



Land, Development &  
Planning Consultants Ltd

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**Our Ref:** LDC.2163

**Your Ref:** 18/07505/FUL

17<sup>th</sup> October 2018

Mr. Morgan Jones,  
Planning Services,  
Wiltshire Council,  
County Hall,  
Bythesea Road,  
Trowbridge,  
Wiltshire, BA14 8JN.

Dear Mr. Jones,

**18/07505/FUL; Change of use from agricultural land to create 1no. gypsy & traveller pitch with 1no. static mobile home and 1no. touring caravan, stable block with tack room and feed store, hardstanding, alterations to site entrance and associated ancillary development.**

**Land East of New Road, Bromham, Chippenham, Wiltshire.**

Land Development & Planning Consultants Ltd., have been instructed by Bromham Parish Council to **OBJECT** to the above mentioned application.

Under application reference 14/1120/FUL Wiltshire Council refused planning permission for the '*change of use of agricultural land to create one gypsy & traveller pitch with associated ancillary development*'; the Council's decision was subsequently appealed and considered by hearing under reference APP/Y3940/W/15/3065794. The appeal was dismissed on grounds set out in a letter from the Planning Inspector dated 25<sup>th</sup> August 2016. The recent appeal decision is a material consideration of significant weight to the Local Planning Authority's assessment of the application which has now been submitted.

You will be aware that the main issue considered by the appeal Inspector was the impact of the proposed development on the character and appearance of the area. Para.8 of the appeal decision letter notes that the area surrounding and including the site to be of open agricultural character and is a key landmark and feature of the Bristol Avon Clay Vale Landscape Character Area (LCA). There has been no material change to the visual character



of the landscape in this area of Bromham during the intervening two years since the appeal decision.

The previous development proposals, dismissed at appeal, proposed 1no. static caravan, 1no. touring caravan, a brick-built day room, parking spaces, gravelled hardstanding and a 2.0m high timber fence with planting in front, surrounding the pitch in the southern corner of the site, with relocation of the access some 50m north west. Para.8 – 13 of the decision confirm that the *'urbanising features of the day room and two caravan pitches contained by a 2m high close-boarded fence'* would have ***'a serious adverse effect on the character and appearance of the area'***.

In concluding his decision, the Inspector states at para.33 **'The considerations which support the proposal would not be outweighed by the serious harm which would be caused by the establishment of a traveller pitch on the appeal site, and overall this would not represent a sustainable form of development'**.

The Council are obliged to assess each application upon its merits, and thus consideration must be given to how the present submission has addressed the Inspectors objections.

The red line of the present application encompasses the entire site and proposes a 2.0m high close-boarded fence around the entire perimeter with associated hedge planting; the Planning Authority will be aware that the works to enclose the site have commenced without authorisation. Within the hard boundary of the site the static and touring caravan pitches and proposed stables will be located towards the northern end of the land. An access track of rolled stones will lead from the existing access to the hardstanding associated with the pitches and the stables.

Enclosure of the site clearly conflicts with the principle objection raised by the Inspector in his recent decision. Equally, the form of development within the site is largely identical to that rejected by the Council and Planning Inspectorate, (although it will be noted that the proposed stable and tack room occupies a greater footprint than the previous proposed Day Room). The proposed internal track represents an additional incursion into the open, agrarian character of the site.

It is Bromham Parish Council's view that the current application has completely failed to address the core reason for dismissal of the recent, and entirely relevant appeal decision, and there are no material considerations that could lead to an alternative decision in relation to the present application. The development is contrary to CP47(vi), CP51 and CP57 of the Wiltshire Core Strategy.



Equally, that the siting of the caravans and the commencement of construction of a boundary fence is intentional unauthorised development, as the applicant was plainly aware that the works and use of land required express planning consent. Guidance produced by the DCLG in 2015 confirms that intentional unauthorised development is a material consideration to the determination of retrospective and part retrospective planning applications, and is rarely outweighed by assertions of personal need.

In addition to the objections substantiated by the appeal decision, the following points should also be taken into consideration;

- The proposed closed fencing obscures visibility at the sharp bend on New Road, preventing forward visibility for pedestrians, equestrian and vehicular users of the highway, and therefore the proposed development will compromise the highway safety in this location; the development is therefore contrary to CP47(ii).
- Wiltshire Council have up-to-date policies for gypsy & traveller provision; the appeal decision confirms that the need asserted by the Applicant does not outweigh the substantial harm to the landscape caused by enclosure and development of the site in the form proposed.
- The enclosure of the site restricts forward visibility on a narrow section of highway resulting in harm to highway safety, together with the anticipated increase in traffic and pedestrian movements associated with the proposed use of the site the application fails the tests of CP60 and section 9 of the NPPF 2018.
- The Applicant has failed to provide an appropriate assessment of the ecological value of the site and its environs, which includes a number of water bodies, and other habitats suitable for Protected Species.

There have been no material changes that could lead the local planning authority to turn aside from the findings of the previous appeal Inspector, indeed, it is submitted that the current application further compromises the character and appearance of the landscape, where there is no demonstrable need for additional traveller site provision.



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Bromham Parish Council would welcome the opportunity to expand on these comments and will continue to monitor the progress of the application.

Yours sincerely

Ben Pearce  
On behalf of Bromham Parish Council