

**Application Ref:** 13/00967/FUL

**Proposal:** Proposed two static caravans and two touring caravans with facilities block for one extended gypsy/traveller family

**Site:** Land To The North Of 4, Werrington Bridge Road, Milking Nook, Peterborough

**Applicant:** Mrs Jamie Harris

**Agent:** Architectural & Surveying Services Ltd

**Referred by:** Head of Planning, Transport and Engineering Services

**Reason:** Level of public objection

**Site visit:** 17.07.2013

**Case officer:** Mr A Cundy

**Telephone No.** 01733 454416

**E-Mail:** amanda.mcsherry@peterborough.gov.uk

**Recommendation:** **GRANT** subject to relevant conditions

## **1 Description of the site and surroundings and Summary of the proposal**

### **Site and Surroundings**

The application site comprises a small parcel of land measuring approximately 0.012 hectares, sited within a wider open pasture field located on the eastern side of Werrington Bridge Road. The site lies to the west of the village of Newborough and north of the area known as Milking Nook.

The boundaries to the site comprise an open ditch running along the eastern boundary adjacent to Werrington Bridge Road, with some semi-mature and matures trees and shrubs to the north-western most corner. The northern boundary comprises a low post and rail fence with the remaining extent of the site open to the wider field. There are residential dwellings located to the south, screened from the site by mature conifer hedging between 3 and 4 metres in height.

Vehicular access to the site is currently taken by an informal gate across the existing grass verge running along Werrington Bridge Road. A telegraph pole is situated to the front of the site, albeit within the highway verge and outside the extent of the red line boundary.

### **Proposal**

The application seeks planning permission for the siting of two static caravans 3.2 by 9.2 metres by 3 metres high and two touring caravans 2.4 by 6.6 metres for use by a single extended gypsy/traveller family. Associated ancillary development includes internal driveway, parking, turning and a facilities block 3.1 x 4.5 metres by 3.4 metres high. The static caravans will have a 1 metre high wall with flood boards.

## **2 Planning History**

No relevant planning history

### **3 Planning Policy**

Decisions must be taken in accordance with the development plan policies below, unless material considerations indicate otherwise.

#### **National Planning Policy Framework (2012)**

##### **Section 10 - Development and Flood Risk**

New development should be planned to avoid increased vulnerability to the impacts of climate change. Inappropriate development in areas of flood risk should be avoided by directing it away from areas at higher risk. Where development is necessary it shall be made safe without increasing flood risk elsewhere. Applications should be supported as appropriate by a site-specific Flood Risk Assessment, a Sequential Test and, if required, the Exception Test.

##### **Section 11 - Biodiversity**

Development resulting in significant harm to biodiversity or in the loss of/deterioration of irreplaceable habitats should be refused if the impact cannot be adequately mitigated, or compensated. Proposals to conserve or enhance biodiversity should be permitted and opportunities to incorporate biodiversity into new development encouraged.

Development within or outside a Site of Special Scientific Interest or other specified sites should not normally be permitted where an adverse effect on the site's notified special interest features is likely. An exception should only be made where the benefits clearly outweigh the impacts.

The presumption in favour of sustainable development does not apply where development requiring Appropriate Assessment under the Birds or Habitats Directives is being considered or determined.

#### **Peterborough Core Strategy DPD (2011)**

##### **CS22 - Flood Risk**

Development in Flood Zones 2 and 3 will only be permitted if specific criteria are met. Sustainable drainage systems should be used where appropriate.

##### **CS01 - Settlement Hierarchy and the Countryside**

The location/ scale of new development should accord with the settlement hierarchy. Development in the countryside will be permitted only where key criteria are met.

##### **CS09 - Gypsies and Travellers**

Sites for permanent pitches will be identified through a separate SPD document. Specific criteria will be used to identify suitable sites.

##### **CS14 - Transport**

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

##### **CS20 - Landscape Character**

New development should be sensitive to the open countryside. within the Landscape Character Areas development will only be permitted where specified criteria are met.

