

<b>Application Number:</b>	P/FUL/2020/00477		
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>		
<b>Site Address:</b>	Land South East of A354 Salisbury Road, Tarrant Hinton, Dorset		
<b>Proposal:</b>	Use of land for up to 21 days in any calendar year as a caravan site to be operated as a temporary stopping location for Gypsies, Travellers and Travelling Showpeople during and around the dates of the Great Dorset Steam Fair.		
<b>Applicant Name:</b>	Dorset Council		
<b>Case Officer:</b>	Huw Williams		
<b>Ward Member(s):</b>	Councillor Sherry Jespersen		
<b>Publicity expiry date:</b>	15 March 2022	<b>Officer site visit date:</b>	22 March 2022
<b>Decision due date:</b>	23 March 2021	<b>Ext(s) of time:</b>	17 June 2022

## 1.0 Reason Application Reported to Committee

1.1 The application is made by Dorset Council. It is reported to the Northern Area Planning Committee in accordance with Dorset Council's constitution. The recommendation is not in accordance with representations made by Tarrant Hinton Parish Council.

## 2.0 Summary of Recommendation

2.1 Grant planning permission subject to the conditions set out in paragraph 16.1 below.

## 3.0 Reason for the Recommendation

3.1 The recommendation is made after consideration of the application, the development plan, national planning policy and guidance, representations made about the application and other material planning considerations set out in this report.

3.2 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

3.3 The Application Site is not subject to any development plan land use allocation or any site specific policies and is located within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

- 3.4 The application proposal is for the periodic, short-term use of the Application Site as a temporary stopping location for as a caravan site to be operated as a temporary stopping location for gypsies, travellers and travelling showpeople during and around the dates of the Great Dorset Steam Fair.
- 3.5 Subject to regulation by means of recommended planning conditions, provision for such use is considered to be in general accordance with the development plan for the area. It is further considered that there are no social, environmental, economic or other considerations either warranting or necessitating the determination of the application other than in accordance with the development plan such that planning permission can and should be granted.

#### 4.0 Conclusions on Key Planning Issues

Issue	Conclusion
Principle of development taking account of the need for development and impact on the character and appearance of the locality	Adopted Local Plan identifies a need for a transit site with the capacity for 100 temporary pitches for a few weeks each year in association with the Great Dorset Steam Fair event and allows for the development of sites for gypsies, travellers and travelling showpeople outside of the defined development boundaries.
Need for planning conditions to adequately regulate the proposed use	With imposition of the recommended conditions, the grant of planning permission would be in accordance with the development plan.

#### 5.0 The Application

- 5.1 The application was submitted in December 2020 but has since been amended through agreement of a revised description of the proposed development.
- 5.2 As initially validated, the application sought planning permission to create a permanent temporary Gypsy/Traveller caravan site for a period of 3 weeks around the dates of the Great Dorset Steam Fair. In the interest of clarity, the description of development has been amended to read:

“Use of land for up to 21 days in any calendar year as a caravan site to be operated as a temporary stopping location for Gypsies, Travellers and Travelling Showpeople during and around the dates of the Great Dorset Steam Fair.”

- 5.3 In addition to the requisite application form, ownership certificate and fee, the application includes:

- (i) a Location Plan and Site Plan that identify the extent of the planning application site ('the Application Site') edged red;
- (ii) a supporting Planning Statement;
- (iii) an Ecological Appraisal; and
- (iv) a Flood Risk Assessment.

5.4 The application, the plans and further information about the application may be inspected online through the application webpages accessible via <https://planning.dorsetcouncil.gov.uk/>.

## **6.0 Description of the Application Site**

6.1 The Application Site comprises approximately 2.6 hectares of land encompassing the western part of a larger agricultural field and associated access land situated on the southern side of the A354 in a rural area to the east of the village of Tarrant Hinton.

6.2 The surrounding area is agrarian in character, primarily comprising large fields enclosed by hedgerows interspersed with occasional pockets of woodland, farmsteads and dwellings.

6.3 Vehicular access to the Application Site is available from the A354 with the remainder of the Application Site's road frontage formed by an established hedgerow.

6.4 The nearest residential property (Turnpike Cottage) is located on the south side of the A354 approximately 280 metres northwest of the Application Site.

