

Application Number: DM/2021/02005

Proposal: Revision of Allowed Appeal APP/E6840/A/17/3168486 to create an additional pitch (7 to 8) with modifications to layout, design and ecological enhancements

Address: Land Adjacent To Upper Maerdy Farm, Red Hill To The B4235, Llangeview Monmouthshire

Applicant: Mr Tom Lee

Plans: Elevations - Proposed 04 - A, Floor Plans - Proposed 05 - A, Elevations - Proposed 06 - A, All Drawings/Plans 07 - A, All Drawings/Plans 08 - B, All Drawings/Plans 09 - A, All Drawings/Plans 10 - A, All Drawings/Plans 11 - A, All Drawings/Plans 12 - A, Site Plan 02 - D, Floor Plans - Proposed 03 - A, Location Plan 01 - F, Other PLANNING STATEMENT

RECOMMENDATION: APPROVE

Case Officer: Ms Kate Young
Date Valid: 16.12.2021

This application is presented to Planning Committee due to there being five or more unresolved objections

1.0 APPLICATION DETAILS

1.1 Site Description

The application site forms part of a long and irregular shaped parcel of land located immediately adjacent to the southbound slip road of the Usk interchange (A472) on the A449 trunk road. The wider site comprises approximately 0.9 hectares and is surrounded by mature hedgerows. The site is accessed via an existing vehicular entrance at the southern end of the site. The site widens out towards the northern end close to A449.

In 2011 planning permission was granted on appeal for the use of the site as a permanent base for an extended Romany Gypsy family. This provided for two pitches near the entrance to the site. A further appeal was granted for another five pitches on the northern end of the site on 2017 that included a long access road through the site and individual cesspools for each plot. Part of the site has now been developed, with one caravan close to the entrance. Several of the day rooms to the north have been erected and are now occupied. There are several caravans parked on the site.

The site is in open countryside outside any settlement boundary. It is designated as a Phosphorus Sensitive Area for the River Usk catchment.

1.2 Value Added

The site plan has been amended to show all of the existing buildings. The proposed replacement PTP has been replaced by a proposed cesspool.

1.3 Proposal Description

The application seeks the provision of an additional plot in the northern field. The number of plots on the site will increase from the permitted seven to eight. The layout to the site would be altered to significantly increase the size of the utility buildings on Plots 1, 2, 4, 5 and 6, outside toilet rooms on Plots 5 and 6 and a small store on Plot 1. The additional plot would contain a day room with an internal floor area of 9.1 metres by 5.7 metres. The day rooms would be 3.7 metres in height to the

ridge and would be finished in render with brick detailing and a slate roof. The plot would also contain a static caravan and space to park a touring caravan. The plot at the southern end of the site, adjacent to the entrance to the site would replace its existing utility room with one measuring 9.5 metres by 6 metres.

Surface water from the caravan and day/utility room will drain to soakaways and foul water from both the caravan and day/utility room will be drained into a sealed cesspool, like all the other plots on the site. The proposal does not involve alterations to the vehicular access into the site but the existing gate at the entrance into the site would be replaced with a 4.2 metre wide 5 bar agricultural timber gate. There would be no other alterations to the boundary treatments.

2.0 RELEVANT PLANNING HISTORY (if any)

Reference Number	Description	Decision	Decision Date
DM/2018/00959	Discharge of conditions 4,5,6,7,8,12 and 14, - change of use of land to private gypsy caravan site consisting of 7 no. residential caravan and associated development - original application DC/2015/01424 and appeal 3168486	Split Decision	02.05.2019
DM/2019/01223	Variation of condition no. 6 of application (DC/2015/01424) to seek an amendment to the orientation and scale of one of the authorised day/utility rooms located towards the centre of the site. Also details for the safeguarding of the water main and details of the foul and surface water	Approved	28.02.2020
DM/2020/00623	Removal of condition number(s): 5, 6 and 12 relating to application DC/2015/01424.	Approved	04.11.2020
DM/2021/02005	Revision of Allowed Appeal APP/E6840/A/17/3168486 to create an additional pitch (7 to 8) with modifications to layout, design and ecological enhancements.	Pending Determination	
DC/2015/01424	The change of use of land to a private gypsy caravan site consisting of 7 no residential caravans and associated development.	Refused	02.11.2016