##### **CS21 - Biodiversity and Geological Conservation**

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

## **Cambridgeshire & Peterborough Mineral and Waste Core Strategy DPD (2011)**

### **MW26 – Mineral Safeguarding Areas**

Mineral Safeguarding Areas are designated for deposits of minerals that are considered to be of current or future economic importance in order that proven resources are not needlessly sterilised.

## **Peterborough Planning Policies DPD (2012)**

### **PP13 - Parking Standards**

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

### **PP16 - The Landscaping and Biodiversity Implications of Development**

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

### **PP19 - Habitats and Species of Principal Importance**

Permission will not be granted for development which would cause demonstrable harm to a habitat or species unless the need for, and benefits of it, outweigh the harm. Development likely to have an impact should include measures to maintain and, if possible, enhance the status of the habitat or species.

### **PP01 - Presumption in Favour of Sustainable Development**

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

### **PP02 - Design Quality**

Permission will only be granted for development which makes a positive contribution to the built and natural environment; does not have a detrimental effect on the character of the area; is sufficiently robust to withstand/adapt to climate change; and is designed for longevity.

### **PP03 - Impacts of New Development**

Permission will not be granted for development which would result in an unacceptable loss of privacy, public and/or private green space or natural daylight; be overbearing or cause noise or other disturbance, odour or other pollution; fail to minimise opportunities for crime and disorder.

### **PP12 - The Transport Implications of Development**

Permission will only be granted if appropriate provision has been made for safe access by all user groups and there would not be any unacceptable impact on the transportation network including highway safety.

## **Material Planning Considerations**

Planning Policy for Traveller Sites (DCLG) March 2012

## **4 Consultations/Representations**

### **PCC Local Highway Authority (16.07.13)**

Additional information requested - The access as shown on the submitted drawings is not adequate and should be widened, relevant vehicle-to-vehicle visibility splays should also be provided. A total of 2 parking spaces should be provided for each static caravan, not the number shown on the submitted drawings. The turning area within the site is adequate however, any gates to the access should be set back a minimum of 15 metres from the back edge of the highway to

allow vehicles to pull clear. Details of refuse collection should also be provided.

**PCC Wildlife Officer (30.07.13)**

No objections - The proposal is unlikely to have an impact upon the features for which the Freshwater Drain County Wildlife Site has been designated. In addition the ditch which runs alongside the road, being dry and with no sign of wetland vegetation, is not suitable to support protected species. Further the field where the proposed development would take place does not represent a suitable habitat for protected species. The wildlife officer is also satisfied that the trees/hedgerow (off site) to the north of the site would not be affected by the proposal and that there would not be any impact on associated species such as nesting birds. The officer acknowledges that the Biodiversity Checklist was not completed correctly, however given that the proposal is unlikely to have an impact on ecology felt it was unreasonable to pursue the matter with the applicant.

**PCC Drainage Team (05.08.13)**

No objection - Recommend a pre-commencement condition requiring details of proposed surface water drainage to be submitted and approved in order to reduce the impact of potential flooding upon occupants of the development.

**PCC Archaeological Officer (09.09.13)**

No objections - Whilst the contents of the application and supporting material lack detail and there is known historic and archaeological background to the site, archaeological investigation may be secured by condition.

**PCC Minerals And Waste Officer (Policy) (31.07.13)**

Objection - The proposal lies within a Minerals Safeguarding Area and insufficient information has been provided to assess the proposal against adopted policy in terms of potential mineral loss.

**PCC Pollution Team**

No comments received.

**North Level District Internal Drainage Board (24.07.13)**

No objection in principle - Formal Land Drainage Consent will be required to construct the proposed access. In addition, details of the impermeable areas to be drained into the watercourse will be required as a development levy will be payable.

**Environment Agency (14.08.13)**

No objections - The submitted information satisfactorily demonstrates that the proposed sleeping accommodation will be located in Flood Zone 2, not 3a. Request condition relating to development in accordance with the approved Flood Risk Assessment.