6.5 The village of Tarrant Hinton is located approximately 500 metres to the southwest of the Application Site.

## **7.0 Allocations, Designations and Constraints**

7.1 The Application Site is located outside of the settlement development boundaries identified in the adopted North Dorset Local Plan and is not allocated for development in the development plan. It is located within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty which has been further designated as an International Dark Sky Reserve.

7.2 In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty (AONB), public authorities have a statutory duty to have regard to the purpose of conserving and enhancing the natural beauty of the AONB.

## **8.0 Relevant Planning History**

- 8.1 Planning permission was granted in August 2011 to create a temporary gypsy caravan site around the dates of the Great Dorset Steam Fair (Planning Permission 2/2011/0554). The permission was granted subject to 9 conditions including restrictions regulating the use of the site as a caravan site and which limited the duration of the permission.
- 8.2 A further planning permission was granted in June 2016 to allow use of the Application Site as a temporary Gypsy caravan site for a period of three weeks around the dates of the Great Dorset Steam Fair for a further 5 years (Planning Permission 2/2016/0260/DCC). The permission was granted subject to 9 conditions which again regulated the use of the site and limited the duration of the permission.

## **9.0 The Proposed Development**

- 9.1 The Design and Access Statement submitted in support of the application comments that:

- “1. The Council is seeking a permanent planning permission for:  
Dual use of land for agriculture and as a 100 pitch ‘transit’ caravan site for use by Gypsies, Travellers and Travelling Showpeople for up to three weeks in each calendar year between around the dates of the Great Dorset Steam Fair Event that happens annually.
2. This application follows a series of temporary permissions for use of the site as a ‘transit’ caravan site by Gypsies, Travellers and Travelling Showpeople.
3. The Council is not proposing any further operational development (i.e. any hard standings or new access ways) within the site. Nor is it proposing to remove any existing vegetation or trees. It anticipates that caravans and vehicles will be positioned between existing vegetation for short periods of time whilst the site is being used. For the purposes of this planning application a ‘transit’ caravan site is a site used for temporary periods by Gypsies, Travellers and Travelling Showpeople.”

- 9.2 The Planning Statement further comments:

“Portable toilet facilities with provision for disabled users, a portacabin and refuse skips will be placed temporarily on the site whilst it is in use. There is a running water tap already on the site. We will also hire security each year which will have a 24 hour presence on the site whilst it is open. Security lighting will also be provided on the site and managed as stated in the ecological survey.

...

... The site is accessed through a field gate located at the layby with good visibility in both directions. No alterations are required to the field access or layby.

The Great Dorset Steam Fair is held in the fields around Tarrant Hinton, near Blandford and attracts Gypsies and Travellers in large numbers. The current site over the years has significantly reduced vehicles parked on the highway verges, country parks, common land and in supermarket car parks which previously sometimes caused traffic hazards and were often associated with fly tipping and antisocial behaviour.

Although the use of the site has declined over the years, after consultation it is felt it is still necessary to operate this site during the time of the Great Dorset Steam Fair event. The transit site is available to use by all Gypsies and Travellers wanting to camp while visiting the fair. It can also be used by the Police through the Criminal Justice and Public Order (section 62a) Act which allows the police to direct Travellers to a suitable pitch on a relevant site and which is managed by a local authority. Dorset Council work with the Police to use their powers to direct Travellers to the temporary site where appropriate.”

## **10.0 Consultation and Representations**

10.1 The application has been advertised on site and in the local press. Various statutory and non-statutory consultees have been consulted, with re-consultation undertaken following amendment of the description of the proposed development.

### 10.2 Natural England

Responded on 10 March 2022 referring to standing advice on protected species and the Dorset Biodiversity Appraisal Protocol.

### 10.3 Cranborne Chase and West Wiltshire Downs ANOB Partnership Board

Responded on 16 March 2021 noting that application can be regarded as a major proposal and identifying concerns relating to:

- reference to a ‘permanent temporary’ site and use for an undefined period of three weeks;
- impact on the designated International Dark Sky Reserve; and
- the need to maintain and enhance existing landscape screening.

The response concludes that:

“... the ANOB recognises that there is a need for a short-term temporary transit caravan site in association with the Great Dorset Steam Fair. There is, however, no case for extending the use of such a site beyond the time of operation of the Great Dorset Steam Fair. As I have indicated, if you are

mind to grant a permission then it should be clear that the permission only lasts as long as the Great Dorset Steam Fair operates from its current site and if, for whatever reason, the Steam Fair is not held in a particular year then the transit site does not operate in that year.”