3.0 LOCAL DEVELOPMENT PLAN POLICIES

Strategic Policies

S1 LDP The Spatial Distribution of New Housing Provision
S2 LDP Housing Provision
S13 LDP Landscape, Green Infrastructure and the Natural Environment
S16 LDP Transport
S17 LDP Place Making and Design

Development Management Policies

H8 LDP Gypsy, Traveller and Travelling Showpeople Sites
SD4 LDP Sustainable Drainage
LC1 LDP New Built Development in the Open Countryside
LC5 LDP Protection and Enhancement of Landscape Character
NE1 LDP Nature Conservation and Development
EP1 LDP Amenity and Environmental Protection
MV1 LDP Proposed Developments and Highway Considerations
DES1 LDP General Design Considerations

Supplementary Planning Guidance

Monmouthshire Parking Standards (January 2013)

<http://www.monmouthshire.gov.uk/app/uploads/2015/07/Mon-CC-Parking-Standards-SPG-Jan-2013.pdf>

National Planning Policies

Gypsy and Travellers Circular 005/2018 published in June 2018

The Gypsy and Traveller Accommodation Assessment

Designing Gypsy and Traveller Sites Welsh Government May 2015

<https://gov.wales/sites/default/files/publications/2019-03/designing-gypsy-and-traveller-sites.pdf>

4.0 NATIONAL PLANNING POLICY

Future Wales - the national plan 2040

Future Wales is the national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. Future Wales - the national plan 2040 is the national development framework and it is the highest tier plan, setting the direction for development in Wales to 2040. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans. Planning decisions at every level of the planning system in Wales must be taken in accordance with the development plan as a whole.

Planning Policy Wales (PPW) Edition 11

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation and resultant duties such as the Socio-economic Duty.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places. PPW promotes action at all levels of the planning process which is conducive to maximising its contribution to the well-being of Wales and its communities.

5.0 REPRESENTATIONS

5.1 Consultation Replies

Llantrisant Fawr Community Council – Objects - this is development by stealth.

MCC Highways - No objection.

The site is well established, and the highway authority offers no objection to the additional pitch; the increase in traffic movements associated with the additional pitch would not be detrimental to the safety and capacity of the local highway network

NRW - queries why there was a consultation this time but not on the previous application (In PSA but now proposing sealed tanks).

NATS - No objection

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

LLFA/SAB Officer - No Objection; further surface water destination information should be requested, conditions requested.

MCC Housing – Comments to be provided via Late Correspondence.

5.2 Neighbour Notification

Letters of objection were received from six addresses:

Tree planting on neighbour's land

The hedgerow has been damaged and now there is a large gap in the hedge

Will lead to flooding on adjacent fields

Increase in traffic, damaging the roads and hedgerows

Foul drainage must not encroach onto adjoining farm land

The previous appeal only allowed for seven pitches on the site

Danger to pedestrians

The original planning application granted was for a very limited access and personal use by one family; this has already been greatly exceeded resulting in numbers of vehicles and buildings allowed, causing massive increase of heavy traffic

The light pollution from external lights on all night affects stock in the surrounding fields

Increase in noise and debris

Of the numerous permanent structures on site, some appear to be used as dwellings

Increased traffic has resulted in damage to verges and hedgerows

The site is very brightly lit at night with what appears to be industrial lighting

This is contrary to the conditions on the appeal decision that allowed only seven pitches.

5.3 Other Representations

Usk Civic Society appreciates that the development of this site is a work in progress.

Nevertheless the view from the southbound slip road to the A449 remains untidy. We believe that one extra plot, should the planning authority be minded to allow the application, would be the absolute maximum the site could accommodate. The greater the density, the greater the likelihood of an untidy appearance

5.4 Local Member Representations

None Received.