**Anglian Water Services Ltd**

No comments received.

**Newborough & Borough Fen Parish Council (23.07.13)**

Objection - The application fails to refer to the ditch on site that could contain water voles. The site is in a flood zone and no flood risk information has been submitted. There is a general concern that the site would extend and not be kept to a residential use. There are already numerous gypsy sites around Newborough and the proposal would overload the locality.

**Local Residents/Interested Parties**

Initial consultations: 6  
Total number of responses: 189  
Total number of objections: 183  
Total number in support: 5

A total of 134 objections have been received using a standardised objection template. A copy of this can be found at Appendix 1, with a summary of the objection points provided below:

- The land is not fit for human habitation.
- There are no pedestrianized areas connecting the site to essential services that a family would need.
- The site is at significant risk from flooding, as shown on the submitted drawings. Between November 2012 and April 2013, significant flooding on this site, would have been a danger to occupants and every winter the site serves as a flood plain.
- The proposal will increase the risk of flooding to existing residents as it would significantly weaken the effectiveness of drains running adjacent to the land.
- The only development on agricultural land should be to the benefit of agriculture.
- The site is within the open countryside and the development would significantly alter the character of the landscape.
- No consultation with local residents has taken place. The failure to accord with this requirement set out in national guidance has meant that local residents have not been given the opportunity to have their concerns heard by the Applicant.

In addition, 47 non-standardised objections have been received on the following grounds:

- The proposed development is contrary to Policy CS9 of the Peterborough Core Strategy DPD.
- The proposed structures would be clearly visible and prominent in the general landscape and the proposed landscaping would further diminish the openness of the character of the area with incongruous landscape features.
- The site is 2km away from the nearest settlement (Newborough) which is an inappropriate distance to travel to obtain services and facilities. In addition, there are no public footpaths meaning trips by private car only which is unsustainable.
- Safe and convenient access to the site cannot be provided.
- The level of detail submitted with the application is vague and lacking.
- The application has failed to demonstrate any assessed need for this site or any evidence that the proposed occupants do meet the definition of Gypsies and Travellers.
- Eric Pickles has revoked previous equality and diversity in planning tests and as such, planning rules should not be applied differently dependent upon the background of individuals involved.
- The application fails both the sequential and exception tests in relation to flood risk.
- Surface water run-off from the site will increase flood risk to neighbouring existing properties.
- The site is within Flood Zone 3 and suffers from flooding during winter months, it cannot be suitable for development.
- The development may weaken the effectiveness of existing surface water drainage.
- The existing sewerage system has suffered with problems and the addition of new properties will exacerbate this.
- Peterborough and North Cambridgeshire are already well provided for with Gypsy/Traveller sites.
- The site is on open ground which has continuously been refused for any other sort of development in the past.
- There is no certainty that the site would not expand in the future and could result in a 'mini' Oxney Road in the middle of a hamlet.
- The proposal will result in associated pollution, nuisance and crime/security issues.
- The proposed caravans will appear out of place in a historically rural farming community.
- An application for non-conventional dwellings should not be allowed when development for a permanent dwelling would not (already happened in an adjoining field).
- Concern that no checking of compliance with conditions, which has already occurred on the

'Lazy Acre' development.

