



REGULATORY SERVICES COMMITTEE

31 July 2014

REPORT

Subject Heading:

**P0760.14 – Vinegar Hill, Lower
Bedfords Road, Romford**

**Use as a gypsy and traveller caravan
site and 5 No pitches and associated
development. (Received 29 June 2014)**

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Policy context:

**Local Development Framework
The London Plan
National Planning Policy Framework
National Planning Policy Guidance
DCLG Planning Policy for Traveller
Sites**

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input checked="" type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input type="checkbox"/>
Value and enhance the life of our residents	<input checked="" type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input type="checkbox"/>

SUMMARY

The application relates to a site within the Green Belt on the corner of Straight Road and Lower Bedfords Road which was previously woodland, but has been used for residential purposes since 2001. Temporary planning permission has expired and an enforcement notice recently served. The application seeks temporary planning permission to use the site for 5 pitches for gypsy and traveller accommodation.

Having regard to national planning policy and the very special circumstances put forward on behalf of the applicant, Staff consider there are grounds to grant planning permission for a temporary period of three years.

RECOMMENDATIONS

That planning permission is granted subject to the following conditions:

- 1) Gypsy and traveller only – The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning policy for traveller sites (2012).

Reason: Permission is granted solely in recognition of the unmet need for gypsy and traveller sites in Havering.

- 2) Personal and Temporary Use - The use hereby permitted shall be carried on only by the following: Unit 1 - Mr Myles O'Connor; Unit 2 - Mrs Kathleen O'Connor; Unit 3 - Mrs Margaret O'Connor; Unit 4 - Mrs Evelyn O'Connor; Unit 5 - Mr William McCarthy & Ms Kathleen O'Connor; and their resident dependants, and shall be for a limited period being the period of 3 years from the date of this decision, or the period during which the premises are occupied by them, whichever is the shorter. Unit numbers are those identified in drawing number 01280/2 Rev 1.

Reason: Permission is granted for a period pending the possible allocation of sites in a Development Plan Document on gypsy and traveller sites (or a Local Plan) and in recognition of the particular circumstances of the applicants.

- 3) Personal and Temporary Use - When the premises cease to be occupied by those named in condition (2) above, or at the end of 3 years, whichever shall first occur, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought on to the land, or works

undertaken to it in connection with the use shall be removed and the land restored to its condition before the development took place.

Reason: Permission is granted for a period pending the possible allocation of sites in a Development Plan Document on gypsy and traveller sites (or a Local Plan) and in recognition of the particular circumstances of the applicants.

4) Works required to be carried out – Unless within 6 months of the date of this decision:

- (a) the site is laid out in accordance with approved plan number 1280/2 Rev 1 – for the avoidance of doubt, the construction of amenity blocks is not required to be carried out;
- (b) all caravans/mobile homes and associated decking/development not required in connection with (a) above are removed from the site;
- (c) any occupiers not complying with Conditions 1 and 2 of this decision are no longer residing on the site,

the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment on to the land, or works undertaken to it in connection with the use shall be removed and the land restored to its condition before the development took place.

Reason: Permission is granted solely in recognition of the unmet need for gypsy and traveller sites in Havering. Any other occupation would be unacceptable on Green Belt grounds.

5) Retention of Landscaping and boundary fencing – The existing boundary landscaping and fencing shall be retained for the duration of this permission. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

Reason: To ensure a satisfactory visual appearance.

6) Number of caravans - No more than 10 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 5 shall be static caravans) shall be stationed on the site at any time.

Reason: To protect the amenities of the area and maintain the open character of the Green Belt

7) No Heavy Vehicles - No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.

Reason: To protect the amenities of the area and the openness of the Green Belt.

- 8) No commercial activities - No commercial activities shall take place on the land, including the storage of materials.

Reason: To protect the amenities of the area and the openness of the Green Belt.