Please note all representations can be read in full on the Council's website:
<https://planningonline.monmouthshire.gov.uk/online-applications/?lang=EN>

6.0 EVALUATION

6.1 Principle of Development

6.1.1 By way of general background, a survey in March 2009 from the Equality and Human Rights Commission (EHRC) highlighted the urgent need to provide lasting solutions to the under-provision of Gypsy and Traveller accommodation. It notes that the majority of the 300,000 Gypsies and Travellers in the UK are conventionally housed; a further 17,900 caravans are recorded in England and Wales but about a quarter are not on authorised sites. Previously, local authorities had a duty to provide sites for Gypsies and Travellers but this was repealed in 1994, a situation which apparently led to a rise in unauthorised encampments. The requirements of the Housing Act 2014 and (in Wales) a Circular 005/18 Gypsy and Travellers, requires local authorities to undertake an initial assessment of needs followed by the selection of sites if that is required. The planning system is largely land-use based, but the consideration of Gypsy caravan sites requires a wider perspective to be taken - an approach reflected in appeal decisions and case law which has identified the need to maintain the lifestyle of a section of the community as a factor in decision making, along with the right to a proper education. The courts have held that a balancing exercise must be undertaken weighing the harm arising to the public interest against the rights and personal circumstances of the appellants, with the availability of accommodation provision also being a material consideration.

Circular 005/2018 Planning for Gypsy, Traveller and Show people Sites

Circular 005/2018 Planning for Gypsy, Traveller and Show people Sites provides updated guidance on the planning aspects of identifying sustainable sites for Gypsies and Travellers. It also outlines how planning authorities and Gypsies and Travellers can work together to achieve this aim. The Welsh Government seeks to ensure a wide choice of accommodation is available to meet the needs of all members of the community. It is reflective of the Government's commitment to ensure equality of opportunity for all sections of the community and in this instance, Gypsies and Travellers should have equal access to culturally appropriate accommodation as all other members of the community. Some Gypsies and Travellers may wish to find and buy their own sites to develop and manage. Delivering more Gypsy and Traveller sites, whether public or private, is an issue for local authorities to address, as they have to find local solutions for local needs. The Housing (Wales) Act 2014 places a legal duty upon local authorities to ensure that the accommodation needs of Gypsies and Travellers are properly assessed and that the identified need for pitches is met. Local authorities are required to exercise their powers under section 56 of the Mobile Homes (Wales) Act 2013, as far as necessary, to ensure Gypsy and Traveller sites are provided for the unmet need. In order to be able to properly assess the accommodation needs of Gypsies and Travellers, section 101 of the Housing (Wales) Act 2014 introduces a requirement for local authorities to carry out an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to its area.

Determining Planning Applications for Gypsy and Traveller Sites

Paragraphs 58 - 69 of Circular 005/2018 identify what criteria LPAs should address when determining applications for gypsy sites.

Determinations of applications for planning permission shall be made in accordance with the development plan unless material considerations indicate otherwise. Other considerations for Gypsy and Traveller site applications will usually include the impact on the surrounding area, the existing level of provision and need for sites which is evidenced as part of the Gypsy and Traveller Accommodation Assessment for the area. Personal permissions may be suitable in certain circumstances and may be conditioned as such. In considering specific provisions for sites, regard should be had to the Welsh Government's guidance documents on Gypsies and Travellers - in

particular, the Designing Gypsy and Traveller Sites in Wales document when considering site size, layout and facilities. Permission to develop Gypsy and Traveller sites outside of settlement boundaries could be granted subject to sustainability criteria set out in national planning policy if there are no realistic, suitable sites available within or adjacent to settlement boundaries to accommodate Gypsies and Travellers. Planning authorities should not refuse applications because the applicant has no local connection.