- Approving the application would create another precedent for similar projects and increase the loss of land available for agriculture.
- The comparison proposed in the application with the 'Lazy Acre' development cannot be made as this site had no neighbouring residential properties.
- Concern that the development would affect wildlife in the area (sparrow, hawks, foxes, red kites, owls, newts etc.).
- The level of public consultation has been insufficient and the Council has failed to effectively engage with the local community, as required by the National Traveller Policy.
- A full and thorough Flood Risk Assessment must be undertaken prior to the determination of the application.
- The application has failed to adequately assess the impact of the proposal upon wildlife and ecology. In particular, the submitted 'Biodiversity Checklist' has been incorrectly completed. At the least, a Preliminary Ecological Appraisal should have been submitted with the application which would likely have revealed the need for further survey work. Council officers have not complied with the constitution/code of conduct as they have failed to ask for the info and the rights of residents have been overridden in favour of the applicant.
- There are Scheduled Monuments within the vicinity of the site and no assessment has been undertaken as to the impact of the proposal upon their setting.
- The site itself has potential to include heritage assets with archaeological interest and a field evaluation should be carried out.
- The site is near to a County Wildlife Site which identifies an area of high quality wildlife habitats.
- The outlook of neighbouring properties would be harmed.
- The development would generate more traffic which already causes problems for local residents.
- The bus service in the area is under review and is likely to be either reduced or withdrawn.
- The proposed site has the potential to infringe on other property boundaries.
- Concern regarding the ability of the Planning Department to enforce any planning misdemeanours.
- Werrington Bridge Road is already suffering from subsidence and damage from the traffic using it and the proposal would make matters worse.
- The residents of the area already have our fair share of these sites in the area. These sites should be distributed over the whole area, not Newborough alone.
- The local infrastructure is already at breaking points and the proposed development would exacerbate this.
- What will the rest of the land be used for?
- Planning a site in the middle of homes is unfair.
- There have been violent incidents in the past on the traveller site at the bottom of the road. The proposed site is linked to the same family and concerned that similar events could occur in an area with elderly and young people.
- Property values will decrease.

5 letters of support have been received, raising the following comments:

- The Applicants are community-spirited and just want to settle down.
- The existing site where the Applicants live is very overcrowded and the development will allow them their own land, privacy and more room.
- The development will allow the family to have a base from which the children can go to school.

### **Stewart Jackson MP**

Objection – Concerned that there has been inadequate consultation by the Local Planning Authority with neighbours. The decision to allow a residential development on the site contravenes planning policy on building in the open countryside and any such development will change the character of what has been pasture used for agricultural purposes. The site is in a high flood risk area with a high probability of flooding and comments from the Environment Agency need to be heeded in determining this application. There is poor access and egress to the main road and the site is also situated adjacent to notable nature sites.

## 5 **Assessment of the planning issues**

The main considerations are:

- Principle of development
- Access to services
- Landscape impact
- Vehicular access and highway implications
- Flood risk
- Residential amenity
- Archaeology

### **a) Introduction and background**

The applicant currently lives at Oxney Road Gypsy and Traveller site. The applicant has advised that the site is now overcrowded. The applicant has one child and they currently attend Parnwell School. The Councils Gypsy and Traveller Liaison Officer confirms this to be the case. Officers are satisfied that the applicant meets the definition of a Gypsy as described in Annex 1 of the Planning policy for traveller sites (DCLG 2012).

### **b) Principle of development**

Proposals for Gypsy and Traveller sites are assessed primarily against policy CS9 of the Adopted Peterborough Core Strategy DPD whereby the criteria of this policy is used to assess the site characteristics and constraints to development. The National Planning Policy Framework and its supporting document 'Planning Policy for Traveller Sites' are also material planning considerations in assessing the proposal. Planning Policy for Traveller sites March 2012 states that when considering applications local planning authorities should attach weight to such matters as effective use of previously developed (brownfield), untidy or derelict land, sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness, promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children, not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

There are currently no new sites allocated for permanent Gypsy and Travellers occupation within the Proposed Site Allocations Document DPD and there is a demonstrable need for Gypsy and Traveller sites as identified in the Cambridgeshire sub-Regional Gypsy and Traveller Accommodation Needs Assessment 2011. This assessment states that there is a need for 53 pitches by 2031. Policy CS9 of the Adopted Peterborough Core Strategy DPD states that the Council will be prepared to grant permission for sites in the countryside (i.e. outside the Urban Area and Village Envelopes) provided that there is evidence of a need (as identified in the local assessment).

