection from Parish Council |
| **Case Officer**     | Eleanor Bass |
| **Presenting Officer** | Eleanor Bass |
| **Ward Member**      | Councillor S Adams |
| **Parish Council**   | Temple Grafton |
| **Description of Site Constraints** |  
- Open countryside location  
- Arden Special Landscape Area |
| **Summary of Recommendation** | GRANT |
DESCRIPTION OF SITE AND SURROUNDINGS

The application site is located within the open countryside in an elevated position with predominately open agricultural land surrounding the site. The site level falls towards the south-east with the eastern boundary of the site being significantly lower than the boundary with Croft Lane. There are several public footpaths surrounding the site and it also lies within the Arden Special landscape Area. To the south of the site lies the village of Temple Grafton which is approximately 400m away. The site is currently occupied for residential purposes as a gypsy and traveller site with 5 pitches.

DEVELOPMENT PLAN AND MATERIAL CONSIDERATIONS

Development Plan

Stratford-on-Avon District Core Strategy (2011-2031)

Relevant Policies in the Development Plan for this application are:

- CS.1 (Sustainable Development)
- CS.2 (Climate Change and Sustainable Construction)
- CS.5 (Landscape)
- CS.6 (Natural Environment)
- CS.9 (Design and Distinctiveness)
- CS.12 (Special Landscape Area)
- AS.10 (Countryside and Villages)
- CS.21 (Gypsies and Travellers and Travelling Showpeople)

Other Material Considerations

Central Government Guidance

- NPPF 2018 & PPG 2014
- DCLG – Planning Policy for Traveller Sites 2015
- Circular 06/05: Biodiversity and Geological Conservation

Other Documents

- Stratford on Avon District Design Guide – While no longer having the status of a Supplementary Planning Document, it still contains substantial and relevant guidance on design.
- Extending Your Home - Whilst not adopted, it still contains substantial and relevant guidance on the design of house extensions.

Other Legislation

- Human Rights Act 1998
- Equality Act 2010
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Localism Act

SUMMARY OF RELEVANT HISTORY

<table>
<thead>
<tr>
<th>Reference Number</th>
<th>Proposal</th>
<th>Decision and date</th>
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</thead>
<tbody>
<tr>
<td>17/01446/FUL</td>
<td>Erection of a store building (retrospective)</td>
<td>Granted 28.09.2017 (Committee)</td>
</tr>
<tr>
<td>Reference</td>
<td>Description</td>
<td>Decision</td>
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<tr>
<td>DISC/00209/17</td>
<td>Discharge of Condition 3i - Site Development Scheme of planning permission 15/02428/VARY</td>
<td>Approved 28.07.2017</td>
</tr>
<tr>
<td>15/02428/VARY</td>
<td>Variation of condition 2 (temporary permission) of planning permission 15/00229/VARY (Variation of condition 1 (personal occupancy) and variation of condition 2 (temporary permission) of planning permission 10/01181/FUL (Change of use of land to a five plot residential gypsy caravan site, limited to five mobile homes, five day rooms, five touring caravans, ancillary parking and hardstanding areas, new tarmac entrance and additional landscaping) to allow for use of the site for occupation solely by named residents and their dependents on a permanent basis.) to allow for use of the site on a permanent basis.</td>
<td>Refused 26.08.2015 Allowed at appeal 06.03.2017</td>
</tr>
<tr>
<td>15/00229/VARY</td>
<td>Variation of condition 1 (personal occupancy) and variation of condition 2 (temporary permission) of planning permission 10/01181/FUL (Change of use of land to a five plot residential gypsy caravan site, limited to five mobile homes, five day rooms, five touring caravans, ancillary parking and hardstanding areas, new tarmac entrance and additional landscaping) to allow for use of the site for occupation solely by named residents and their dependants on a permanent basis.</td>
<td>Granted (on a temporary basis) 17.06.2015</td>
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<tr>
<td>DISC/00342/13</td>
<td>Discharge of condition 5 site development scheme of planning permission 10/01181/FUL.</td>
<td>Approved 11.09.2013</td>
</tr>
<tr>
<td>DISC/00093/12</td>
<td>Discharge of condition 5 site development scheme of planning permission 10/01181/FUL.</td>
<td>Approved 19.07.2012 (Split decision)</td>
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<tr>
<td>10/01181/FUL</td>
<td>Change of use of land to a five plot residential gypsy caravan site, limited to five mobile homes, five day rooms, five touring caravans, ancillary parking and hardstanding areas, new tarmac entrance and additional landscaping.</td>
<td>Refused 18.02.2011 (committee) Allowed at appeal 15.03.2012 (3 year temporary consent)</td>
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Applicant’s Supporting Documents
The following documents were submitted with the planning application:
- Plans