REPORT DETAIL

1. Site Description

- 1.1 The application site, known as Vinegar Hill, is on the south side of Lower Bedford's Road and west side Straight Road, adjacent to the junction between the two roads. The plot is rectangular shape, measuring a maximum of 84 metres wide by 79 metres deep. At present, the site contains 2 large static mobile homes and 10 static caravans, two amenity blocks, a stable block and two touring caravans. The site is enclosed by perimeter fencing and landscaping. There are some areas of landscaping/green open space within the site. The site is adjoined to the west by two traveller sites known as Fairhill Rise and Hogbar Farm, beyond which are open fields. Access to the site is from Lower Bedfords Road, approximately 60 metres from the junction with Straight Road.
- 1.2 To the rear (south) are residential properties in Straight Road and Stanwyck Gardens. To the east of the site, across Straight Road is a new residential development, providing residential houses and flats. To the north of the site, across Lower Bedfords Road is Sunset Drive Caravan Park.
- 1.3 The site is within the Green Belt with the Green Belt boundary immediately to the south and east of the site. Prior to development taking place on this land, which was the subject of enforcement action, this and the adjacent land comprised woodland.

2. Description of Proposal

- 2.1 The planning application seeks consent to use the site for residential purposes as a private gypsy and traveller site, comprising of five pitches, for a temporary period.
- 2.2 The application proposes each pitch to have a static caravan/mobile home, an amenity block and space for a touring caravan and parking. Additionally, Unit 1 would have a stable block (existing). The proposal includes retention of a green space in the centre of the site. The east and southeast parts of the site would not contain any caravans or mobile homes but would remain hard surfaced with perimeter landscaping as existing.

2.3 In support of the application, a statement of the gypsy/traveller status of the intended occupiers has been submitted as well as a statement of the very special circumstances that should be considered as part of the application. In summary, these are the needs for sites and unavailability of alternatives; the personal circumstances of the applicant and his family, particularly their health and education needs; lack of planning policy in Havering and human rights considerations.

3. Relevant History

3.1 The relevant planning history for the appeal site is as follows;

P1156.92 – Material Change of Use of the Land for Use as a Muslim Burial Ground – Refused

3.2 The enforcement history of the site is particularly relevant:

2 November 2001 – Enforcement Notice alleging “material change of use of the land to residential use by the siting of mobile homes and touring caravans together with the parking of vehicles and storage and laying of ancillary hard surfacing”. Appeal Reference APP/B5480/C/01/1079937, dated 14 February 2003, quashed this notice and granted temporary planning permission (1 year) subject to conditions, including conditions limiting the maximum number of caravans to 10.

13 December 2001 – Enforcement Notice alleging “the erection of fencing and construction of hardstanding” Appeal Reference APP/B5480/C/02/1095322, dated 14 February 2003, upheld the notice with variation.

12 February 2014 – Enforcement Notice alleging “the material change of use of the land to residential use through; the stationing of mobile homes and touring caravans on the land for residential purposes; the laying of ancillary hard surfacing on the land; the parking of vehicles and open storage on the land.” The Notice requires the unauthorised use of the land to cease and the land to be reinstated within 2 years of the effective date of the notice. An appeal against this enforcement notice has been lodged, and is due to be considered by way of Public Inquiry due to take place from 23rd to 25th September 2014. The grounds of appeal are that planning permission should be granted and that the time for compliance is not sufficient.

4. Consultations/Representations

4.1 The application was advertised by way of site and press notice as well as notification to 52 neighbouring properties.

4.2 One letter of objection has been received, raising the following points:

- Concern that the site will not be properly maintained and the impact on the Harold Hill area which has been improved recently
- If residents are permanent, would they still be gypsies

5. Relevant Policies

- 5.1 The relevant policy considerations of the LDF are Policies CP2 (Sustainable Communities), CP14 (Green Belt), DC8 (Gypsies and Travellers), DC33 (The Road Network), DC45 (Appropriate Development in the Green Belt) and DC61 (Urban Design) of the LDF Core Strategy and Development Control Policies.
- 5.2 The Council has been working on a Gypsy and Traveller Sites Local Plan (GTSLP), which is at an advanced stage having been subject to Examination. However, the GTSLP has not progressed beyond examination, the Inspector having raised a number of issues for the Council to consider further. The GTSLP is considered to have limited weight, although it is considered relevant in that it includes an up to date assessment of need for Gypsy and Traveller sites in the Borough, which was assessed as acceptable by the Inspector and also allocates this particular application site, again not raised as a specific issue by the Inspector.
- 5.3 The relevant policy considerations of the London Plan are policies 3.8 (Housing Choice) and 7.16 (Green Belt).
- 5.4 National Government Guidance is set out in the NPPG, in particular Section 9 (paras 79-92) deal with the protection of the Green Belt.
- 5.5 Government planning policy for traveller sites was published on 23 March 2012 – Policies E (Traveller Sites in Green Belt), H (Determining Planning Applications for Traveller Sites) and I (Implementation) are considered particularly relevant in relation to this application.
- 5.6 In addition to the above there have been two Written Statements to Parliament which are considered relevant:

Written Ministerial Statement by Local Government Minister Brandon Lewis,
Published 2 July 2013:

“The Secretary of State wishes to make clear that, in considering planning applications, although each case will depend on its facts, he considers that the single issue of unmet demand, whether for traveller sites or for conventional housing, is unlikely to outweigh harm to the green belt and other harm to constitute the ‘very special circumstances’ justifying inappropriate development in the green belt.”

Written Ministerial Statement by Local Government Minister Brandon Lewis,
Published 17 January 2013:

“The Secretary of State remains concerned about the extent to which planning appeal decisions are meeting the government’s clear policy intentions, particularly as to whether sufficient weight is being given to the importance of green belt protection.”

“Moreover, ministers are considering the case for further improvements to both planning policy and practice guidance to strengthen green belt protection in this regard.”

6. Background

- 6.1 This site had been subject to a temporary planning permission, granted on appeal against an enforcement notice, that had expired in 2004. Since then, the site has remained in place without planning permission. An enforcement notice was served in February 2014.
- 6.2 Preparation work for the Council’s Gypsy and Traveller Local Plan (GTSLP) commenced in 2010 (with call for sites and a needs assessment) and continued to December 2012 when the Proposed Submission Document was submitted to the Secretary of State. An Examination in Public commenced on 9 April 2013 and was suspended on 14 June 2013 at the direction of the Inspector for the local authority to undertake further work on the plan.
- 6.3 The objectives of the GTSLP are stated as:
- To support the removal of unauthorised development in the borough, and strengthen the Council’s ability to take enforcement action against unauthorised sites.
 - To allocate sufficient suitable sites to meet the needs of Gypsies and Travellers living in Havering, as determined by the 2010 Havering Needs Assessment.
 - To protect the Green Belt from inappropriate development, except in very special circumstances.
 - To set out a clear delivery strategy for the allocated sites that identifies how much development will happen, where, when and by whom it will be delivered.
 - To provide specific criteria about the form of development which will be allowed on each site to ensure the land use is appropriate within the constraints of the local area.
- 6.4 Based upon the needs assessment, draft Policy GTS2 seeks to identify and allocate sites to meet the immediate need for traveller sites. Sites to address the immediate need are allocated and this includes this application site, covered by draft Policy GTS10.
- 6.5 During the Examination into the GTSLP, the Inspector raised a number of issues which she summarised in a note dated 19 April 2013. The Council responded to the issues and stated that they would undertake further work on the GTSLP to address the Inspectors identified issues. As a result, on 14 June 2013, the Inspector suspended the Examination, with the Inspector commenting that the Examination will not resume until after 1 March 2014. The Council has started additional work on the DPD to address both the Inspectors comments and changing circumstances.

- 6.6 As the time when planning permission on the site had expired was approaching ten years, it was considered expedient to serve an enforcement notice in order that the Council could preserve its position (i.e. to prevent the use of the site as a traveller site becoming lawful, with no restrictions). Given the policy background, it was considered reasonable in this case to allow a generous compliance period (2 years) on the notice so that the policy position could be confirmed. However, an appeal has been lodged which in effect places the notice in abeyance.
- 6.7 Staff are also aware that not all the current occupiers of the site are gypsies or travellers. A number of the static caravans are let to tenants. The application that has been submitted indicates that only 5 pitches would be provided for gypsies/travellers resulting in a reduction in the occupancy of the site. The agent for the applicant has suggested that if planning permission is granted, there is no need to proceed with the appeal and the enforcement notice should be withdrawn.