The main thrust of local and national Gypsy and Traveller policy is that there is a presumption in favour of granting consent for use and in assessing the proposal it is therefore necessary to balance the need for Gypsy and Traveller sites against other policy considerations. Policy CS9 (a) of the Adopted Peterborough Core Strategy states that the site and its proposed use should not conflict with other development plan policies or national planning policy relating to issues such as flood risk, contamination, landscape character, protection of the natural and built environment or agricultural land quality. These issues will be addressed within this report.

### **c) Access to Services**

Criteria (b) of Policy CS7 - requires the site to be located within reasonable travelling distance of a settlement which offers local services and community facilities, including a primary school.

The site is within approximately 1 mile from Newborough Primary School with associated

facilities and 5 miles from Parnwell School which the applicant's child attends. It is considered that these distances are reasonable travelling distances to these services. The National Planning Policy for traveller site states that issues of sustainability are important and should not only be considered in terms of transport mode and distances from services. Other considerations include the wider benefits of easier access to GP's, other health services and children attending school on a regular basis with the provision of a settled base that reduces the need for travel by car. On balance it is considered that the location of the site is sustainable as shops + health and other facilities are available in Newborough. The site is locationally comparable to that of a Gypsy caravan site proposed off the A47 near to Wansford which the Local Planning Authority (PCC) refused planning permission. The applicant appealed the decision and whilst the Planning Inspectorate dismissed the appeal the Inspector was satisfied the location was sustainable in that the site was within walking distance and only a short car journey away from the services in Wansford which contains various shops and a health centre. It is considered that the proposal therefore accords with policy CS9 (b) of the Adopted Peterborough Core Strategy DPD.

**d) Landscape impact**

The application site is not located in an area of the district that has been identified as having the best landscape value although the immediate area does have a rural quality that affords a pleasing visual amenity. The site has had a long history of agricultural use and has established itself by way of its hedging and trees such that its condition is considered compatible with the rural nature of the immediate area.

It is considered that some adverse impact upon the appearance and character of the local area is likely to arise from the development and use of land as a Gypsy and Traveller site, but the key test is whether such harm would be unacceptable. Specifically officers accept that the development could never be assimilated into the local landscape as it would be impossible to contain the visual impact of up to four caravans, a facility block and associated vehicles. Notwithstanding this Members are reminded that there are currently no sites allocated for Gypsy and Travellers within the Proposed Site Allocations Document DPD and there is a demonstrable need for Gypsy and Traveller sites. It is considered that the harm caused is not so significant to outweigh the need for a Gypsy and Traveller pitch. Planning conditions are recommended to ensure that hard landscaping and boundary treatment are kept to a minimum to ensure that the landscape impact is minimised.

**e) Vehicular access and highway implications**

Criteria (c) of Policy CS9 of the Peterborough Core Strategy DPD (2011) requires safe and convenient pedestrian and vehicle access to and from the public highway, and adequate space for vehicle parking, turning and servicing.

The Council's Highway Authority has requested additional information. Specifically the access as shown on the submitted drawings is not adequate and should be widened, that relevant vehicle-to-vehicle visibility splays should also be provided and that a total of 2 parking spaces should be provided for each static caravan. Planning officers are satisfied that a safe access and sufficient off road car parking can be achieved and recommend that this element be conditioned.

**f) Flood risk**

The submitted information satisfactorily demonstrates that the proposed sleeping accommodation will be located in Flood Zone 2, not 3a. The Environment Agency raises no objection subject to the imposition of a condition requiring the development to proceed in accordance with the applicants flood risk statement.

**g) Residential Amenity**

The location of the caravans and associated development would be set within the site by 10m

and over 30m from the nearest dwelling. It is unlikely that the use of the site for one Gypsy family would have any adverse impact upon the amenities of occupiers of nearby residential properties and therefore accords with policy CS9 (e) of the Adopted Peterborough Core Strategy DPD.

**h) Archaeology**

The Archaeological Officer has advised that the site may contain remains of interest but would not require an archaeological investigation prior to the determination of the planning application. A planning condition is recommended requiring archaeological investigation works prior to the commencement of development.

