

Date: 20 January 2025
Application: 243193



WOKINGHAM
BOROUGH COUNCIL

WBC Growth & Delivery (Planning Policy)

Development Management &
Compliance

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Dear WBC Growth & Delivery (Planning Policy),

Full Planning Approval Consultation

Application Number: 243193

Applicant: Mr Andrew Loveridge

Site Address: Dun Elms, Nelsons Lane, Hurst, Wokingham, RG10 0RE

Parish: St. Nicholas Hurst

Grid Reference: Easting - 480761, Northing - 172693

Type of Development: Minor Gypsy and traveller pitches (1-9)

Proposal: Full application for the proposed change of use of land for the stationing of mobile homes to form 5 no. additional Gypsy and Traveller pitches, the erection of 3 no. day rooms and 1 no. building to form a stable following demolition of the existing stables, plus associated hard and soft landscaping.

Case Officer: Kieran Neumann

Development Management has received the above application and we require your comments on the proposal using the recommended memorandum below. The documents associated with this are available to view in NEC DM using the application number 243193. Alternatively, public documents are available to view on the Council's planning application search page: [Wokingham Borough Council Online Planning](#).

Please index your response into NEC DM against the application. If you are recommending conditions, you should give a reason with reference to relevant policies. A list of standard conditions can be found on the Z Drive at: [Z:\Standard Planning Conditions](#).

Your observations are required in respect of this application within **10 working days** of the above date or **15 working days** if the development type is classed as a major development.

Yours sincerely,
Development Management & Compliance

MEMORANDUM

From:	James McCabe Principal Planning Policy Officer		
Service	WBC Growth & Delivery (Planning Policy)	App No:	243193
Address:	Dun Elms, Nelsons Lane, Hurst, Wokingham, RG10 0RE.		
Proposal:	Full application for the proposed change of use of land for the stationing of mobile homes to form 5 no. additional Gypsy and Traveller pitches, the erection of 3 no. day rooms and 1 no. building to form a stable following demolition of the existing stables, plus associated hard and soft landscaping.		
Type of Development:	Minor Gypsy and traveller pitches (1-9)		
Site Visit Made:	No		

Summary Of Recommendations

- ☐ No comment
- ☐ No objection
- ☐ No objection subject to conditions (and reasons) **stated below**
- ☐ Request further information before determination as **stated below**
- ☐ Objection due to the reason(s) **stated below**

Comments On Proposal

Please use this section to detail any positive, satisfactory or negative aspects of the proposals relating to planning matters. Any additional information or negotiations required can also be detailed in this section.

Permission is sought for the change of use of the land to allow for an additional 5 Gypsy and Traveller pitches. The proposals include 3 no. day rooms and 1 no. stable building to replace the existing.

Site context

The application site comprises an existing Gypsy and Traveller site containing two pitches. The site benefits from a permission from August 2024 (reference 241486) to intensify and partly expand the site to provide a further three pitches (for five pitches in total).

The current application seeks to intensify the site further by providing an additional five pitches within the red line area of the most recent permission i.e. to double the number of pitches within the site area to 10.

The site is located within the countryside and is detached from any defined settlement.

Principle of development under the development plan

The principle of development is guided by MDD Policy TB10 and Core Strategy CP2. Policy TB10 states that planning permission may be granted for new Gypsy and Traveller pitches or extensions to existing sites where a number of criteria are satisfied. Of particular note is criteria a) which requires a site to be within or adjacent to a defined settlement. The application does not meet criterion a).

Comment is not made here on other criteria or other relevant policies within the development plan. The case officer should fully consider these within their assessment.

In summary, the application does not comply with Policy TB10 and as such is contrary to this aspect of the development plan.

Principle of development under the emerging/consultative policy

The Local Plan Update (LPU) will supersede the adopted Core Strategy and MDD local plans. The LPU Proposed Submission Plan was published in September 2024 and is expected to be submitted for examination in February 2025.