REPRESENTATIONS

Ward Member
Councillor Adams – object to the application for the following planning reasons:
- This is yet again another building on this site in an area of Special Landscape in open countryside, how many more buildings are going to be allowed on this site. I would ask for this application if the officer is minded to recommend grant to go before West Area Committee (08.03.2018)

Adjoining Ward Member
Councillor Gittus - No representations (02.03.2018)

Parish Council
Temple Grafton Parish Council - object to the application for the following planning reasons:
- There are too many errors and omissions on the application form for it to have been properly validated. For this reason, the application cannot be assessed objectively.
- This is not a replacement structure; there has been no building in this position previously (see previous plans and aerial photographs).
- The proposed building is not suitable as a storage shed. It has the appearance of ancillary accommodation.
- Most importantly, the site location is in open countryside in a Special Landscape Area. It has been accepted (not least by the Inspector at appeal) that this area requires protection. The last application on this site was granted without question - will the Planning Committee only be satisfied when this entire site is covered with shed-like structures? The cumulative impact of piecemeal development of this site on the landscape is very damaging to what is a very sensitive area.
- The Parish Council notes that measures agreed to screen the site (as discharged by the amended site plan in Jul 17) have still not been carried out. (06.03.2018)

Further correspondence took place between the Parish Council and Planning Officer confirming that the Parish Council maintain their objection to the application (24.07.2018)

Adjoining Parish Council
Haselor Parish Council -No representations (04.07.2018)

Third Party Responses
No comments received

Consultations
Full responses are available in the application file.

WCC Museum (Ecology) - No representations (17.07.2017)
ASSESSMENT OF THE KEY ISSUES

Principle of Development

The Council is required to make a decision in line with the Development Plan, unless material considerations indicate otherwise. (Section 38(6) PCPA 2004 and Section 70(2) TCPA 1990). The National Planning Policy Framework (NPPF) is a key material planning consideration. The Development Plan in force is now the Stratford-Upon-Avon Core Strategy adopted on 11 July 2016.

The proposed development is for the erection of a wooden shed on a permitted, permanent gypsy and traveller site. There are no policies within the Core Strategy or NPPF that specifically deal with the principle of this type of development. However, Planning Policy for Traveller Sites paragraph 4 confirms that the Government’s aims in respect of travellers sites includes (j) enabling ‘provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure.’

Core Strategy Policy CS.21 sets out the Core Strategy policy aims for the provision of gypsy, traveller and travelling showpeople sites. Section 10) of the policy looks at sites having ‘a good residential environment and be of good quality layout and design incorporating appropriate landscaping, security, utilities and facilities...’ which is considered to establish the principle of facilities being provided on sites to serve the mobile homes.

In terms of the assessment of the proposal itself whilst there is no specific Policy for this type of development it is considered that the proposal should be assessed under Policy AS.10 which addresses development in the countryside and villages.

The penultimate paragraph within the policy states that ‘all other types of development or activity in the countryside, unless covered by a specific policy in the Core Strategy, will need to be fully justified, offer significant benefits to the local area and not be contrary to the overall development strategy for the District’.

The site has planning permission as a permanent gypsy and traveller site. As the use of the site is residential, it is considered reasonable for the occupiers of the pitches to have ancillary buildings for storage purposes, subject to all other material considerations being assessed. The proposed building would be for the storage of garden utensils/machinery and other domestic paraphernalia such as vacuum cleaners, cleaning equipment and laundry equipment. The shed is small in scale and I consider that an assessment of all other materials considerations is required to fully assess the acceptability of the proposals.

Impact on the landscape and character of the area

Policy CS.9 of the Core Strategy seeks to ensure that proposals will be sensitive to the setting, existing built form, neighbouring uses, landscape character and topography of the site and locality. Proposals will reflect the context of the locality, ensuring a continuity of key design features that establishes the identity of the place, making best use of on-site assets including landscaping features as well as public views and vistas and not harming existing ones.