In identifying sites for Gypsy and Traveller caravans, the Circular advises local planning authorities to consider locations in or near existing settlement with access to local services such as schools, health services and shops (para 36). The Circular identifies the issue of site sustainability as being important for the health and well-being of Gypsies and Travellers in terms of environmental issues and for the maintenance /support of family and social networks. It advises that this should be considered not only in terms of transport mode, pedestrian access, safety and distances from services but that consideration should also be given to a range of other issues, including:

- Promotion of peaceful and integrated co-existence between the site and the local community;
- Wider benefits of easier access to GP and health services;
- Access to utilities;
- Children attending school on a regular basis.

The Circular provides further advice in relation to rural sites which is applicable to the proposed application. It advises that rural settings may be acceptable in principle subject to planning or other constraints where there is a lack of suitable sustainable locations within or adjacent to existing settlements. In assessing the suitability of rural sites it advises LPAs to be 'realistic about the availability, or likely availability, of alternatives to the car in accessing local services' (para 39). While it does not advise the over-rigid application of national and local policies that seek a reduction in car borne travel given that they could be used to effectively block proposals for gypsy/traveller sites in a rural location, site sustainability is a factor which should be taken into account.

Paragraph 40 of the Circular sets out other considerations, in addition to the development plan, which may be taken into account in the determination of planning applications for Gypsy/Traveller sites. These include 'the impact on the surrounding area, existing level of provision and need for sites in the area, availability of alternative accommodation for the applicants and their specific requirements'.

In this particular case the gypsy site is already established in this location and has been granted permission for a total of seven plots. This current application seeks an additional plot. There is sufficient land available within in the site to accommodate this additional plot. The applicant and his family are accepted as being gypsies and the additional plot is for the applicant's brother.

6.1.2 Evidence of Need

Paragraph 114.2.35 of PPW states that "Local authorities are required to assess the accommodation needs of Gypsy and Traveller families and to allocate sites to meet the identified need. Where a Gypsy and Traveller Accommodation Assessment (GTAA) identifies an unmet need, a planning authority should allocate sufficient sites in their development plan to ensure that the identified pitch requirements for residential and/or transit use can be met."

The Approved Gypsy & Traveller Accommodation Assessment (GTAA) was agreed in May 2016 and covers the 5-year period 2016 - 2021 (the applicants for this site in Rogiet were not included in this GTAA as they were not resident in the County at that time). This concluded that Monmouthshire had an estimated unmet need for eight permanent residential pitches to 2021. An updated GTAA to cover the Plan period 2018 - 2033 of the emerging Replacement Local Development Plan (RLDP) has been prepared and submitted to Welsh Government for approval. This identifies a need for nine residential pitches between the period 2020 - 2025 and a further four pitches for the remaining Plan period of 2026 - 2033, giving a total need of thirteen pitches for the Plan period. A response from Welsh Government on the updated GTAA has not been received to date. The adopted LDP does not provide specific site allocations for gypsy and travellers and whilst the RLDP will identify sites to address the need identified in the updated GTAA, the Plan has not reached that stage in the plan preparation process. As such there are no alternative sites identified in the development plan.

6.2 Sustainability

The site is established and no additional land is required to accommodate the additional plot. The site is not in a highly sustainable location and occupiers of the additional plot would be largely dependent on a car to access facilities. The site is, however, close to the town of Usk where there are a good range of every-day services and in relative terms for the County the site is broadly sustainable.

6.3 Development Plan Policy

Policy H8 of the LDP provided a framework against which proposals for Gypsy, Traveller and Travelling Showpeople sites will be assessed. In this case the site is already established and the question is whether the site could accommodate an additional unit. The site is of a suitable size to allow for the planned number of caravans, amenity blocks, access road and it does include sufficient space for the parking and safe circulation of all vehicles associated with occupiers within the site curtilage. The additional unit would not result in a significant increase in traffic movements and it would not result in traffic congestion in the local area. The additional unit proposed would not occupy a prominent location and its siting would be consistent with LDP policies for protecting and enhancing character and distinctiveness of the landscape and environment. The site is not in any flood zone identified in the TAN15 DAM maps. Therefore the principle of providing an additional plot on this site accords with the objectives of Policy H8 of the LDP. The site is of sufficient size to accommodate the required static caravan, touring caravan, day room and parking provision, all of which complies with the standards outlined in the Designing Gypsy and Traveller Sites in Wales document of the Welsh Government. The detailed design considerations of the application will be discussed in detail later in this report but it can be concluded that the site does not occupy a prominent location.

