

Regulatory Committee

Dorset County Council



Date of Meeting	9 June 2016
Officer	Head of Economy
Subject of Report	To consider planning application No. 2/2016/0260/DCC to create a temporary Gypsy Caravan Site to cater solely for a period of 3 weeks around the dates of the Great Dorset Steam Fair; at Field at Tarrant Hinton, on south - eastern side of A354, South- west of Turnpike Cottage, Tarrant Hinton, Dorset.
Executive Summary	The proposal is for a temporary gypsy caravan site to coincide with the dates of the Great Dorset Steam Fair. Whilst the development has a negative impact on the AONB it is for a temporary period of 3 weeks only. It would be a managed site which is considered preferable to unauthorised camping on unmanaged sites elsewhere within the AONB. The proposed development is in general accordance with the development plan. The public benefits of a well-managed site weigh heavily in favour of granting planning permission.
Impact Assessmnt	Equalities Impact Assessment: The report concerns the determination of an application for planning permission and not any changes to any new or existing policy with equality implications.
	Use of evidence: The recommendation has been made after consideration of the application and supporting documents, the development plan, government policy and guidance, representations and all other material planning considerations as detailed in the main body of the report.
	Budget/Risk Assessment: No budget risk assessment implications.

Recommendation	That planning permission be granted subject to the conditions set out in paragraph 8 of this report.
Reason for Recommendation	The reasons for granting planning permission are summarised in paragraph 6.20 of this report.
Appendices	Location Plans. Appendix 1 Site location plan Appendix 2 Site plan
Background Papers	PA File: 2/2016/0260/DCC NB: Copies of representations may be inspected in the Environment Directorate and will be available for inspection in the Committee Room prior to the meeting.
Report Originator and Contact	Name: Chris Stokes Tel: 01305 224263 Email: c.stokes@dorsetcc.gov.uk

1 Background

- 1.1 Planning application reference 2/2011/0554 was approved in May 2011 for a five year period following and an initial 1 year trial. The site has been managed for each 3 week period of the Great Dorset Steam Fair (the Steam Fair) since 2011 and its use monitored. All caravans have been removed at the end of the 3 week period and the land returned to its original condition. This application is for approval for a further five year period.

2 Site Description

- 2.1 The site is located on the south eastern side of the A354, approximately 300m to the north of the junction with the C25 at Tarrant Hinton. A field with frontage to the A354 has been identified as a temporary gypsy site for the duration of the Great Dorset Steam Fair. The site forms part of a large arable field, which slopes down towards Tarrant Hinton. There is a mature hedgerow on the roadside boundary and arable fields to the north and east. A roadside hedge forms the western boundary and a farm gateway is located in the south-western corner.
- 2.2 The site falls within the Cranborne Chase and West Wilts Area of Outstanding Natural Beauty.

3 The Proposal

- 3.1 It is proposed to use the field as a temporary transit Gypsy site for three weeks to coincide with the Great Dorset Steam Fair. The field in question is bordered by mature hedgerows and it is proposed to subdivide it with temporary fencing. Additionally temporary portable toilets, refuse collection facilities and tanked drinking water would be provided.
- 3.2 The existing farm gateway giving access to the A354 would be upgraded to a standard to be agreed with the Highway Authority and access in and out of the site would be supervised. The access arrangements involve making good a rough layby on the A354 which gets used throughout the year and becomes rutted. Each year this will be made good before the steam fair so that it is capable of serving a farm track that is hard-surfaced with crushed stone. This will be a temporary measure only to serve the site during its operation.
- 3.3 The applicants have confirmed that a temporary 30 mph speed limit would be imposed on the stretch of the A354, approximately 400m to the east of the access to the site. The visibility splays would be in excess of the minimum requirement of 2.4 x 43m. A pedestrian access would be available along a concrete farm track which links the site to the Steam Fair site.

4 Consultations and Representations

4.1 County Council Ward Member

No comment received.

4.2 North Dorset District Council

North Dorset District Council raises no objections to the proposal subject to the following comments :

Conditions should be appended to any permission to secure adequate sightlines at the entrance, on site management during the Steam Fair and a programme of works

to clear and reinstate the field to agricultural use upon cessation of the temporary use.