Policy CS.5 aims to maintain the landscape character and quality of the District by ensuring that development takes place in a manner that minimises and mitigates its impact and, where possible, incorporates measures to enhance the landscape.
In addition, Policy CS.12 identifies four Special Landscape Areas where their high landscape quality, including their associated historic and cultural features, will be protected by resisting development proposals that would have a harmful effect on their distinctive character and appearance which make an important contribution to the image and enjoyment of the District.

The application site is located within the boundaries of the approved traveller site and more widely within open countryside, with fields surrounding. There is a PROW some 84m to the south of the site. As part of the permission for the use of the land as a gypsy and traveller site, a landscaping scheme has recently been approved (DISCN/00209/17) which shows existing hedgerow to be retained along the southern and western boundary and additional landscaping and planting to be carried out over the wider site. The building sits next to the existing dayroom on Pitch 1 and in front of the mobile home. It is 4.79m long, 2.79m wide and 2.66m high.

Given that it sits next to existing structures on the site and its limited size, along with the approved landscaping that will take place on the site, I consider that any harm to landscape character and visual appearance is limited. I consider that the additional storage will ensure a tidier and more sensitive site will be maintained in accordance with the requirements of CS.9. I am satisfied therefore that the proposal is acceptable having regard to Policies CS.5, CS.9 and CS.12 of the Core Strategy.

It should also be noted that within the Inspectors report for the approved site as a whole there was a condition requiring the full restoration of the site with all structures to be removed once the site was no longer being occupied. A similar condition can be attached to this planning permission.

**Impacts on Neighbours**

Policy CS.9 seeks to ensure that occupants of new and neighbouring buildings will be protected from unacceptable levels of noise, contamination and pollution, loss of daylight and privacy and adverse surroundings.

I am satisfied that the siting of the shed would not be detrimental to the amenity of the surrounding mobile homes on the site or any dwellings nearby to the site.

I consider the proposed development would not result in any unacceptable harm to neighbouring amenities and it would therefore be in accordance with the aims of policy CS.9.

**Other Matters**

**Ecology**

The County Council Ecologist has made no representations to the proposals and I therefore do not consider the proposals would result in any harm to protected species and as such the development is acceptable in this respect and complies with Core Strategy Policy CS.6.

In reaching this conclusion I have also given careful consideration to the standing advice put forward by English Nature and the Natural Environment and Rural Communities (NERC) Act 2006.
Equality Act 2010 and Human Rights

Regard has been given to the Equality Act 2010 as well as the Human Rights Act 1998 and the planning assessment and recommendation are considered to raise no issues under these respective primary pieces of legislation.

CIL

As the proposed development creates floorspace of less than 100 sqm then it is not considered to be CIL liable. Therefore no payment is required.

Conclusions and Planning Balance

I consider that the current application should be determined in accordance with the adopted Development Plan. I can identify no material considerations that warrant an alternative approach.

Policy CS.1 states that the Council will take a positive approach to applications that reflect the presumption in favour of sustainable development contained in the NPPF.

Although the application site is located within an open countryside location and does not specifically fit in with any policies within the adopted Core Strategy, it is considered that any limited visual harm within the landscape will be largely mitigated by the approved landscaping for the wider site. I am satisfied that the proposed development will support the aims of achieving a tidy, attractive site.

On the basis of the above considerations, I have concluded that the proposal is sustainable development. I therefore consider that the presumption in favour does apply in this case and that Planning Permission should be granted.

RECOMMENDATION

Whilst officers have made a recommendation on the basis of the Development Plan and other material considerations it is for the Committee to weigh and balance these in coming to a decision, based on their judgement of the available evidence.

It is therefore recommended that the Planning Manager be authorised to GRANT full planning permission, subject to the following conditions and notes, the detailed wording and numbering of which is delegated to officers:

1. Plans to which decision relates
2. The building hereby permitted shall be used solely for the purposes of domestic storage ancillary to the occupation of pitch 1.
3. The building hereby permitted shall be removed once the use of the land as a gypsy and traveller site ceases.

Notes:

1. Para 38 NPPF

Robert Weeks
HEAD OF PLANNING AND HOUSING