10.4 Dorset Council – Transport Development Management

Responded on 12/03/2021 indicating no objection subject to conditions and informatives.

10.5 Dorset Council – Environment Protection

Respond on 26 March 2021 indicating no comments.

10.6 Dorset Council Ward Member

No response received.

10.7 Tarrant Hinton Parish Council

Responded on 16 March 2021 commenting:

“The Parish Council has always understood and supported the need for a site for the Travellers coming to the Steam Fair 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 supported 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 supports the current proposal P/FUL/2020/00477 subject to the conditions included in the Grant of Planning Permission 16 May 2011 for application 2/2011/0554 and included in the Grant of Planning Permission for application 2/2016/0260 DCC.

The Parish Council made it clear that unless the 2011/2016 conditions were included in the Grant of Planning Permission, the Council would NOT support the application.

The Parish Council confirmed that any proposal that the temporary site could be used or regarded as a permanent site in future years would NOT have the support of the Parish Council.”

Further response received on 04 March 2022 referring to previous response and commenting:

“We see no reason to change our comments as stated therein and reinforce that the Parish Council made it clear that unless the 2011/2016 conditions were included in the Grant of Planning Permission, the Council would NOT support the application. This includes specificity on the location and the use of wording from these two grants written “use of a temporary Gypsy caravan site for a period of three weeks around the dates of the Great Dorset Steam Fair for a further 5 years”.

“The Parish Council confirmed that any proposal that the temporary site could be used or regarded as a permanent site in future years would NOT have the support of the Parish Council. Whilst we acknowledge the word “permanent” has been removed the wording “Use of land for up to 21 days in any calendar year” is a synonym. Moreover, we note that in 2020 and 2021 there has been no Great Dorset Stream Fair held on Tarrant Down. In our opinion this emphasises the need to keep permission limited as has been accepted in the 2011 and 2016 permissions.”

## 10.8 Other Representations

A single letter of representation has been received from and on behalf of Tarhinton Farms Limited, understood to be an owner of the Application Site, stating:

“... Tarhinton Farms Ltd ... are withdrawing their permission to site a temporary traveller site for the duration of the Great Dorset Steam Fair with immediate effect, as the Planning Department have not clarified the position on the temporary site remaining temporary with absolutely no mention of the word permanent. The Conditions 2011 and 2016 should still apply and it is not to be considered in the Dorset Council Review.”

The landowner has been notified about the change of to the description of the proposed development. Any further representation representations will be reported at Committee.

## 11.0 **Relevant Policies, Local Finance Considerations and Guidance**

11.1 Section 70(2) of the Town and Country Planning Act 1990 provides that in dealing with an application for planning permission the planning authority shall have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) a post-examination draft neighbourhood development plan, so far as material to the application,
- (c) any local finance considerations, so far as material to the application, and
- (d) any other material considerations.

11.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for the purpose of any determination to

be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

### The Development Plan

- 11.3 The development plan for the Application Site includes:
- (i) the *North Dorset Local Plan Part 1 2011-20131* adopted by the former North Dorset District Council in January 2016 ('the Adopted Local Plan'); and
  - (ii) the Bournemouth, Christchurch, Poole and Dorset Waste Plan 2019 adopted by Dorset Council in December 2019 ('the Adopted Waste Plan').
- 11.4 The most relevant of the Adopted Local Plan are:
- Policy 1: Presumption in Favour of Sustainable Development.
  - Policy 2: Core Spatial Strategy.
  - Policy 3: Climate Change.
  - Policy 4: The Natural Environment.
  - Policy 10: Gypsies, Travellers and Travelling Showpeople.
  - Policy 13: Grey Infrastructure.
  - Policy 20: The Countryside.
  - Policy 23: Parking.
  - Policy 24: Design.
  - Policy 25: Amenity.
  - Policy 26: Sites for Gypsies, Travellers and Travelling Showpeople.
  - Policy 31: Tourist Accommodation in the Countryside.
- 11.5 The most relevant policy of the Adopted Waste Plan is:
- Policy 22 – Waste from new developments.

