

Application No: 17/3231N

Location: New Start Park, WETTENHALL ROAD, REASEHEATH, CW5 6EL

Proposal: Brick building day room

Applicant: Mr T Hamilton

Expiry Date: 24-Aug-2017

### **SUMMARY**

It is considered that the use of the site has already in principle been accepted, albeit on a temporary basis. Therefore subject to conditions which restrict the use and permanence of the building in line with the permanence of the site use the principle of development is acceptable.

The proposal will not have a detrimental impact on neighbouring amenity or the character and appearance of the open countryside. There will be no additional impact on highway safety and therefore the proposal is considered to be acceptable.

### **SUMMARY RECOMMENDATION**

Temporary approval subject to conditions

### **PROPOSAL**

Planning permission is sought for a brick building to use as a day room for the site. The building will be sited within the existing caravan site. The building will have a maximum height of 4m, a width of 5.5m and a length of 9m. The building will be used as a kitchen and utility building, bathroom, children's play area and a storage area.

### **SITE DESCRIPTION**

The application site is a roughly rectangular shaped parcel of land set back from the frontage of Wettenhall Road and located within the open countryside. The site has temporary permission until 3<sup>rd</sup> June 2019.

### **RELEVANT HISTORY**

15/4060N - Removal of Condition 1 on Application 09/4331N to make permission permanent – Approve subject to condition 3<sup>rd</sup> June 2016 (temp 3 years)

12/3020N - Removal of Condition 1 of 09/4331N - Change of Use as a Residential Caravan Site for 8 Gypsy Families, Each with Two Caravans, Including Improvement of Access, Construction of Access Road, Laying of Hardstandings and Provision of Foul Drainage. Refused 06<sup>th</sup> December 2012.

10/2810N - Change of Use of Land to Use as a Residential Caravan Site for Eight Gypsy Families, Each with Two Caravans, Including Improvement of Access, Construction of Access Road, Layout of Hardstandings and Provision of Foul Drainage. Refused 06<sup>th</sup> December 2012.

09/4331N – Change of use of land to use as a residential caravan site for 8 gypsy families, each with two caravans, including improvement of access, construction of access road, laying of hardstanding, installation of services (water and electric) and provision of foul drainage. Refused 15<sup>th</sup> June 2010. Appeal allowed 21<sup>st</sup> January 2011.

## **NATIONAL & LOCAL POLICY**

### **Cheshire East Local Plan Strategy (CELPS)**

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

PG6 - Open Countryside

SE1 – Design

SE4 - Landscape

SC7 - Gypsies and Travellers and Travelling Showpeople

### **Borough of Crewe and Nantwich Local Plan 2011**

The relevant Saved Policies are:

BE.1 – Amenity

BE.3 – Access and Car Parking

BE.4 - Drainage

### **Other relevant documents**

Cheshire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (March 2014)

Cheshire East Council Gypsy, Traveller and Travelling Showpeople Site Identification Study (April 2014)

### **National Policy**

The National Planning Policy Framework (the Framework) establishes a presumption in favour of sustainable development. The Framework sets out that there are three dimensions to sustainable development: economic, social and environmental. These roles should not be undertaken in isolation, because they are mutually dependent.

Planning Policy for Traveller Sites (PPTS) 2015 sets out the Government's planning policy for traveller sites. It should be read in conjunction with the Framework. The overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers whilst respecting the interests of the settled community.

## **CONSULTATIONS**

**Worleston Parish Council** – Worleston and District Parish Council wish to strongly object to this application. This is still an illegal encampment and to grant an application for a permanent structure would suggest that the parish accepts permanency in the future which it does not. It is also in open countryside. It also implies that the applicants expect to achieve permanent status in 2019. We reject this implication and will be campaigning against this. If this day room has to be granted then it should be in a temporary building to match the other wooden buildings on the site.

The PC would go further though and contest that so close to what they assume will be an application for permanency there should be a moratorium on any additional development in any structure. We would ask that this application is rejected.

## **REPRESENTATIONS**

8 letters of representation received objecting to the proposal, including the Ward Councillor, Michael Jones. Concerns raised include:-

- Permanent structures should not be built on a temporary site
- Impact on the open countryside
- Contrary to Peter Brett report
- Contrary to Policy SC7 of the CELPS
- Contrary to RES 13 of Crewe and Nantwich LP
- Lack of justifications submitted to support the application
- If approved it should be for a temporary timeframe and of a temporary nature

## **OFFICER ASSESSMENT**

### **Principle of Development**

The principle use of the site being used as a Gypsy and Traveller site, albeit on a temporary basis, has been considered to be acceptable by the original permission, and subsequent renewal permission which has been granted until the 3<sup>rd</sup> June 2019. It is therefore considered that the principle of the use on the site has permission. It is not unacceptable for a Gypsy and Traveller sites to include a day room/utility building.

The proposed day room would allow the children on the site to play safely within the building, and the applicant states that due to the family's poor health, medical professionals are required to visit the site regularly, amongst other professional visitors. Currently there are no buildings on the site, other than the caravans which could be used for these purposes. The building would also accommodate a bathroom, and kitchen area and an inside area for the children on the site to play. It is considered that subject to the permanency and use of the building being control by conditions the general principle of the building is acceptable.

Therefore the main issues of the application are the impact on the open countryside, amenity and highway safety and any other relevant planning policies.

### **Character and appearance**

Policy SC7 states that proposals for gypsy and travellers sites should include the impact on the character and appearance of the surrounding area. The proposed amenity building will be of a size which is similar to double garage and constructed in brick and will have a tiled roof. It is considered that this will not appear unduly prominent within the open countryside position. It is therefore considered that the proposed building is acceptable and will not have an adverse impact on the character and appearance of the rural area.

### **Amenity**

The proposed building will be sited within the Gypsy site, with no immediately adjacent neighbours which will be adversely affected by the proposed building. The building will afford the occupiers of the site a better quality of life, whilst temporarily living on the site. It is therefore considered that the proposal is acceptable and will not have a detrimental impact on neighbouring amenity over and above the existing situation.

### **Highways**

The Inspector who approved the site was satisfied that access and parking arrangements would be adequate and additional traffic generated by the proposed use would have a negligible impact on highway safety. It is not considered that the proposed building would affect the parking or access of the site.

### **CONCLUSION**

It is considered that the use of the site has already in principle been accepted, albeit on a temporary basis. Therefore subject to conditions which restrict the use and permanence of the building in line with the permanence of the site use the principle of development is considered to be acceptable.

The proposal will not have a detrimental impact on neighbouring amenity or the character and appearance of the open countryside. There will be no additional impact on highway safety and therefore the proposal is considered to be acceptable.

### **RECOMMENDATION**

It is recommended that the application be granted for a temporary period, subject to the following conditions.

- 1) Temporary period in line with 15/4060N**
- 2) No over night use**
- 3) Amount of pitches**
- 4) When use ceases the building shall be removed within 6 months**
- 5) Materials to be approved**
- 6) Approved plans**

**In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern**

**Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.**