4.3 **Tarrant Hinton Parish Council**

Supports the application subject to conditions. The Parish Council has always understood and supported the need for a site for the Travellers which would allow the police to direct Travellers to an official, local authority run site. The existing site has worked well and the Parish Council supports the application No 2/2016/0260/DCC, subject to all the conditions included in the grant of Planning Permission on 16 May 2011 applying to application 2/2011/0554.

The Parish Council made it clear that any proposal for a permanent use of this site in future years would not have the support of the Parish Council.

4.4 **Tarrant Monkton and Launceston Parish Council**

No comments received.

4.5 **Vale of Allen Parish Council.**

Support the application. The temporary gypsy caravan site has allowed the police to reduce camping on unauthorised sites during the Great Dorset Steam Fair and has enabled the police to monitor any unsocial behaviour within a more restricted area.

4.6 **DCC Highway Liaison Engineer**

No objections subject to the imposition of the same [highway] conditions as application 2/2011/0554.

4.7 **Cranborne Chase and West Wilts AONB Team**

The site is in the Southern Downland Belt landscape character area of the Open Chalk Downland landscape character area.

The AONB Partnership appreciates the proposal is for a temporary, three week use. It is noted that the application relates to the south western sector of the field, adjacent to the A354. In summary, the response from the AONB Partnership highlights the following:

- The National Planning Policy Framework states that great weight should be given to conserving landscape and scenic beauty in AONBs as well as wildlife and cultural heritage.
- The boundary hedges should be maintained to screen the site. In particular the hedge on the western boundary should be allowed to grow so that the rising part of the field to the east which becomes the skyline, and caravans / tents etc there, and in the foreground, are less obvious. Limited screening is offered from vehicles travelling from the east.
- Any site lighting should comply with the AONB Position Statement on Light Pollution.
- There will need to be traffic controls, additional to those in place on the A354 for access to the Steam Fair itself, to ensure safety for road users and site occupiers. Also, the proposal site would extend the stretch of road adversely impacted upon by the Steam Fair on the eastern side of the Tarrant Valley and exacerbate an already difficult highway situation.
- It is concerned about the eastward spread of the impacts of the Steam Fair to the east of the Tarrant valley to an area largely unaffected previously.
- Currently locals can use the roads of the Tarrant valley to bypass the traffic congestion before, during, and immediately after the Steam Fair but having an

additional traffic control / incident point east of the valley will make travelling more difficult for local people.

- A further factor to consider is the potential hazard to travellers and other road users/residents arising from the passage of travellers to and from the Steam Fair site at all hours. Security issues are also highlighted.
- The site adjoins, and has extensive links to, the bridleway network and the Partnership has expressed a concern about potential inappropriate use of this for access/egress.
- The area also has considerable historical and archaeological interest. In particular there is a milestone and toll cottage along the boundary of the site facing onto the A354. The site is also in an area of fairly dense archaeological activity, however, so long as there is no ground disturbance deeper than normal agricultural cultivation, this is unlikely to be a significant issue.
- The AONB Partnership reiterates its previous comment that it would consider a travellers site within the Steam Fair site as the most appropriate long term solution to the security, safety, transport and community issues.

4.8 **Dorset Police – Blandford Police Station.**

Fully support the proposal. This site has been in operation for many years now and has served both the traveller community and the local residents well. It has not gone unnoticed that the introduction of this well run site has coincided with a decrease in crime and disorder and an increase in public confidence, both from within the traveller and settled communities.

4.9 **Environment Agency**

No comment.

4.10 **Other representations.**

The application was advertised by site notice and in the press. No letters of objection were received.

5 Planning Policy Framework.

- 5.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The term 'other material considerations' is wide ranging, but includes national and emerging planning policy documents.

The Development Plan

- 5.2 The Development Plan includes the North Dorset Local Plan Part 1 ("the Plan"), which was adopted on 15 January 2016. This contains new policies for the period 2011 – 2031. As well as setting out new policies it also retains a number of 'saved' policies of the North Dorset District-Wide Local Plan (1st Revision) 2003 to 2011 as listed in Appendix A of the Plan.

- 5.3 The following policies of the Plan are relevant:

Policy 4 - Areas of Outstanding Natural Beauty

Within the areas designated as AONB and their setting, development will be managed in a way that conserves and enhances the natural beauty of the area. Proposals which would harm the natural beauty of the AONBs will not be permitted unless it is clearly in the public interest to do so. In such instances, effective mitigation should form an integral part of the development proposals. Developers will

be expected to demonstrate how they have had regard to the objectives of the relevant AONB management plan.