The LPU Proposed Submission Plan includes Policies H9 and H10 intended to meet the accommodation needs of Gypsies and Travellers. Actions include the allocation of specific sites, delivery within strategic allocations and approving applications where suitable. Policy H10 sets criteria to consider planning applications against, which includes support for sites in the countryside when well related to defined settlements.

Turning to the application site itself, part of the site was promoted into the local plan process for 2 Gypsy and Traveller pitches (site reference 5HU018). The promoted land corresponded with the location of the original two pitches, rather than the larger red line area currently under consideration. Given the promoted area subsequently benefited from permission for its promoted use for two pitches, no further assessment of the site was carried out through the Housing and Land Availability Assessment (HELAA) and the site was not included as a proposed allocation within the Proposed Submission Plan.

Weight to be attributed to the emerging policy is informed by paragraph 49 of the NPPF 2024. This advises that weight can be applied according to the plan's stage of preparation, the extent to which there are unresolved objections, and the degree of consistency with the NPPF. At the time of writing, the council is not able to advise on the extent of unresolved objections to individual policies.

Context for decision taking

The national planning policy document 'Planning Policy for Traveller Sites' (PPTS) was updated in December 2024. The update included an amended definition of

Gypsies and Travellers contained within Annex 1 which now includes individuals with a cultural tradition of nomadism. The requirement to maintain a deliverable supply of pitches to meet 5 years' worth of sites remains, however the update amends the consequences of a lack of 5-year supply which now engages the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF), commonly referred to as the tilted balance.

In the absence of a locally set requirement for pitches, the sufficiency of supply is considered against assessed need. The latest full assessment of the accommodation needs is the [Gypsy and Traveller and Travelling Showperson Accommodation Assessment \(2023\)](#) (GTAA 2023). The assessment identified a cultural need for 86 net additional pitches between 2022/23 and 2039/40. 53 of the 86 pitches represented the need of nomadic households. In reaching this conclusion, the assessment took into account all sites with permission for additional pitches. An overview of the need identified by the GTAA 2023 is set out in the table below.

Table 1: GTAA 2023: Pitch requirement 2022/23 to 2039/40		
<u>Period (years)</u>	<u>Cultural need (pitches)</u>	<u>Of which PPTS Superseded need (pitches)</u>
5yr pitch need (2022/23 to 2026/27)	35	35
Longer-term need (2027/28 to 2039/40)	51	18.2
Total pitch need (2022/23 to 2039/40)	86	53

The consequence of the change in definition of Gypsies and Travellers introduced by the PPTS 2024, is that the deliverable supply is now calculated against the cultural need, and not the nomadic need as was previously the case.

Whilst the council has a strong track record of permitting new pitches, the new baseline position including extant pitch permissions coupled with the change in definition means that the council is currently unable to demonstrate a sufficient deliverable supply of pitches.

As referenced above, the PPTS 2024 at paragraph 28 states:

“If a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, the provisions in paragraph 11(d) of the National Planning Policy Framework apply.”

The NPPF 2024 at paragraph 11d) states for decision taking:

“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹.”*

The presumption in favour of sustainable development outlined in paragraph 11 of the NPPF is commonly referred to as the ‘tilted balance’.

It should be noted that the application of paragraph 11 of the NPPF does not change the statutory status of the development plan as the starting point for decision-making. This is set out clearly in paragraph 12 of the NPPF and is a matter of law.

Alternative sites

It is recognised that there is no requirement in planning policy, or case law, for an applicant to prove need for development. However, should an applicant wish to justify departure from policy on the basis of need, it is reasonable for the availability of alternative sites to be considered when considering the weight that should be attached.

No evidence of a search for alternative accommodation has been submitted as part of the application.