### Neighbourhood Plan

- 11.6 The Application Site is located within the Parish of Tarrant Hinton for which there is currently no made and no post-examination draft neighbourhood development plan.

### Local Finance Considerations

- 11.7 For the purposes of section 70(2) of the Town and Country Planning Act 1990 (as amended) "local finance consideration" means:
- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
  - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.
- 11.8 To be material to the determination of the application for planning permission, a local finance consideration must have the potential to help make development acceptable in planning terms.



11.9 The Community Infrastructure Levy (CIL) is not operated in the former North Dorset District Council area within which the Application Site is located and the submitted application does not refer to any grant or financial assistance that would constitute a local finance consideration.

#### Other Material Policy Considerations

11.10 The term “any other material considerations” is broad in scope, a material consideration being any matter which is relevant to making the planning decision in question. In relation to planning policy and guidance, the term encompasses national planning policy and guidance; supplementary planning documents and guidance; and emerging (i.e. draft) planning policy.

#### *National Planning Policy*

11.11 Government planning policy set out in the *National Planning Policy Framework* (‘the NPPF’) is material to the determination of all applications for planning permission in England. National Planning Practice Guidance (‘NPPG’) and other statements of national planning policy fall to be read in conjunction with the NPPF.

11.12 The NPPF provides that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7) and that achieving sustainable development means that the planning system has three overarching objectives – economic, social and environmental – which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives (paragraph 8). Central to the NPPF is the presumption in favour of sustainable development which, for decision making, means approving development proposals that accord with an up-to-date development plan without delay.

11.13 Further relevant policy is set out on a range of relevant matters including:

- Decision making – paragraphs 38-58;
- Delivering a sufficient supply of homes – paragraphs 59-79;
- Promoting healthy and safe communities – paragraphs 91-101;
- Promoting sustainable transport – paragraphs 102-111;
- Making effective use of land – paragraphs 117-123;
- Achieving well-designed places – paragraphs 124-132;
- Meeting the challenge of climate change, flooding and coastal change – paragraphs 148-169; and
- Conserving and enhancing the natural environment – paragraphs 170-183.

11.14 National *Planning policy for traveller sites* (‘the PPTS’) was issued in August 2015.

11.15 Paragraph 3 of the PPTS states that the overarching aim of the policy is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and

nomadic way of life of travellers while respecting the interests of the settled community.

11.16 Annex 1 of the PPTS provides a glossary which notes that, for the purposes of the policy, “gypsies and travellers” means:

“Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependants’ educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.”

11.17 The PPTS distinguishes between “pitches” for gypsies and travellers and “plots” for travelling show people, the differentiation being between residential pitches for gypsies and travellers and mixed-use plots for travelling showpeople, the latter potentially needing space for the storage of equipment.

11.18 A further distinction is drawn between permanent and transit site accommodation needs. Definitions are not provided, but the Mobile Homes Act 1983 (as amended) defines “transit pitch” to mean:

“... a pitch on which a person is entitled to station a mobile home ... for a fixed period of up to 3 months”

and “permanent pitch” to mean:

“a pitch which is not a transit pitch.”

11.19 Paragraph 28 of the PPTS comments that planning objections to particular proposals may be overcome by various means including the use of planning conditions or planning obligations limiting the maximum number of days for which caravans might be permitted to stay on a transit site (PPTS, paragraph 28).

11.20 Amongst other matters, the PPTS further addresses:

- (i) Using evidence to plan positively and manage development (Policy A);
- (ii) Planning for traveller sites (Policy B);
- (iii) Sites in rural areas and the open countryside (Policy C); and
- (iv) Determining applications for traveller sites (Policy H).

*Cranborne Chase Partnership Plan 2019-2024 (“the AONB Management Plan”)*

11.21 The AONB Management Plan sets out objectives and policies for the conservation and enhancement of the AONB.

11.22 Policy LAN4 is to ensure the conservation and enhancement of the landscape character, tranquillity and special qualities of the AONB and its setting, particularly those that are sensitive to change.

11.23 Policy PT8 is to seek to achieve net landscape enhancements and biodiversity gain through partner Local Planning Authority policies and Development Management processes.