**i) Impact on Minerals Safeguarding Area**

The Council's Minerals and Waste Officer advises that the proposal lies within a Minerals Safeguarding Area and insufficient information has been provided to assess the proposal against adopted policy in terms of potential mineral loss. Planning officers consider that the site is very small and is near to other development. In this context it is not considered that the proposal significantly compromises the safeguarding area.

**j) Other matters**

Objectors have raised a number of other points and these are addressed below:

- ***The land is not fit for human habitation.***

Officer response: The Environment Agency has revised its position in light of additional flood prevention measures submitted by the Applicant. In light of this, it is considered that the site will not pose any unacceptable flood risk to future occupants and as such, is suitable for the proposed use.

- ***The only development on agricultural land should be to the benefit of agriculture.***
- ***The site is on open ground which has continuously been refused for any other sort of development in the past.***
- ***An application for non-conventional dwellings should not be allowed when development for a permanent dwelling would not (already happened in an adjoining field).***

Officer response: In accordance with Policy CS9 of the Peterborough Core Strategy DPD (2011), the Council is prepared to grant permission for Gypsy/Traveller sites within the open countryside providing that there is evidence of need and that the intended occupants meet the definition as set out in Government guidance. In line with the assessment detailed above, it is considered that the proposal accords with these criteria's.

- ***No consultation with local residents has taken place. The failure to accord with this requirement set out in national guidance has meant that local residents have not been given the opportunity to have their concerns heard by the Applicant.***
- ***The level of public consultation has been insufficient and the Council has failed to effectively engage with the local community, as required by the National Traveller Policy.***

Officer response: The national policies set out in Planning Policy for Traveller Sites (2012) place a requirement for consulting with local residents in allocating land for sites. Notwithstanding this, the Local Planning Authority has a statutory duty to consult all adjoining residents and where they cannot be readily identified, erecting a site notice. This requirement has been fulfilled in respect of this application and therefore legally compliant..

- ***The level of detail submitted with the application is vague and lacking.***

Officer response: Officers consider that the level of information provided with the application has been sufficient to allow detailed assessment and determination against adopted planning policies.

- ***There is no certainty that the site would not expand in the future and could result in a 'mini' Oxney Road in the middle of a hamlet.***  
Officer response: Planning applications cannot be determined on the presumption of what development may take place in the future and Members must consider that application presented to them on its own merits. Any potential future development would require the benefit of planning permission which, if submitted, would be considered on its own merits.
- ***Concern there will be no checking of compliance with conditions which has already occurred on the 'Lazy Acre' development.***
- ***Concern regarding the ability of the Planning Department to enforce any planning misdemeanours.***  
Officer response: This is a matter of Enforcement, not a material planning consideration in the determination of applications. If planning permission were to be granted and any complaint made to the Local Planning Authority, this would be fully investigated in accordance with established procedures as has been the case at Lazy Acre.
- ***Approving the application would create another precedent for similar projects and increase the loss of land available for agriculture.***  
Officer response: Any planning application is determined upon its own merits and as such, the approval of the current proposal would not set a precedent for future sites in the area. With regards to the loss of agricultural land, the site extends to a total area of 0.012 hectares and is not considered to be of the highest quality. Given its limited size, it is not considered that the proposal would result in an unacceptable loss of agricultural land.
- ***The comparison proposed in the application with the 'Lazy Acre' development cannot be made as this site had no neighbouring residential properties.***  
Officer response: Whilst the supporting documentation submitted with the planning application makes reference to this site, comparisons have not been made by Officers during the determination of the current scheme.
- ***The outlook of neighbouring properties would be harmed.***  
Officer response: Whilst the impact upon the character and appearance of the locality is a material consideration (discussed above), in planning terms, nobody has a right to a view and as such, this is not a valid planning objection.
- ***The proposed site has the potential to infringe on other property boundaries.***  
Officer response: The application boundary is clearly defined on the submitted Location Plan and it is only this area to which the application relates. The application cannot be determined on the basis of potential future unauthorised expansion.
- ***What will the rest of the land be used for?***  
Officer response: The application boundary is clearly defined on the submitted Location Plan and it is only this area to which the application relates. The remaining surrounding land will be retained for agricultural purposes unless planning permission is given for an alternative use.
- ***Planning a site in the middle of homes is unfair.***  
Officer response: The impact upon the amenity of neighbouring occupants has been discussed in the assessment above.
- ***There have been violent incidents in the past locally involving travellers.***  
Officer response: The planning application cannot be determined on the basis of public perception of characteristics of the gypsy + traveller community.
- ***Property values will decrease.***  
Officer response: This is not a material planning consideration.

