

30/2002/013

MR JOHN BIRCH

**PERMANENT USE OF LAND AS SITE FOR RESIDENTIAL MOBILE HOME AND TWO TOWING CARAVANS FOR A SINGLE FAMILY'S OCCUPATION AND ERECTION OF UTILITIES BLOCK AND RETENTION OF TWO LAMP STANDARDS AT FOSGROVE PADDOCK, SHOREDITCH AS AMENDED BY MRS SMITH BENDELL'S LETTER DATED 27TH JULY, 2002**

22880/20640

FULL PERMISSION

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**PROPOSAL**

A temporary (10 year) permission was granted in June 1997 for the use of the site for a mobile home to accommodate a single gypsy family. This application seeks to remove the temporary condition, to allow additional towing caravans as overflow accommodation for the applicant's growing family and to retain two street lamps that have been erected. The application was deferred on 22nd May in order to request that it be amended to relate solely to the siting of two towing vans (three had originally been proposed). The applicant has subsequently agreed to reduce the number of additional vans to two and to reduce the poles supporting the lamps to 2 m. However, they have stated that they still wish their request for a permanent permission to be considered.

**CONSULTATIONS AND REPRESENTATIONS**

COUNTY HIGHWAY AUTHORITY the proposed development site is located outside the development limits for Taunton, in a remote area with no public transport services or local facilities. Residents of the development are likely to be wholly reliant on the private car for trips to education, employment, retail and leisure facilities, contrary to the advice given in PPG13 and RPG10 which indicates that residential development should be accessible by a choice of transport modes. The proposed development is likely to foster a growth in the need to travel and increase the reliance of the private vehicle. As no overriding circumstances have been described to justify permanent residential use of the land, the proposal is contrary to Policies STR1 of STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policies S1 and H16 (B) of the Taunton Deane Local Plan Revised Deposit. I would therefore recommend refusal of this application on highways grounds for the following reasons:- (1) The proposed development would be located where it is remote from adequate services, employment,

education, public transport, etc, and will therefore increase the need for journeys to be made by private vehicles which is non-sustainable and in conflict with advice given in PPG13 and RPG10, Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review and Policies SI and HI 6 (B) of the Taunton , Deane Local Plan Revised Deposit; and (2) the proposed development site does not meet the accessibility criteria for residential development as set out in Annex A of RPG10.

LANDSCAPE OFFICER the hedging plants and trees planted following the 1997 application (30/1997/014) have established well, and will in time screen the caravans and utility block. However, I consider the design and height of the existing lamp columns to be inappropriate for this rural location. RIGHTS OF WAY OFFICER the existing use does not affect the footpath.

PARISH COUNCIL a condition of planning permission 30/1997/014 was, that on or before the 30th June, 2007 the caravan hereby permitted shall be removed and the land restored to its former condition. Reason to enable the Local Planning Authority to review the matter at the end of the limited period. Condition 02 stated that the proposed development would be undesirable if allowed to become permanently established in this area. The two tall lamp standards are unnatural features for the countryside and are incompatible with this special landscape and character area, Policy S1(D). The additional caravans if allowed would result in an undesirable intensification of the existing scattered development in this pleasant rural area to the detriment of the visual amenities and character of the area (Special Landscape Area). The site stands in a slightly elevated position and when approaching by car or especially out walking can be seen from most directions, Policies S1(D), EN 13 and H16. The site should be kept as a renewable permission type. At present tight control is effected in this Single Gypsy Family site. However if additional separate caravans are allowed then maintaining control on who occupies the separate caravans will be extremely difficult or virtually impossible. The site is removed from the villages of Trull and Pitminster, the nearest being about 3 km. The site refused permission at Milverton was 1 km from the nearest services. However the Planning Officer thought that to be too far, Policy H16.

FIVE LETTERS OF OBJECTION have been received on grounds of alterations already carried out; encroaches into countryside; permission should not be reviewed until end of temporary consent; approach roads are inappropriate for touring vans; drainage inadequate for additional caravans; there is sufficient provision for gypsies within Somerset; adverse visual impact of touring vans; lamp standards are out of character with the area; intensification of use of site.

## **POLICY CONTEXT**

Taunton Deane Local Plan (Revised Deposit Draft) Policy H16 Gypsy and Traveller Sites, suggests that sites will be permitted where there is a need for those residing in, or passing through the area. Policy S1(D) requires new development to avoid harm to the character of the landscape. Policy EN13 gives specific protection to Landscape Character Areas.

## **ASSESSMENT**

The issue of the applicant's request for permanent permission has been reassessed in consultation with the Council's Solicitor following discussions with Mrs Bendell of the Romani Gypsy Council. The original ten year condition was proposed in response to the level of local concern at the time in order that the matter could be reviewed at the end of a limited period. Circular 1/94 envisages permissions should be permanent except for the certain circumstances set out in paragraph 24. It is considered that a period of five years is not an unreasonable one in order to ask that the review take place now. The site appears to be kept in a tidy state and it is understood that there have been few problems since the permission was granted in 1997. It is therefore concluded that there is now no sustainable reason to refuse the removal of this condition and to allow permanent permission for a single gypsy family. The additional towing vans will have little visual impact. However the street lamps are visually intrusive. By reducing the height of the poles this impact can be reduced significantly. A condition requiring the poles to be reduced to 2 m within 3 months of the date of the permission is therefore proposed. The applicant has indicated his intention to comply with such a condition.

### **RECOMMENDATION**

Permission be GRANTED subject to conditions of reduce height of poles, single gypsy family, no trade or business, no ancillary buildings or structures, not more than one commercial vehicle.

**In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.**

**CONTACT OFFICER: 356464 MR T BURTON**

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