11.24 Policy PT14 is that development proposals in the AONB or its setting should demonstrate how they have taken account of the AONB Management Plan objectives and policies and Policy PT15 is that Local Planning Authority partners ensure that where new development is permitted, it complements the special qualities of the AONB and takes account of the area's setting and context through the consideration of appropriate Landscape Character Assessments and sensitivity and design studies.

### *Emerging Planning Policy*

11.25 The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the Consultation Draft Local Plan is being accorded very limited weight in decision making.

## **12.0 Human Rights**

12.1 The Human Rights Act 1998 imposes an obligation on public authorities not to act incompatibly with the European Convention on Human Rights. The articles/protocols of particular relevance are:

- (i) Article 6 - Right to a fair trial;
- (ii) Article 8 - Right to respect for private and family life; and
- (iii) The First Protocol, Article 1 - Protection of Property.

12.2 The recommendation is based on adopted development plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

## **13.0 Public Sector Equalities Duty**

13.1 Section 149 of the Equalities Act 2010 (as amended) provides that in the exercise of its functions a public authority must have due regard to the need to:

- (i) eliminate discrimination, victimisation and any other conduct that is prohibited by or under the Act;
- (ii) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (iii) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

13.2 Commonly referred to as 'the Public Sector Equalities Duty', the relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 13.3 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage.
- 13.4 Having considered the information provided by the applicant, consultation responses, other representations made about the application and relevant planning policies, I am satisfied that the proposed development would:
- (i) help to advance equality of opportunity;
  - (ii) assist in fostering good relations; and
  - (iii) have no material adverse impact on individuals or identifiable groups with protected characteristics.
  - (iv) the protected character of race includes Gypsy and Travellers. The proposed development would have a beneficial impact upon a group with protected characteristics.

#### **14.0 Climate Implications**

- 14.1 Policy 3 of the Adopted Local Plan provides that development proposals should seek to reduce greenhouse gas emissions and should seek to minimise impacts of climate change overall though:
- incorporation of measures to reduce water consumption; and
  - avoidance of areas at risk of flooding from all sources and the incorporation of measures to reduce flood risk overall; and
  - incorporation of measures to reduce the impact of excessive heat on the urban environment through the incorporation of green infrastructure and passive shading and ventilation.
- 14.2 Operation of the Great Dorset Steam Fair attracts gypsies and travellers in large numbers. Provision of a temporary stopping location for gypsies, travellers and travelling showpeople during and around the dates of the Great Dorset Steam Fair as proposed would help to facilitate sustainable travel to and from the Great Dorset Steam Fair site, reducing greenhouse gas emissions that would likely otherwise associate with travel from more distant locations.
- 14.3 The Environment Agency’s flood map for planning places the Application Site in Flood Zone 1 signifying a low probability of flooding from rivers and sea (less than 1 in 1,000 annual probability) and the Flood Risk Assessment submitted in support of the application concludes that the proposed use will not increase the risk of flooding on or off site and that there will be no loss of floodplain as a result of the proposed use.
- 14.4 The Application Site is not in an urban area, but management of on-site green infrastructure (hedgerows and trees) can be secured by means of planning condition.

## 15.0 Officer Appraisal

- 15.1 The main issues in the determination of the application relates to:
- (i) the acceptability in principle of the proposed development taking into account the need for transit pitches for gypsies and travellers and impact on the character, appearance and amenities of the locality; and
  - (ii) the need for planning conditions to adequately regulate the proposed use.
- 15.2 The Application Site:
- (i) is located outside of the settlement development boundaries identified in the Adopted Local Plan (i.e. in the countryside);
  - (ii) is not allocated for development in the development plan; and
  - (iii) is situated within the designated Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.
- 15.3 Policy 2 of the Adopted Local Plan provides that all development proposals should be located in accordance with the spatial strategy for North Dorset and that outside of the defined settlement boundaries (i.e. in the countryside) development will be strictly controlled unless it is required to enable essential rural needs to be met.
- 15.4 Policy 20 of the Adopted Local Plan provides that development in the countryside outside defined settlement boundaries will only be permitted if it is of a type appropriate in the countryside, as set out in the relevant policies of the Local Plan, summarised in Figure 8.5 or if it can be demonstrated that there is an 'overriding need' for it to be located in the countryside.
- 15.5 Amongst other types of development, Figure 8.5 of the Adopted Local Plan identifies 'Sites for Gypsies, Travellers and Travelling Showpeople' and 'Rural tourist accommodation' as forms of development that may be permitted in the countryside.
- 15.6 Policy 10 of the Adopted Local Plan provides that the Council will make provision to meet the identified need for Gypsies, Travellers and Travelling Showpeople pitches through the identification of sites with the Dorset-Wide Gypsy, Traveller and Travelling Showpeople Site Allocations Document Development Plan Document (DPD) and Policy 26 of the Adopted Local Plan sets out development management criteria to be used to determine planning applications relating to proposed sites for Gypsies, Travellers and Travelling Showpeople.
- 15.7 In relation to tourist accommodation, Policy 31 of the Adopted Local Plan provides that proposals for sites for touring caravans and tent camping will be permitted provided that:
- the proposal is in a sustainable location where local services that tourists are likely to want to use can be accessed by means other than the car; and