Policy 10 – Gypsies, Travellers and Show people

This confirms that provision to meet the identified need for Gypsies, Travellers and Travelling Showpeople pitches within the District will be made through the identification of sites within the Dorset-Wide Gypsy, Traveller and Travelling Showpeople Site Allocations Development Plan Document (DPD). The requirement for the provision of transit sites will be addressed through the same DPD. The supporting text to Policy 10 notes that the need for temporary pitches associated with the Steam Fair is not addressed in the Dorset-Wide Gypsy, Traveller and Travelling Showpeople Site Allocations DPD. However, it confirms that the District and County Councils will seek to provide a site within a reasonable distance of the Steam Fair site each year, for as long as the event is located within the District.

National Planning Policy

- 5.4 The Government's Planning Policy for Traveller Sites was revised in August 2015 and should be read in conjunction with the National Planning Policy Framework (NPPF). Paragraph 24 provides that local planning authorities should, amongst other things, the existing level of local provision and need for sites as well as the availability (or lack) of alternative accommodation.
- 5.5 Paragraph 25 adds that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. They should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure. Paragraph 28 goes on to state that local planning authorities should consider how they could overcome planning objections, such as using conditions to limit the maximum number of days for which caravans might be permitted to stay on a caravan site.

6. Planning Assessment.

- 6.1 Having regard to the provisions of the development plan, the information submitted in support of the application and the representations received, the main issues in the determination of the application relate to:
- i. the acceptability in principle of the proposed development;
 - ii. the impact of the development on the environment and on amenity, including its impact on scenic beauty, landscape character and visual amenity, including those of the AONB, and traffic related impacts; and
 - iii. notwithstanding i and ii, the appropriateness or otherwise of granting a further temporary permission.

Principle of Development

- 6.2 The provision of a temporary Gypsy site for the steam fair formed part of a County wide review of gypsy and traveller sites. Local authorities in Dorset jointly commissioned Anglia Ruskin University to carry out a Dorset Gypsy and Traveller Needs Assessment. The subsequent report has indicated the spatial pattern for need for Gypsy and Traveller pitch numbers at local authority level for the sub-region.
- 6.3 The report indicated exceptional demand for North Dorset. This exceptional demand arises from the influx of Gypsies and Travellers at the time of the Great Dorset Steam

Fair. The applicants confirm the Fair has consistently attracted Gypsies and Travellers in large numbers and, in the absence of a temporary site, they have tended to park on highway verges, Common land and supermarket car parks in and around Wimborne and Blandford.

- 6.4 The North Dorset Plan Part 1 provides that sites for Gypsies, Travellers and Showpeople will be addressed through the emerging Dorset-wide development plan. However, it clarifies that this will not address the need for around 1,000 temporary transit pitches arising from the steam fair and it commits the District and County Councils to work together to identify suitable provision near to the steam fair. The site has a safe access, it is not within a flood plain and has been successfully managed in the past. The proposal is also supported by Dorset Polices as without the site there would be an increased risk of unauthorised encampments in more sensitive locations for the duration of the steam fair.
- 6.5 The national policy for travellers states that local planning authorities need to consider levels of existing provision and the need for sites, as well as the availability (or lack) of alternative sites. They should also seek to strictly limit new sites in the open countryside or away from allocated sites. However, it is apparent from the adopted Local Plan that there is an identified need for such accommodation during the Great Dorset Steam Fair.
- 6.6 It is considered that the principle of the development is acceptable having regard to national and local policies and the clear identified need for a site near to the steam fair.