6.4 Good Design and Place Making

As stated above the site is of sufficient size to accommodate the required facilities and those facilities meet the recognised standards. The additional structures on the site will all be single storey and will be partially screened behind existing vegetation. The static caravan will be of conventional design and the LPA has no control over its appearance; the same is also true for the touring caravan. The proposed day room which would measure 9.1 metres by 5.7 metres internally would be finished in painted render with a natural slate roof and would comply with the advice given in the Designing Gypsy and Traveller Sites published by WG, May 2015. The scale and finishing materials of the proposed day room match those of the other day rooms on the site and are considered appropriate in this rural location. The amount of development and its intensity is comparable with existing uses and would respect the form, scale, siting, massing and materials of its setting. The proposal additional unit would not impinge on any views or panoramas surrounding the site. The proposal accords broadly with the objectives of Policy DES1 of the LDP regarding general design considerations. Similarly the alterations to the other utility rooms on the site would not be visually prominent in the wider landscape. All of the units are single storey and less than four metres in height.

6.5 Landscape

The site is already established and surrounded by mature hedgerows. The provision of an additional plot within the site will not have a significant impact on the wider landscape. In recent times a small area (approximately 5 metres) of mature hedge along the western boundary of the site collapsed due to its poor quality. The applicants have recently replanted this area of hedgerow. The provision of an additional plot towards the centre of the site will have no adverse impact on the wider landscape as it is screened from view by the dense vegetation around the site, including mature hedgerows and other buildings. The structures are only single-storey in height and located between existing buildings on the site. As such, they would not be visually prominent when viewed from outside the site. The proposal would not result in a visual intrusion or cause an adverse change in the character of the natural landscape. The proposal therefore accords with both policies LC1 and LC5 which seek to protect landscape character.

6.6 Biodiversity

The site is located within area of previously developed land and is an established gypsy and traveller site. The site does not lie within any specifically designated protected land. The development of an additional plot on land that has already been cleared and laid to gravel will not change the ecological composition and attributes of the site. PPW sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity" (para 6.4.5 refers). This policy and subsequent policies in Chapter 6 of PPW 11 respond to the Section 6 Duty of the Environment (Wales) Act 2016. Enhancements to the approved proposed planting scheme are detailed on Drawing 02c which includes additional native tree planting along the periphery of the site, additional hedgerows between plots and bulb planting adjacent to the internal access road. In addition bat and bird boxes are being provided on the external elevations of the day room. The Biodiversity Enhancements have been included on the elevational drawings; these are commensurate with the scale of the proposal. This will ensure that the provisions of Policy NE1 of the LDP are met with regards to providing biodiversity enhancements.

6.7 Impact on Amenity

The nearest property to the site is The Yews which is approximately 60 metres to the south east of the entrance to the site. The new day room for plot 8 is the closest structure to the Yews. Given that the proposal is to increase the size of an existing utility building and that the utility building would only be single storey it would not have a significant impact on residential amenity for the occupiers of The Yews, especially given the distance between the two and the intervening vegetation. There are four residential properties at Upper Maerdy Farm which are approximately 150 metres to the west of the site. The occupants of the properties of Upper Maerdy farm will not be directly affected by the proposed alterations to the gypsy site.

6.8 Highways

The site is already established and the current application seeks the creation of an additional pitch, with modifications to the layout. The current development was allowed at appeal and the inspector considered highway safety and acknowledged that the delivery of caravans to the site would be a concern so that a specific planning condition requiring a Delivery and Construction Management Plan was required. The site is well established, and the Highway Authority offers no objection to the additional pitch. The Highway Authority say that the increase in traffic movements associated with the additional pitch would not be detrimental to the safety and capacity of the local highway network. The submitted plan indicates that sufficient car parking provision can be provided within the site. The proposal therefore accords with the objectives of Policy MV1 of the LDP.