- the proposal is compatible in character, design and scale with the area in which it is proposed, particularly in areas of high landscape sensitivity, and any adverse impacts can be mitigated.

15.8 On account of the size of the Application Site and of the scale and nature of the proposed development, the application proposal may be regarded as being for major development within the designated AONB.

15.9 Paragraph 177 of the NPPF provides that when considering applications for development within Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. It is further stated that consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

15.10 Paragraph 5.154 of the Adopted Local Plan notes that national planning policy seeks to provide a supply of housing which meets the needs of present and future generations and that this includes meeting the accommodation needs of Gypsies, Travellers and Travelling Showpeople. Paragraph 5.155 of the Adopted Local Plan comments that:

“The traditions and culture of these groups means that they typically live in mobile homes or caravans, even if they have ceased travelling, either permanently or temporarily. Such a lifestyle gives rise to particular accommodation needs, not only for permanent residential sites but also for transit sites and emergency stopping places.”

15.11 The Adopted Local Plan further notes:

- (i) that the Government seeks to ensure fair and equal treatment for Gypsies and Travellers in a way that respects the traditional and nomadic way of life while also respecting the interests of the settled community (paragraph 5.156); and
- (ii) that the Council has a responsibility as the housing authority to assess and meet the needs of Gypsies, Travellers and Travelling Showpeople (paragraph 5.158).

15.12 Paragraph 5.168 of the Adopted Local Plan states that:

“The Great Dorset Steam Fair takes place at Tarrant Hinton in North Dorset each year. In association with this event there is a need for a transit site with

the capacity for 100 temporary pitches for a few weeks each year. This need is not addressed in the Dorset-Wide Gypsy, Traveller and Travelling Showpeople Site Allocations DPD. However, the District and County Councils will seek to provide such a site within a reasonable distance of the Steam Fair site each year, for as long as the event is located within the District.”

15.13 Policy 26 of the Adopted Local Plan provides that:

“Permanent caravan sites, transit caravan sites and emergency stopping places for Gypsies, Travellers and Travelling Showpeople will be permitted given that the Council will have regard to:

- a the overall level of need in the District; and
- b the need for different types of site (such as permanent residential sites, transit sites and emergency stopping places); and
- c the needs of different groups within the travelling community (for example: Roma and Romani Gypsies, Irish Travellers, New Age Travellers), both in terms of their site-based and locational requirements, taking account of their established cultural and travelling patterns; and
- d demonstration by the applicant of why, where a site is proposed in a location that has not been allocated in the Dorset-Wide Gypsy, Traveller and Travelling Showpeople Site Allocations Development Plan Document, none of the allocated sites could be developed for use by the intended occupants; and
- e demonstration by the applicant of why, when new pitches are proposed and there are vacant pitches elsewhere within the District (either available on established sites or likely to become available in the near future on as yet undeveloped sites with planning permission), none of these would be a suitable alternative; and

providing that:

- f the occupation of the site is restricted to Gypsies, Travellers or Travelling Showpeople;
- g the site is located within, on the outskirts of, or within reasonable distance of, a settlement that offers local services and community facilities; and
- h there is safe access to the highway network and adequate space within the site for the parking and turning of vehicles; and
- i the site is not located in an area of flood risk.

15.14 The Dorset-Wide Gypsy, Traveller and Travelling Showpeople Site Allocations Development Plan Document has not been produced but the need for a transit site with capacity for 100 pitches for a few weeks each year in association with the Great Dorset Steam Fair is identified in the Adopted Local Plan and that need is not met currently by other sites in the near locality.