Impact of Development

- 6.7 The site falls within the Cranborne Chase and West Wilts AONB. The landscape character comprises a gently rolling landscape of large fields, poor boundary hedges, isolated copses/plantations and panoramic views.
- 6.8 The site would be used for a three week period whilst there is demand generated by the Steam Fair. It will require temporary facilities such as heras fencing, water tanks and a temporary access. The modified access would have little impact on the wider landscape, and the siting of 20-30 caravans and associated vehicles and domestic paraphernalia would not be unduly prominent from the A354 locally, but would be highly visible from the A354 and public vantage points to the west.
- 6.9 However, like the Steam Fair, the development would only have an intrusive impact for a limited period of time. As the AONB Team have stated the site is exposed and visible to traffic/people travelling eastwards on the A354. In their view the hedge on the western boundary provides minimal screening and the dip in the land also means that the rising part of the field to the east becomes the skyline and caravans/tents in the foreground would be particularly prominent. By contrast the site would not be prominent for drivers travelling from the east.
- 6.10 Whilst the site would be exposed to views from the west, its impact on the landscape would be relatively insignificant when compared to the Steam Fair site. So long as the site is cleared of all caravans, vehicles and temporary facilities within a given period of time, there would be no lasting impact on the landscape character of the area. The temporary site facilities (heras fencing, portaloos) are not in themselves development requiring planning permission, but a condition for the clearance of the site would be required to ensure any adverse visual impact is kept to a minimum. Apart from the connection of a standpipe to an existing water pipe in the field, there

- would be no need for permanent works, such as the cutting of trenches or the removal of hedgerow to form sight lines.
- 6.11 When the site was monitored from 2011 to 2015 there were approximately 20-30 caravans located mainly around the edges of the site. The impact on the landscape character of the area was for a short period only, and negligible compared to the impact on the adjoining Steam Fair Site; moreover the impact was far less than indiscriminate camping on more sensitive sites elsewhere within the AONB.
- 6.12 Since it is proposed to use the site for a short period of time mainly for parking, there is likely to be no impact on items of archaeological interest. Although the applicants wish to use this site for three weeks there are no proposals for trenches for permanent service connections and, therefore, a detailed archaeological evaluation would not be needed.
- 6.13 The A354 site is located approximately 400m from the Steam Fair site and there are concerns that it will increase pedestrian traffic on the busy A354. The 30mph speed limit would be extended from Tarrant Hinton to Turnpike Cottage and a hard surfaced track would provide a safe pedestrian route through fields to the valley road. Consequently the development accords with Policy 26 of the Local Plan Part 1.
- 6.14 The Highway Authority has no objections to the development subject to conditions in relation to modifications to the existing access and the imposition of a 30 mph speed limit along a stretch of the A354.
- 6.15 In the past, residents have raised concerns that the site would give rise to nuisance in the area. The police have powers to direct travellers to a "suitable pitch on a relevant site". The applicants have previously rented a field and the police have used their powers to direct gypsies to that location from locations where they had set up unauthorised encampments. The applicants state that this has been a successful strategy and, in addition to being able to direct travellers away from unsuitable locations, the authorities have been able to better manage behaviour.
- 6.16 The site would be located approximately 300m from the nearest dwelling, so the impact on the amenities of local residents would be minimal. Concerns about crime and disorder would need to be taken up with the Police, although the applicants confirm the incidence of crime and disorder is less than that on unmanaged sites.
- 6.17 The national policy on traveller sites states that local planning authorities should consider the use of suitable conditions to deal with objections to proposals. This application is for a three week period only, to coincide with the operation of the Steam Fair. Conditions would be imposed to restrict the use of the site for a limited period each year to serve the need generated by the annual Steam Fair.

Appropriateness of Granting a Temporary Consent

- 6.18 Permission has previously been granted for a temporary period of five years following an initial 1-year trial. Paragraph 206 of the NPPF provides that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects (the six tests). Planning Practice Guidance adds that a condition limiting use to a temporary period only where the proposed development complies with the development plan, or where material considerations indicate otherwise that planning permission should be granted, will rarely pass the test of necessity and that it will rarely be justifiable to grant a second temporary permission – further permissions

should normally be granted permanently or refused if there is clear justification for doing so.

- 6.19 As the proposal is considered to be in accordance with the development plan and is for a temporary 3-week period each year to coincide with the steam fair, it is considered that granting planning permission for a further temporary period would be inconsistent with national planning policy. However, as the use of the site is for a temporary period, a condition requiring the cessation of use as a Gypsy caravan site and its restoration to its former condition is recommended.

Conclusion

- 6.20 The temporary gypsy site on the A354 has been operated successfully for 5 years and is supported by the Parish Council and the police, and there are no objections from local residents. There are no highway objections subject to a 30mph speed limit operating on the A354 for the duration of the Steam Fair. Given its relatively limited impact upon the AONB and the fact that it is for a 3-week period only, it is considered that the benefits of granting consent, subject to appropriate conditions, outweigh the negative impacts.