7. Staff Comments

- 7.1 The issues arising from this application is whether this is an appropriate use in the Green Belt, any impact on visual and residential amenity, highways considerations and whether there are any material considerations that could represent the very special circumstances by which development may exceptionally be permitted in the Green Belt.
- 7.2 The application includes a statement supporting the status of the applicant, and the other families who would occupy the site, as gypsies/travellers. This information is accepted.

Green Belt Issues

- 7.3 The first key issue in relation to this application is whether or not the proposed development is inappropriate development in the Green Belt. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The appeal site is located within the Metropolitan Green Belt. The National Planning Policy Guidance (NPPG), in paragraphs 89 and 90, sets out what are generally appropriate uses in the Green Belt and this is largely reflected in the Council's LDF Policy DC45. Policy E of the Government's Planning Policy for Traveller Sites states:

"Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development."

- 7.4 The Government's traveller sites Policy E goes on to state that changes to Green Belt boundaries should take place through the plan making process, not in response to a planning application.

- 7.5 It is Staff's view that the proposal represents inappropriate development and this is harmful both in principle and in terms of physical impact.
- 7.6 The Council consider that significant harm to the Green Belt has been caused by the impact arising from the physical implications of the development. When the site was first formed without planning permission, there was considerable clearance of the then existing woodland vegetation leaving the site hard and urban in its appearance where it was once tree covered and part of a larger area of tree belt which enhanced the character and appearance of this part of the Green Belt. The whole of the appeal site was subject of a Tree Preservation Order. The TPO was confirmed in 1981 and followed partial clearance of the site of scrub vegetation. Most of the trees and shrubs previously on the site have now been lost having been cleared during the occupancy of the site.
- 7.7 The detrimental impact to the landscape has been significant in terms of both the visual impact to the landscape and the general amenity of those living in the area. The site is, to a degree, screened by perimeter planting which has matured over time, but the site itself is largely clear of vegetation. The previous woodland has been replaced by hard surfaces, parking, storage and turning area and a clutter of structures and vehicles.
- 7.8 The appeal site land is on the extreme edge of the Green Belt. It performs a role in defining the boundary between the built up area and the rural Green Belt. Changing the characteristics and appearance of such a sensitively located area of land as the appeal site has had a significant and harmful effect on the purpose and appearance of the Green Belt.
- 7.9 Staff conclude that using the land for residential purposes is inappropriate development with the visual impact of the use having an unacceptably harmful impact on the character and appearance of the Green Belt.

Impact on Visual and Residential Amenity

- 7.10 The second key issue is the impact on visual and residential amenity. Policy DC61 of the LDF sets out the Councils expectations that new development should maintain, enhance or improve the character and appearance of the local area. In particular development should retain existing trees/landscape features and provide appropriate landscaping; complement or improve the amenity and character of the area through appearance and layout. The Policy goes on to state that planning permission will not be granted where there would be loss of privacy to existing properties.
- 7.11 The manner in which this site was developed in concert with adjacent sites at the time caused significant concern for local residents. Over time, as the perimeter landscape has developed and this and adjacent sites have remained, the impact has become less severe. In terms of privacy, the current boundary treatment and distance to nearest residential dwelling (over 45 metres from Unit 1, 25 metres from site boundary), result in no material harm. The degree of harm to visual and residential amenity is considered in this case to be acceptable as only a temporary consent is sought and not a lot on the site will

change compared to the current situation. If planning permission is to be granted, conditions restricting commercial activity are recommended.

Compliance with Adopted/Emerging Gypsy Policy

7.12 The third issue to consider is whether the unauthorised use complies with the Council's adopted and emerging policies in relation to gypsy and traveller sites. Pending the adoption of the GTSLP (or the adoption of another planning policy document), the Council should have regard to Policy DC8 of the LDF, specific to gypsy/traveller sites. Compliance with the policy is assessed below:

The proposal meets an identified need with regard to the traveller needs assessment /local housing needs assessment.:-

The site is currently occupied by both gypsies and travellers and non-gypsies. Whilst the applicant and his family have been identified as part of the 2010 Needs Assessment, other occupiers of the site have not. Subject to conditions requiring only 5 pitches to be occupied and the current caravans to be removed, it is considered that this criterion is met.