- 15.15 The use and occupation of the Application Site in accordance with the application proposal can be satisfactorily regulated by means of planning condition.
- 15.16 The Application Site is located within the Southern Downland Belt Landscape Character Area wherein the landscape management objective is to conserve the simple, open character of the landscape, long views, sense of scale and remoteness, and management should also seek to restore key features that have been lost or are declining such as areas of chalk grassland and the reinstatement of denuded hedgerows.
- 15.17 Through the imposition of planning conditions, site access, layout and management arrangements can be adequately regulated in accordance with policy objectives for the natural environment.
- 15.18 Impact of the periodic use of the Application Site as a caravan site as proposed would be apparent for short periods only and only at times when the operation of the Great Dorset Steam Fair is also apparent in the locality. Impact on the character, appearance and amenities of the locality could be adequately moderated by means of planning condition securing appropriate site and landscape management measures.
- 15.19 Although not within or on the outskirts of a settlement and community services and facilities available in Tarrant Hinton are limited, the Application Site is located within convenient walking distance of the village and the current home of the Great Dorset Stream Fair event.
- 15.20 The nearest locations to the Steam Fair Site that are not located within the AONB are more than 2.5 km from the Steam Fair Site and are therefore not within easy walking distance.
- 15.21 Past experience is that operation of a temporary stopping location for gypsies, travellers and travelling showpeople during and around the dates of the Great Dorset Steam Fair helps to meet the recognised need for transit pitches and reduces the number of unauthorised encampments elsewhere in Dorset and is therefore in the public interest.
- 15.22 Overall, the Application Site is considered to represent an appropriate location for the operation of a temporary stopping location for gypsies, travellers and travelling showpeople during and around the dates of the Great Dorset Steam Fair and that such use can be adequately regulated in accordance with the development by means of planning condition.
- 15.23 Tarrant Hinton Parish Council has indicated that they would not support the application without the conditions set out in planning permission 2/2011/0554.



15.24 The recommended conditions set out in paragraph 16.1 below differ from those imposed on the previous grants of planning permission at the application site and are considered sufficient to render the application proposal in accordance with development plan.

15.25 Paragraph 56 of the NPPF provides that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

15.26 A condition could be imposed limiting the duration of the planning permission, but in the context of other recommended conditions, such a limitation is not considered to be necessary.

## **16.0 Recommendation**

16.1 Grant planning permission subject to following conditions:

### Time Limit – Commencement of Development

- (1) The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: In accordance with section 91 of the Town and Country Planning Act 1990 (as amended).

### Submission, Approval and Implementation of a Caravan Site Operation Plan

- (2) Prior to the commencement of the use of the application site as a caravan site a Caravan Site Operation Plan shall be submitted to and approved by the local planning authority. The submitted Caravan Site Operation Plan shall provide details of:
  - (i) arrangements to be implemented to manage pedestrian and vehicular access to and egress from the caravan site;
  - (ii) provisions to be made for the keeping of animals on the application site;
  - (iii) provisions to be made for the management of waste arisings associated with the use of the caravan site;
  - (iv) arrangements for the supervision of operation of the caravan site;
  - (v) details of any external lighting to be installed on the application site and for arrangements for regulating the use of any other external lighting on the application site; and
  - (vi) arrangements for securing the clearance from the application site of all vehicles, caravans, temporary structures and any other mobile plant and equipment associated with the temporary operation of the application site as a caravan site.

Use of the application site as caravan site shall be in accordance with the approved Caravan Site Operation Plan.

Reason: To regulate the use of the application site in the interests of amenity, safety, the natural environment and animal welfare having regard to national planning policy and to policies 4, 13, 20, 24, 25 and 26 of the adopted North Dorset Local Plan Part 1 (January 2016).