7 Human Rights Implications

- 7.1 The provisions of the Human Rights Act and principles contained in the Convention of Human Rights have been taken into account in reaching the recommendation contained in this report. The articles/protocols of particular relevance are:

Article 8 - Right to respect for private and family life.
The First Protocol, Article 1 - Protection of Property.

8 Recommendation

- 8.1 That planning application number 2/2016/0260/DCC is approved subject to the following conditions:

Three Years - Full Planning Application

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason

This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

Use of Site

2. The site shall not be used other than as a caravan site for the occupation by gypsies as defined by Section 24(8) of the Caravan Sites and Control of Development Act 1960.

Reason

In accordance with Policies 4 and 26 of the North Dorset Local Plan Part 1.

Temporary Consent

3. The use hereby permitted shall be for a temporary three week period only each year, unless the applicant otherwise agrees in writing with the County Planning Authority.

Reason

In the interests of the character and appearance of the area and in accordance with Policies In accordance with Policies 4 and 11 of the North Dorset Local Plan Part 1.

Site Restoration.

4. At the end of the three week period each year the use shall cease and the site shall be restored to its former condition, in accordance with a scheme of work to be submitted to, and approved in writing by, the County Planning Authority. The scheme shall include the removal of all vehicles, temporary structures, repairs to hedgerows and fences.

Reason

In the interests of the character and appearance of the area and in accordance with Policies 4 and 26 of the North Dorset Local Plan Part 1.

Steam Fair Site

5. The use of the site, the subject of this application, for the period set out in Condition 3, shall only be permitted whilst the Great Dorset Steam Fair is located on Monkton Down. In the event that the Great Dorset Steam Fair ceases to operate, or moves to a different location, the use of the land hereby permitted shall cease.

Reason

The site is required for travellers and gypsies in connection with the operation of the Great Dorset Steam Fair at Monkton Down, and for no other purpose. The use of the site other than when the Great Dorset Steam Fair is in operation on Monkton Down would detract from the character of the West Wilts and Cranborne Chase AONB, contrary to Policies 4 and 26 of the North Dorset Local Plan Part 1.

Access

6. Before the occupation of the site commences a scheme showing precise details of the temporary means of access to the site shall be submitted to, and approved in writing by the County Planning Authority. The approved scheme shall be constructed prior to occupation of the site hereby permitted.

Reason

In the interests of highway safety and in accordance with In accordance with Policies 4 and 26 of the North Dorset Local Plan Part 1.

Entrance gates.

7. Before the development hereby permitted is commenced any entrance gates shall be set back a minimum distance of 5m from the edge of the carriageway and hung so that the gates can only open inwards.

Reason

To enable vehicles to be parked clear of the carriageway whilst any gates are being opened or closed, in the interests of highway safety and in accordance with In accordance with Policies 4 and 26 of the North Dorset Local Plan Part 1.

Visibility splays.

8. Before the development commences visibility splays shall be provided at the access to the site with an X dimension of 2.4 metres and a Y dimension of 43 metres such

that a vehicular user of the access can see the entire road width for the entire distance of 43m. Thereafter the visibility splay areas shall be maintained and kept free from obstruction whilst the site is occupied.

Reason:

To provide adequate visibility for road users, in the interests of highway safety and in accordance with Policy 26 In accordance with Policy 26 of the North Dorset Local Plan Part 1.

Temporary Speed Limit.

9. The proposed use of the site each year shall not commence until a temporary 30mph speed limit has been implemented along the A354 in accordance with a scheme to be submitted to, and approved in writing by, the County Planning Authority. Any such scheme should provide full details of the exact location and duration of the speed restriction.

Reason:

In the interests of highway safety and in accordance with In accordance with Policies 4 and 26 of the North Dorset Local Plan Part 1.

8.2 INFORMATIVES

Statement of Positive Involvement:

1. In accordance with paragraphs 186 and 187 of the NPPF the Council, as local planning authority, takes a positive and proactive approach to development proposals focused on solutions. The Council worked with the applicant/agent in a positive and proactive manner by updating the applicant/agent of any issues as they arose in the processing of the application;

Further Information.

2. Further information including application documents and the Planning Officers report can be viewed by entering the application reference given above in to the relevant search field at the following url:
www.dorsetforyou.com/ePlanning/searchPageLoad.doc

Matthew Piles
Head of Economy
June 2016