6.9 Flooding

Based on the Development Advice Maps associated with Technical Advice Note (TAN) 15: Development and Flood Risk the site is outside of any allocated flood zone and is therefore unlikely to flood. MCC's Flood Officer has no objection on flood risk grounds, however run off from the site should be managed to not increase the existing surface water flood risk. No permanent structures should be built within the identified Surface Water flood risk zones. The application is therefore considered compliant with the requirements of LDP policies S12, SD3 and criterion e) of Policy H8.

6.10 Drainage

6.10.1 Foul Drainage

It is proposed that the foul water from the new pitch will drain into a new bespoke cesspool. WG Circular 008/2018 refers to a foul water drainage hierarchy. When drawing up sewerage proposals for any development, the first presumption must always be to provide a system of foul drainage discharging into a public sewer. This is not possible in this case as the area is not served by mains drains. The LPA is satisfied that a connection to a public sewer is not feasible. The next

option would be for a package sewage treatment plant (PTP) to be considered, and only if it can be clearly demonstrated by the developer that a PTP is not feasible, taking into account cost and/or practicability, should a system incorporating cesspool(s) be considered. In this case all of the other plots on this site are served by individual cesspools. The LPA considers that it would be unreasonable to insist on a PTP for this one plot when all the other plots are served by cesspools, especially given that the site is located in a Phosphate Sensitive Area. Given the exceptional circumstances in this case the LPA considers that a sealed cesspool is acceptable. The cesspool like all the others on the site will be of sufficient size to accommodate the waste, will comply with the manufacturer's guidelines and will be emptied regularly.

6.10.2 Surface Water Drainage

Surface water from the caravans, utility room and toilet blocks will drain to soakaways. There would be no increase in hardstanding within the site. The SAB Officer offers no objection but requests evidence of a suitable surface water destination. The application has not demonstrated a means of surface water discharge (rainwater harvesting, infiltration, watercourse, surface water sewer or combined sewer). Without a suitable surface water destination the site may not be lawfully developable. A condition will be imposed requesting evidence of a suitable surface water destination.

The site will not be subject to SAB as the current proposal appears to cover only 70m². The hardstanding across the site and other buildings would have been subject to SAB if the application was submitted post January 2019, but it is understood that the hardstanding was all approved by planning prior to the introduction of the SAB legislation.

6.11 Phosphates

Under the Conservation of Habitats and Species Regulations 2017 it is necessary to consider whether the development should be subject to a Habitat Regulations Assessment. This is in particular reference to the impact of increased concentrations of Phosphates on designated SAC's. NRW has set new phosphate standards for the riverine SACs of the Wye and Usk and their catchment areas. Development that may increase the concentration of phosphates levels will be subject to appropriate assessment and HRA. This application is in the River Usk SAC catchment but the foul water is discharging into a sealed cesspool, there will therefore be no runoff from it and so it will not have a detrimental impact on any protected SAC, and as a result no further assessment is required.

6.12 Response to the Representations of Third Parties and/or Community/Town Council

Llantrisant Community Council have objected to this application saying that it is development by stealth. While this application is seeking an additional plot and an increase to the size of the utility room(s), each application has to be determined on its own merits. In this case, officers consider that the additional plot and alterations are acceptable on policy grounds and will not result in any significant adverse impact on the wider area. The Usk Civic Society considers that one additional plot would be acceptable on the site but considers this would mean the site has reached its capacity.

Several of the neighbour letters received refer to additional tree planting on the neighbour's land; planning officers can confirm that there will be no new planting of trees or other vegetation on the land outside of the applicant's ownership. As was explained in the main body of the report, a small length of hedgerow on the western boundary of the site had in part died leaving the hedge to be thin in that location. Since then the applicants have replanted this area of hedgerow. The increase in traffic has been addressed above and the Highway Authority is satisfied that increase in traffic movements associated with the additional pitch would not be detrimental to the safety and capacity of the local highway network. The proposed foul drainage will discharge to a sealed cesspool which will be emptied by truck; the maintenance of the cesspool will comply with the manufacturer guidelines and there will be no outfall from the tank to the site or neighbouring land.

