

1.0 APPLICATION NUMBER:

WD/D/19/001187

SITE ADDRESS: PIDDLEHINTON CAMP, CHURCH HILL, PIDDLEHINTON**PROPOSAL:** Installation of six new pitches comprising 2 No. Double units and 2 No. Single units**APPLICANT:** Dorset Council**CASE OFFICER:** Hannah Smith**WARD MEMBERS:** Cllr Jill Haynes**2.0 Summary of Recommendation:** Grant with conditions.**3.0 Reason for the Recommendation:**

The scheme will have considerable social benefits, through the provision of an additional 6 pitches towards the Council's available supply.

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	There is an identified need for additional pitches at this site. The principle of the development is supported by the development plan and by the NPPF.
Access and Parking	There is no highway objection and sufficient parking would be provided.
Biodiversity & Trees	The ecological impacts associated with the proposed six new pitches can be adequately mitigated.
Contamination	The contaminated land issues associated with the proposed new pitches can be adequately mitigated through condition.
Amenity	There are no adverse amenity impacts.

5.0 Description of Site:

5.1 The Enterprise Business Park is an industrial area located 5 miles to the north east of Dorchester. The Business Park forms part of the former Piddlehinton Camp and is located in open countryside to the east of Piddlehinton village.

5.2 Located to the south of the business park is a permanent gypsy site which includes a line of plots with amenity and large storage buildings. There is also an area of land behind the former scrap and metal store to be demolished which is now open space.

5.3 To the north-west of the bungalow is an area of hardstanding which is occupied by two permanent pitches. The remainder of the hardstanding is vacant. The site lies outside the Puddletown village development boundary but is not within the Dorset AONB. To the west of the site there is a belt of woodland. Units on the adjacent business park site include, NJT Mechanics, Crendon Timber Engineering, Knighton Countryside Management and JMC Auto Salvage.

6.0 Description of Proposal:

6.1 Piddlehinton Gypsy sites existing pitches are currently full to capacity. Each pitch fits either one tourer or one static caravan, which is not sufficient space for the growing family units who are living there. The site is in a rural setting that is very well managed and is accepted by the local community.

6.2 The proposed development is to provide 6 new family pitches. Each pitch will accommodate a static caravan, a utility building and two off road parking spaces.

6.3 Three pitches will be located to the North of the site– upper. Three further pitches will be located to the South of the site– lower.

7.0 RELEVANT PLANNING HISTORY:

Application No.	Application Description	Decision	Date of decision
WD/D/14/000368	To create a temporary gypsy transit site for three years including August 2016 for 25 caravans. To start March 2014 and end August 2016 inclusive for six months a year	A	05 March 2014
WD/D/16/001217	Variation of Condition 2 of planning permission	A	19 August 2016

	WD/D/14/000368 to allow for continued use of the temporary transit site for up to a further 3 years, to end 31 August 2019, for six months a year.		
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A planning application in 1973 identified an existing permanent gypsy site on the southern edge of the Piddlehinton Enterprise Park. A further application for amenity blocks was submitted and approved in 1994. Both applications included an area of land extending from the western boundary of Puddletown Farm land to the rear of the site bungalow.

8.0 Constraints

The site is located outside of any AONB. There are no designated or non-designated heritage assets that would be impacted by the development.

9.0 Consultations

All consultee responses can be viewed in full on the website.

Piddle Valley Parish Council - No objection.

Dorset Council Natural Environment Team: Suggest that a Biodiversity Mitigation Plan is submitted (NOTE: a BMP accompanies the application).

Dorset Council Highways - No objection

Dorset Council Environmental Health - No objection, suggest a contaminated land condition. The other matters raised are dealt with by other legislation and with this in mind, there is no requirement for additional environmental conditions.

Natural England- No objection.

Representations

No representations were received at the time of report preparation.

10. Relevant Planning Policies

Adopted West Dorset and Weymouth & Portland Local Plan (2015)

INT1- Presumption in favour of Sustainable Development
ENV1 - Landscape, seascape & sites of other geological interest
ENV2 - Wildlife & Habitats
ENV10 - The landscape and townscape setting
ENV16 - Amenity
COM9 - Parking standards in new development
SUS2- Settlement pattern

Until such a time as the Gypsy and Traveller Development Plan Document is finalised, decisions on gypsy and traveller sites will be determined in accordance with national policy and with reference to policies INT1 and SUS2.

National Planning Policy Framework (2019)

5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting Sustainable transport
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

The Government's Planning Policy for Traveller Sites was published in August 2015 and should be read in conjunction with the National Planning Policy Framework (NPPF).

The overarching aim of this 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. The policy seeks to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply.

Other material considerations

Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites... sets out good practice in relation to gypsy and traveller sites. It states that the Government wishes to see a more positive approach being taken to making adequate provision for gypsies and travellers in appropriate locations.

11. Human Rights

6.1 Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property

This 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.

12. Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have "due regard" to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have "regard to" and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the PSED.

The proposal would contribute to meeting the need for Gypsy and Traveller accommodation where there is an identified shortfall.