- ***Lack of an ecological appraisal***

Officer response: Post receipt of the application it was established that the proposal should have been submitted with an ecological assessment. However an inspection by the PCC Wildlife Officer concluded that the site has low ecological potential.

## **6 Conclusions**

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically: it is considered that there will be no unacceptable impact on the amenities of neighbours, that the site is within a reasonable distance of local services and facilities, that there is sufficient parking and has a safe vehicular access. It is considered that the harm caused to character and appearance of the local area which can be partially mitigated by a conditioned landscape scheme is not so significant to outweigh the need for a Gypsy and Traveller pitch. Planning conditions are recommended to ensure that hard landscaping and boundary treatment are kept to a minimum to ensure that the landscape impact is minimised. It has been demonstrated that the sleeping accommodation is in a safe location in flood risk terms within the site. The proposal won't be harmful in ecological terms and a foul water condition will ensure that the risk of pollution is mitigated. The proposal is therefore in accordance with Policy CS9, CS14, CS20, CS21, CS22 of the Peterborough Core Strategy DPD (2011) policies PP01, PP02, PP03, PP12, PP13, PP16 PP19 of the Peterborough Planning Policies DPD (2012) and the Planning Policy for Traveller Sites (DCLG) March 2012.

## **7 Recommendation**

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

C 1 The development hereby permitted shall be begun before 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).

C 2 This permission does not authorise use of the land as a caravan site by any persons other than Gypsies and Travellers, as defined by as set out in Annex 1 of the Planning Policy for Traveller Sites (2012).

Reason: In order to control development in the open countryside, in accordance with Policy CS9 of the Peterborough Core Strategy DPD (2011).

C 3 The site shall be limited to one pitch containing no more than four caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, at any one time only two of which shall be static.

Reason: In order that the Local Planning Authority can control the impact of the use of the site on the locality, in accordance with Policy CS9 of the Peterborough Core Strategy DPD (2011).

- C 4 Prior to the siting of any static caravans on the site, full details of the caravan(s) to be sited shall be submitted to and approved in writing by the Local Planning Authority. The details shall include dimensions (including width, depth and height) and the external appearance.

Reason: In order to protect the visual amenity of the surrounding area, in accordance with Policy CS9 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 5 No development shall take place until details of the materials to be used in the construction of the external surfaces of utility block hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In order to protect the visual amenity of the surrounding area, in accordance with Policy CS9 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

- C 6 No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: To secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with paragraphs 128 and 141 of the National Planning Policy Framework (2012), Policy CS17 of the Peterborough Core Strategy DPD (2011) and Policy PP17 of the Peterborough Planning Policies DPD (2012).

- C 7 Notwithstanding the submitted drawings and prior to first use of the site, drawings detailing the access to the site (which shall be a minimum of 5.5 metres wide for the first 10 metres and then 5 metres wide thereafter) shall be submitted to and approved in writing by the Local Planning Authority. The access shall be implemented in accordance with the approved drawings and prior to first occupation of any caravan.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C 8 Notwithstanding the submitted drawings and prior to first use of the site, drawings showing vehicle-to-vehicle visibility splays measuring 2.4 metres x 215 metres on both sides of the access shall be submitted to and approved in writing by the Local Planning Authority. The splays shall be provided prior to first occupation of any caravan and maintained free of any obstruction above a height of 600mm in perpetuity.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C 9 Notwithstanding the submitted drawings and prior to first use of the site, drawings showing two parking spaces for each static caravan shall be submitted to and approved in writing by the Local Planning Authority. Those spaces shall be provided prior to first occupation of the

caravan to which they relate and shall thereafter be maintained for the purposes of parking only.