The council has approved a number of pitches in recent years. Those which have yet to be implemented could potentially be available to the applicants. Pitches with permission which have yet to be implemented are as follow:

- Land at 23a Nine Mile Ride (212274) – 2 pitches

This permission relates to land to the rear of an existing site at 23a Nine Mile Ride, which benefits from permission for 1 pitch (F/2004/2522). This site has been established for many years, but has been completely cleared since at least summer 2022. Consequently, there is potential that 3 pitches at this location are available (the 2 unimplemented pitches most recently granted permission and the established 1 pitch which appears to have been abandoned).

Additionally, permissions at Belvedere Park (173022, 192174) are understood to have been implemented, but there is a reasonable possibility pitches may also be available on this site given the non-personal nature of the permissions and likely turnover on this private site.

The previous August 2024 permission at the application site (241486) was on the basis of the additional pitches being for further family members of the existing occupiers. I have not seen any information to indicate that the current proposals would not also be for additional family to live on site, but this is not clarified in the supporting planning statement. Given the very recent permission to increase provision at the site for family members, it would be helpful for the case officer to seek confirmation on the intended occupiers of the current proposals to understand where the increased need has arisen from in such a short period of time.

Other considerations

The proposals are seeking to double the amount habitable caravans within the same redline area as currently benefits from permission for five pitches. There is no established national or local guidance on minimum pitch size, but it should be noted that the GTAA 2023 states the following at paragraph 3.20:

“As a general guide, it is suggested by arc4 that the aspirational pitch size is 25m by 25m (625 square meters or 0.0625 hectares). This would support a twin-unit chalet/mobile home (15m x 6.5m), a tourer, an amenity shed/building (5m x 4m), two vehicle spaces (minimum 2.4m x 4.8m for each space) and turning circle for vehicles, amenity space and a small garden area/play space. Residential units need to be 3m from the pitch boundary and at least 6m apart. A slightly larger pitch of 25m by 30m (750 square meters or 0.075 hectares) may be desirable for larger household units requiring several residential units. It is recognised that individual requirements will differ and that smaller pitch sizes may meet a household’s residential need.”

The application redline area is approximately 0.35ha / 3,500 sqm, which equates to an average of 350 sqm per pitch, and therefore substantially below the best practice recommendation in the GTAA. It is also noted that fewer day rooms than pitches are proposed, meaning households would be required to share facilities.

The case officer should have regard to the design guidance for Gypsy and Traveller sites set out in section 4.12 of the Borough Design Guide (2012). A key consideration will be the need to provide a 6m separation distance between each caravan, trailer and park home, for fire safety reasons. The Council’s site licensing team will be able to provide detailed comments in this regard.

Overall, the case officer will need to be satisfied that this would not lead to an unacceptable quantum of development in terms of impact on character and on the living conditions of future occupiers.

Conclusion

The proposed development is contrary to TB10 with regard to its location, and therefore this will need to be weighed against other policies and material considerations.

The council is currently unable to demonstrate a five-year supply of Gypsy and Traveller pitches and therefore the presumption in favour of sustainable development set out in the NPPF at paragraph 11 is engaged in the decision making process. Accordingly, an assessment will need to be made of whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Whilst contrary to Policy TB10, no policy objection is raised to the principle of development given the context of national planning policy regarding the absence of five-year supply. However, this is subject to the case officer being satisfied that the quantum of development proposed does not represent overdevelopment of the site in terms of impacts on character, amenity, and living conditions.

Conditions & Reasons (if required)

Please use this section to detail any conditions that are required to make this development acceptable in planning terms. All conditions should be accompanied by reasons.

The site shall not be occupied by any persons other than Gypsies and Travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites (December 2024) (or its equivalent in replacement national policy).

Reason: To ensure continuing provision for the needs of the Gypsy population. Relevant policy: Planning Policy for Traveller Sites (December 2024), Core Strategy policy CP2 and Managing Development Delivery Local Plan policy TB10.

Date:	29/01/2025	Signed:	J. McCabe
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