It is suitable for mixed residential and business uses and has no adverse impact on the safety and amenity of the occupants and their children and neighbouring residents:-

The site is in the Green Belt, so in principle is not suited to residential and business use. The site immediately adjoins residential properties. There is a concern that business use would adversely impact upon residential amenity through noise and disturbance. Although the site is not considered acceptable for commercial use, this could be controlled by condition.

It has safe and convenient access to the road network and would not cause significant hazard to other road users:-

There are no concerns in relation to highway matters. The site access has been in existence for several years and no objections have been raised by the Highways Engineers.

It is located within reasonable distance of services and community facilities in particular schools and essential health services:-

The site is in a relatively accessible location for access to services.

It has provision for parking, turning, service and emergency vehicles and servicing of vehicles:-

Provided the number of mobile homes on the site is controlled, there are no concerns with regard to this matter.

It is capable of accommodating the number of caravans/mobile homes proposed with any equipment for business activities:-

Provided the number of mobile homes on the site is controlled, there are no concerns with regard to this matter.

The site will be supplied with essential services such as water, power, sewerage and drainage, and waste disposal:-

During the early stages of the GTSLP, information provided by the site owner was that the site has access to mains water, sewer and electricity.

Sites within the Green Belt will only be acceptable in exceptional circumstances and where through their design, layout and landscaping they minimise its impact on the openness of the Green Belt, do not prejudice the purposes of including land in the Green Belt, do not prejudice the recreational usage of the Green Belt or involve the loss of high grade agricultural land:-

As outlined in the previous paragraphs, the introduction of the unauthorised residential use has resulted in an unacceptable loss of openness in the Green Belt, which is inappropriate.

- 7.13 Policy GTS10 in the GTSLP allocates this site to accommodate 13 pitches. Although the GTSLP is not adopted and therefore has limited weight, the Inspector at the Examination into the GTSLP did not specifically raise this particular policy as an issue, although she did raise a general concern about the deliverability of sites identified in the Plan. On this basis, the current proposal for 5 pitches for a temporary period is not considered to be contrary to the policy.

Very Special Circumstances

- 7.14 The fourth issue to consider is whether there are any very special circumstances that may overcome the harm to the Green Belt and other harm identified. Policy H of the Government's Planning Policy for Travellers Sites states that Local Planning Authority should consider:

- a) the existing level of local provision and need for sites
- b) the availability (or lack) of alternative accommodation for the applicants
- c) other personal circumstances of the applicant
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites

- 7.15 Paragraph 25 of Policy H states that if a local planning authority cannot demonstrate an up-to-date five-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. This statement is clarified by subsequent ministerial statement that the single issue of unmet need, whether for traveller sites or for conventional housing, is unlikely

to outweigh harm to the green belt and other harm to constitute the “very special circumstances” justifying inappropriate development in the green belt.

7.16 The following Very Special Circumstances have been put forward on behalf of the applicant, together with Staff commentary:

i) *the need for further sites for Gypsies and Travellers a) nationally b) regionally c) locally and d) personally for these families;*

It is agreed that there is a need to provide sites for gypsies and travellers in the Borough. This is confirmed by the needs assessment undertaken as part of the GTSLP. Government Policy is that this is a significant consideration in considering whether to grant temporary planning permission, however Ministerial statements have clarified that this, in itself is unlikely to outweigh harm to the Green Belt.

ii) *the unavailability of suitable alternative sites;*

The Submission Document of the GTSLP identifies a number of sites which could be suitable as gypsy and traveller sites. However, all of these are presently occupied. No additional sites or future capacity is identified. The need and lack of suitable alternative sites weigh heavily in favour of granting a temporary planning permission given the circumstances of this case.

iii) *the families’ personal circumstances (including their status as Gypsies and Travellers) in particular their health and education needs;*

The proposed occupiers of the site all belong to an extended family and have been on this site for a considerable period. Children who live on the site attend local schools. The occupiers have travelled regularly but elder occupiers travel less regularly now due to health issues that have been cited. These personal circumstances have moderate weight in terms of granting a temporary planning permission.

iv) *deficiencies with Development Plan policy provision for Gypsy and Traveller caravan sites in Havering;*