#### Submission, Approval and Implementation of a Biodiversity and Landscape Management Plan

- (3) Prior to the commencement of the use of the application site as a caravan site, a Biodiversity and Landscape Management Plan shall be submitted to and approved by the local planning authority. The submitted Biodiversity and Landscape Management Plan shall provide details of:
- (i) arrangements for the implementation of the mitigation strategies set out in sections 5.1 and 5.2 of the Ecological Appraisal prepared by Lindsay Carrington Ecological Services dated December 2020 submitted in support of the application;
  - (ii) arrangements for the management of the existing hedgerows within and adjacent to the application site; and
  - (iii) arrangements for implementation of supplementary tree and hedgerow planting within the application site.
- Biodiversity and landscape management shall be carried out in accordance with the arrangements specified in the approved Biodiversity and Environment Management Plan. Any trees or plants planted in accordance with the approved Biodiversity and Environment Management Plan that within a period of 5 years from being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To preserve and enhance biodiversity and in the interest of protecting and enhancing the landscape and scenic beauty of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty having regard to national planning policy and to policies 4, 15, 24 and 26 of the adopted North Dorset Local Plan Part 1 (January 2016).

#### Operation and Management of Caravan Site

- (4) Operation of the application site as a caravan site shall be for the purpose of providing a “relevant caravan site” as defined in section 62A of the Criminal Justice and Public Order Act 1994 and shall be managed by a local authority within whose area the site is situated, a private registered provider of social housing or a body registered as a social landlord under Chapter 1 of Part 1 of the Housing Act 1996.

Reason: To regulate the use of the application site in accordance with the purposes set out in the application having regard to national planning policy and to policies 2, 20, 26 and 31 of the adopted North Dorset Local Plan Part 1 (January 2016).

#### Occupation of Caravans

- (5) Occupation of any caravan stationed on the application site shall be limited to persons of nomadic habit falling within the definition of travellers set out in Planning Policy for Traveller Sites (Department for Communities and Local Government, August 2015) including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age or more localised pattern of trading have ceased to travel temporarily.

Reason: To regulate the use of the application site in accordance with the purposes set out in the application having regard to national planning policy and to policies 2, 20, 26 and 31 of the adopted North Dorset Local Plan Part 1 (January 2016).

#### Use of Land as a Caravan Site for Temporary Periods Only

- (6) The use of the application site as a caravan site shall be limited to a maximum period of 21 days in any one calendar year and shall be limited to periods around and during the operation of the Great Dorset Steam Fair event at locations within a 4 kilometre radius of the application site.

Reason: To regulate the use of the application site in accordance with the purposes set out in the application having regard to national planning policy and to policies 2, 20, 26 and 31 of the adopted North Dorset Local Plan Part 1 (January 2016).

#### Maximum Number of Caravans

- (7) Not more than 100 caravans shall be stationed on the application site at any one time.

Reason: To regulate the use of the application site in accordance with the application proposal and in the interest of amenity, safety and the natural environment having regard to national planning policy and to policies 2, 4, 20, 24, 25 and 26 of the adopted North Dorset Local Plan Part 1 (January 2016).

#### Speed Limit on A354

- (8) The use of the application site as a caravan site shall be limited to periods during which traffic speed limit on the adjacent section of the A354 is not more than 30 miles per hour.

Reason: In the interest of highway safety having regard to national planning policy and to policies 13 and 26 of the adopted North Dorset Local Plan Part 1 (January 2016).

### Maintenance of Site Access

- (9) At all times when the application site is in use as a caravan site no gate or any other barrier shall be operated in such a way as to obstruct vehicular access on to the first 20 metres as the site accessway measured from the edge of the A354 carriageway.

Reason: To ensure sufficient space is available to allow a towing vehicle entering or leaving the application site to be parked clear of the public highway whilst any gates are opened or closed without obstructing vehicular movement on the public highway in the interest of highway safety having regard to national planning policy and to policies 13 and 26 of the adopted North Dorset Local Plan Part 1 (January 2016).

### Provision and Maintenance of Visibility Splays

- (10) At all times when the application site is in use as a caravan site, visibility splays shall be maintained clear of obstruction for drivers of vehicles joining the A354. The area to be kept clear shall be defined from a driver position 2.40 metres from the back edge of the A354 carriageway and a stopping sight distance (SSD) of 43.00 metres along the carriageway in each direction. All land within the area of the visibility splays shall be cleared or excavated to a level not exceeding a height of 0.60 metres above that of the adjacent section of highway carriageway.

Reason: To ensure adequate visibility is available for drivers of vehicles exiting the application site onto the A354 in the interest of highway safety having regard to national planning policy and to policies 13 and 26 of the adopted North Dorset Local Plan Part 1 (January 2016).