Level threshold would be provided at all door openings. The gradients would be no greater than 1:21 where an accessible route is indicated.

13. Financial Benefits

None identified.

14.0 Planning Assessment

Principle

Both local and national policy seeks to increase the number of traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply. This application would satisfy this aim.

Policy SUS.2 of the local plan seeks to locate development in the main towns and the larger villages and to strictly control most forms of development within the open countryside, having particular regard to the need for the protection of the countryside and environmental constraints. There is an exception made for various countryside uses and this includes sites for gypsies, travellers and travelling showpeople. The local plan states that development proposals for sites for travelling showpeople will also need to provide adequate space for residential, maintenance and storage uses and be well related to the public highway network to accommodate the safe passage of large vehicles and pedestrians and located so as to minimise the impact of on-site business activities on neighbouring properties.

The national planning policy for traveller sites seeks to reduce tensions between settled and traveller communities in plan-making and planning decisions. It also seeks to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure. In considering such applications, local planning authorities must have due regard to the protection of local amenity and the local environment.

The proposed development site would be located on an established permanent Gypsy and Traveller site. The site is screened by a belt of trees on three boundaries and by the boundary fence to the business park to the north. The highway network is capable of accommodating the development. Furthermore, the layout of the proposed plots is sufficient to allow for an acceptable degree of amenity for the future occupiers. The extra pitches would be consistent with the approved use of the site and provide much needed accommodation for gypsies and travellers in the area.

Access & Parking

There is no highway objection in this case. Sufficient parking of two spaces would be provided for each pitch.

Biodiversity & Trees

The application is accompanied by a Biodiversity Mitigation and Enhancement Plan (BMEP). The impact on biodiversity would be acceptable subject to a

condition that requires the implementation of the biodiversity enhancement measures.

The pitches and amenity blocks would be screened from views outside of the site and would not have an adverse impact on the character and appearance of the area.

Amenity

The pitches would be sited so as not to cause any unacceptable overlooking or overbearing. The amenity of the occupiers of the pitches would be acceptable having regard to the size of the proposed residential units and the amenity space afforded to them.

Contamination

A stage 1 ground investigation report was carried out on the lower site by GCC, dated July 2018. This report concluded that there was potential for asbestos in the ground surrounding the redundant building to be demolished as well as a potential range of contaminants, including oil, fuel hydrocarbons. The risk to users being low to moderate. As such, an intrusive investigation is recommended as the project progresses. This matter would be addressed by the recommended contaminated land condition.

15.0 Conclusion

The scheme will have considerable social benefits, through the provision of additional pitches to meet an identified housing need.

The rural location of this well-established site is very well managed. The 6 proposed plots would include a utility building, and allocated spaces for a touring caravan, a static caravan and two car spaces. All of which will meet the current regulations for family sized plots.

The new plots would make use of the untidy area surrounding the former scrap store, and the under used hardstanding space within the site. This would allow the primary stake holders to create a flexible area, therefore improving the overall conditions for the traveller families.

There would be no impact on the belt of woodland to the west of the site. The plots are not located in an area that is at risk of flooding and there are no public rights of way that would be impacted.

In summary, this proposal will be hugely beneficial as it would provide family pitches that meet the needs of the travelling community, and contribute towards the current shortage of adequate plots.

Weighing strongly in favour of granting permission are the social benefits of the proposal. No environmental or economic harm has been identified and as such, the application is considered to fulfil the three strands of sustainable development.

16.0 Recommendation

GRANT subject to conditions.

WD/D/19/001187

- 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).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Block Plan received on 01/05/2019
Elevations-Double Unit - Drawing Number 1 421 P2 received on 01/05/2019
Elevations-Single Unit - Drawing Number 1 420 P3 received on 01/05/2019
Location Plan - Drawing Number L100 P1 received on 01/05/2019
Proposed Upper Site Location Plan - Drawing Number L101 P3 received on 01/05/2019
Proposed Lower Site Location Plan - Drawing Number L102 P5 received on 01/05/2019
Topographical Survey Drawing received on 01/05/2019

Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 The site shall not be used other than as a caravan site for the occupation by gypsies and Travellers as defined by Section 24(8) of the Caravan Sites and Control of Development Act 1960 (as amended).

Reason: In accordance with Policy SUS.2 of the Local Plan.
- 4 In the event that previously unidentified contamination is found at any time when carrying out the approved development, this must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment, conducted in accordance with recognised good practice, shall be submitted to the Local Planning Authority for consideration and approval. Following completion of measures identified

in the approved remediation scheme a verification report shall be submitted to the local planning authority for approval.

Reason: To ensure that risks from soil contamination to the future occupants of the development and neighbouring occupiers are minimised, having regard to the National Planning Policy Framework

- 5 The development shall be carried out in full accordance with the agreed biodiversity mitigation plan dated 03/11/2016.

Reason: To ensure that the ecology impact of the proposal is acceptable.

NOTES TO APPLICANT

1. National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The application was acceptable as submitted and no further assistance was required.