Reason: In the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policies PP12 and PP13 of the Peterborough Planning Policies DPD (2012).

- C10 Notwithstanding the submitted drawings, any gates to be provided at the access to the site shall be set back a minimum distance of 15 metres from the back edge of the public highway carriageway.

Reason: To ensure vehicles can stand clear of the adjacent carriageway whilst the gates are in operation and in the interests of highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD (2011) and Policy PP12 of the Peterborough Planning Policies DPD (2012).

- C11 Prior to first use of the site, a scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved, no later than the first planting season following the occupation of any caravan.

The scheme shall include:

- external paving and surfacing materials (including parking and turning areas);
- all boundary treatments; and
- planting plans including retained trees, species, numbers, size and density of planting.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity, in accordance with Policies CS9 and CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

- C12 Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Reason: In the interests of the visual appearance of the development and the enhancement of biodiversity in accordance with Policy CS21 of the Peterborough Core Strategy DPD (2011) and Policy PP16 of the Peterborough Planning Policies DPD (2012).

- C13 The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Statement (Architectural and Surveying Services email dated 6 August 2013) and the Supporting Statement (reference PE1092-SPPS)

The mitigation measures shall be fully implemented prior to first occupation of any caravan and subsequently in accordance with the timing/phasing arrangements embodied within the approved scheme.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011).

C14 Prior to first use of the site, a scheme for the provision and implementation of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans/specifications at such time(s) as may be specified in the approved scheme.

Reason: To reduce the impact of pollution and flooding on the proposed development and prevent any increased flood risk elsewhere, in accordance with the National Planning Policy Framework (2012) and Policy CS22 of the Peterborough Core Strategy DPD (2011).

C15 Prior to first use of the site, drawings/specifications shall be submitted to and approved in writing by the Local Planning Authority which shows detailed bin storage and collection facilities for each caravan. The approved scheme shall be provided prior to the first occupation of the caravan which it serves and those areas shall be retained thereafter for the storage of refuse and recycling bins only.

Reason: In order to ensure that adequate bin storage space is available and to protect the visual appearance of the street scene in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011).

C16 No external lighting shall be installed/erected within the site until details (including light spillage and lux levels) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of protecting the amenity of local residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

C17 Any lighting installed/erected at the site shall not exceed the obtrusive light limitations for sky glow, light into windows, source intensity and building luminance specified in environmental zone E1 in the Institution of Lighting Engineers document 'Guidance Notes for the Reduction of Obtrusive Light GN01:2011'. In the event of any reasonable complaint to the Local Planning Authority in respect of light intrusion to neighbouring properties, the Applicant (or their successors in title) will be required to demonstrate compliance with these limits.

Reason: In the interests of protecting the amenity of local residents, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP3 of the Peterborough Planning Policies DPD (2012).

C18 Notwithstanding the provisions of Part 2 Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no fences, gates, walls or means of enclosure shall be erected within the site unless expressly authorised by any future planning permission.

Reason: In order to protect and safeguard the amenity of the area, in accordance with Policy CS16 of the Peterborough Core Strategy DPD (2011) and Policy PP2 of the Peterborough Planning Policies DPD (2012).

C19 Prior to commencement of development revised plans showing vehicle to pedestrian visibility splays of the following dimensions 2.m x 2.m on both sides of the access shall be submitted and approved in writing to the LPA. The splays shall be provided prior to occupation and shall be maintained thereafter free from any obstruction over a height of 600mm within an area of 2m x 2m measured from and along respectively the back of the highway boundary.

Reason: In the interests of Highway safety, in accordance with Policy CS14 of the Peterborough Core Strategy DPD: and Policy PP12 of the adopted Planning Policies DPD:

Copies to:  
Councillor David Harrington

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