The increase in light pollution and noise resulting from one additional plot in the centre of the site would be minimal and not so significant as to justify refusal.

6.13 Well-Being of Future Generations (Wales) Act 2015

The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

6.14 Conclusion

In this case the Gypsy and Traveller site is already established and has been granted permission for a total of seven plots with this current application seeking one additional plot. There is sufficient land available within in the site to accommodate this additional plot. The applicant and his family are accepted as being gypsies and the additional plot is for the applicant's brother. The principle of providing an additional plot on this site accords with the objectives of Policy H8 of the LDP. The scale and finishing materials of the proposed day room match those of the other day rooms on the site and are considered appropriate in this rural location. The amount of development and its intensity is comparable with existing uses and will respect the form, scale, siting, massing and materials of its setting. The proposal additional unit will not impinge on any views or panoramas surrounding the site. The proposal accords broadly with the objectives of Policy DES1 of the LDP regarding general design considerations. Given the distance between the site and existing residential properties there will be no adverse impact on residential amenity as a result of these alterations and the objectives of policies DES1 d) EP1 are complied with.

The structures are only single-storey in height and located between existing buildings on the site and as such, they are not visually prominent when viewed from outside the site. The proposal will not result in a visual intrusion or cause an adverse change in the character of the natural landscape. The proposal therefore accords with both policies LC1 and LC5 which both seek to protect landscape character. The Biodiversity Enhancements have been included on the elevational drawings; these are commensurate with the scale of the proposal. This will ensure that the provisions of Policy NE1 of the LDP are met with regards to providing biodiversity enhancements. The site is well established, and the Highway Authority offers no objection to the additional pitch. The Highway Authority advises that the increase in traffic movements associated with the additional pitch would not be detrimental to the safety and capacity of the local highway network. The submitted plan indicated that sufficient car parking provision can be provided within the site. The proposal accords with the objectives of Policy MV1 of the LDP. The LPA considers that it would be unreasonable to insist on a PTP for this one plot when all the other plots are served by cesspools, especially given that the site is located in a Phosphate Sensitive Area, Adequate surface and foul water provision can be provided within the site.

The proposal is policy compliant and is recommended for approval subject to conditions.

7.0 RECOMMENDATION: APPROVE

Conditions :

1 This development shall be begun within 5 years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 The development shall be carried out in accordance with the list of approved plans set out in the table below.

REASON: To ensure the development is carried out in accordance with the approved drawings, for the avoidance of doubt.

3 The occupation of the site shall only be by Gypsies and Travellers as defined in Circular 005/2018 published in June 2018 where Paragraph 2 refers to Section 108 of the Housing (Wales) Act 2014 where Gypsies and Travellers are defined as:

- a) Persons of a nomadic habit of life, whatever their race or origin, including
 - (i) "Persons who, on grounds only of their own or families or dependent's educational or health needs or old age, have ceased to travel temporarily or permanently, and
 - (ii) Members of an organised group of travelling show people or circus people (whether or not travelling together as such); and
- b) All other persons with a cultural tradition of nomadism or of living in a mobile home. Shall be stationed at the site at any one time.

REASON: To ensure the site is only occupied by qualifying gypsies or travellers in accordance with Welsh Government Circular 005/2018.

4 No further development should commence on site until the surface water drainage proposal has been approved in writing by the LPA. The approved details shall be implemented before the additional pitch hereby approved is brought into beneficial use.

Reason - To prevent excessive additional runoff from the site increasing flood risk.

5 No development will be permitted within the existing surface water flood extents as identified by NRW Flood Risk Mapping.

Reason - So as to not place any new or existing properties at risk of increased flooding.