The adopted development plan (LDF) commits to having a separate policy document to allocate Gypsy and Traveller sites. The policy situation is that a submission version of the GTSLP has been subject to examination (currently suspended pending further work by the Council). It is acknowledged that the policy position has been delayed, but the lack of adopted policy does not, in itself, amount to a very special circumstance although it adds weight to a grant of temporary planning permission given the circumstances of the policy position in Havering.

v) *the consequence of the Application being dismissed for the families;*

An enforcement notice has been served, but is subject to a current appeal, requiring the use to cease. A compliance period of two years was stated in the notice. Should planning permission be refused and the enforcement notice appeal be dismissed, a two year period is considered an adequate period for the occupiers to find new accommodation. This would be disruptive, but given the time periods described, carries limited weight in terms of forming a very special circumstance.

vi) *the best interests of the children*

This is commented upon in (iii) above.

vii) *Human Rights consideration*

Refusal of the planning permission would not immediately interfere with the human rights of the applicant and their family to life and a home, as the enforcement notice, if upheld on appeal would have at least a two year compliance period. If the enforcement notice is upheld, the family would be displaced from their home with no identified site to relocate to and there would be disruption to the family and the education of the children. However this must be balanced against the harm to the Green Belt. On the basis of the harm identified, a refusal could be considered necessary and proportionate in the public interest. Limited weight is afforded to this in terms of forming a very special circumstance.

7.17 Staff therefore consider that there are some very special circumstances that should be weighed against the identified harm to the Green Belt. These are in particular the unmet need for sites in the Borough and the personal circumstances of the applicant and his family.

7.18 Furthermore, the following are considered to weigh in favour of granting a temporary planning permission:

- the applicant and his family are part of the identified need identified as part of the GTSLP process.
- whether any Green Belt sites would be suitable or not should be properly considered as part of the policy formulation taking place (i.e. the GLTP) and not through individual planning decisions, therefore a permanent permission would not be appropriate.
- the appeal site is proposed to be allocated in the submission GTSLP and has been in existence for some considerable time.
- as with other longstanding sites in the Borough which have been granted temporary planning permission previously, it may be tolerable to allow the site to remain, provided it is occupied only by gypsies and travellers who form part of the identified need, whilst the policy position is established.
- The period for compliance on the enforcement notice, at two years, was to enable the completion of the GTSLP and for determination of subsequent planning applications. It would be reasonable to grant planning permission for a similar or slightly longer period as the effect would be similar.
- The ability of the Council as local planning authority to impose planning conditions to safeguard amenity etc

7.19 Staff would not recommend the granting of permanent planning permission on the following grounds:

- The development is inappropriate development in the Green Belt
- Until such time as there is an adopted gypsy and traveller policy it would not be appropriate to make decisions on an ad-hoc site by site basis

Other Considerations

7.20 The continued occupation of the site by non-gypsy/travellers has not been applied for or justification sought by reference to any planning policy or very special circumstances. Therefore, should a temporary planning permission be granted, it is recommended that a condition be attached requiring occupation by non-gypsy/travellers cease within 6 months. This is considered adequate for existing tenants to find alternative accommodation.

Conclusion

7.21 The proposed development is inappropriate development in the Green Belt. However, in this case there are considered to be circumstances that outweigh the harm in favour of granting a temporary planning permission. These circumstances include the current planning policy position in relation to Gypsies and Travellers, the fact that the site has been in existence for some time and what is proposed is a reduction compared to current occupation and the very special circumstances put forward by the applicant.

7.21 Although the enforcement notice gives a two year compliance period, given that it may take time for local planning policy to be adopted, it is recommended that a temporary period of 3 years would be appropriate.

7.22 It is therefore recommended that temporary planning permission be granted, subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

None

Human Resources implications and risks:

None

Equalities implications and risks:

Regard has been made to the Equality Act 2010 and the fact that the occupants are Gypsy Travellers, a protected group for the purposes of the Act. In making this recommendation, Staff have had due regard to the requirements of the Public Sector Equality Duty, in particular the need to eliminate discrimination, advance equality of opportunity and foster good relations between those with protected characteristics and

others. Following careful consideration of these matters the conclusions reached are considered to be justified and proportionate.

BACKGROUND PAPERS

Application form, drawings and supporting statements received on 29th May and