Wiltshire Council
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7th January 2025

Sean Ernsting
The Planning Inspectorate
BY EMAIL

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Appeal Reference: **APP/Y3940/W/24/3355438**
LPA application ref: **PL/2023/06108**
Site Address: **Land NE of 1 Lamplands, Ramsbury, Marlborough, Wiltshire, SN8 2PW**
Appellant: **Mr Michael Barrett**

Dear Mr Ernsting

Please accept this letter (as a supplement to the Officer Report sent with the Appeal Questionnaire) as the local planning authority's Statement of Case for the above appeal.

The Officer Report previously sent to PINS provides a robust justification for the LPA's reasons to refuse the planning application and it is not considered the Appellant's Statement of Case (SoC) introduces any compelling evidence to support removal of the reasons for refusal. Reasons for the siting of the residential caravan relating to security are not considered to justify a residential caravan in this open countryside location. Similarly, although it has been stated the occupier of the caravan has local family links and operates an agricultural contracting business no evidence has been submitted to demonstrate any essential need for the site to be occupied by a residential caravan.

The LPA respectfully asks that the Inspector discount any suggestions for alternative types of accommodation, drainage measures or landscaping suggested to be implemented at the site. The LPA considers the Appeal should be assessed on the details as submitted with the original application submission and the structures/buildings/landscaping currently located at the site.

The LPA has reviewed the Appellant's SoC against the recent changes to the NPPF and (despite the Appellant not claiming any status as a member of the Gypsy and Traveller community, Travelling Show Person or other type of cultural background that would align with the residential occupation of a caravan over a bricks and mortar dwellinghouse) regarding the updated Planning policy for traveller sites (PPTS). The LPA considers that neither updated document provides any material changes to the planning policy background that would warrant the LPA reaching a decision other than the refusal of planning permission, for the reasons set out within the Officer Report.

Finally, to confirm, the LPA has no objection to the principle of the barn at the site being used for the storage of machinery and materials in conjunction with a rural business. However, throughout the planning application assessment stage it was not made clear how the barn would be restored nor what the exact end use would be. The submitted SoC also appears to be somewhat vague in terms of the proposed barn restoration scheme and proposed use. To reiterate the LPA does not accept that security for the materials stored in the barn would justify any form of residential use of the site. The Appellant has confirmed they live nearby and could employ a number of security measures (CCTV, alarm systems for example) if they were required.

The LPA trusts the Inspector will reach the same conclusion and the LPA respectfully asks that the appeal is dismissed.

Please find a list of without prejudice conditions attached as Appendix 1 to this letter.

Yours sincerely

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D J Millinship

David Millinship
Senior Planning Officer

APPENDIX 1 – SUGGESTED PLANNING CONDITIONS

01 - Occupation by a rural worker
The occupation of the caravan hereby approved shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

REASON: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for residential accommodation in this location having been demonstrated.

02 - Removal of caravan/hard surfaces/timber fencing
When the land ceases to be occupied by those named in condition 01 above, the residential use hereby permitted shall cease and all caravans, above and below ground structures, timber fencing, hard-surfaces, materials and equipment brought onto the land in connection with the residential use, shall be removed. Within 6 months of that date the land shall be restored in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.

REASON: Permission would not normally be granted for this development, but regard has been paid to the personal circumstances of the applicant which are considered, exceptionally in this case, to be sufficient to outweigh the planning policy considerations which would normally lead to a refusal of planning permission.

03 – Scheme for barn restoration
Notwithstanding the details of the submitted plans and documents a scheme of restoration for the existing barn shall be submitted to and approved in writing by the local planning authority. As a minimum, the written details shall include details of all repairs/replacements, external materials to be used (to include manufacturer/material name and a photographic sample) and details of the end use of the building.

REASON: To ensure the rural character of the barn is preserved through the restoration works and the use is appropriate to the open countryside location.

04 – External Lighting
Notwithstanding the details of the submitted plans and documents, no external lighting shall be installed, or existing external lighting replaced within the site of the development hereby approved unless full details of the new/replacement lighting design, measures to prevent light spill and to protect biodiversity (with particular regard to the adjacent river corridor) have been submitted to and approved in writing by the local planning authority.

The lighting design shall be informed by the recommendations of the Institution of Lighting Professionals publication *"The Reduction of Obtrusive Light" Guidance Note 01/21 (reference GN01/21)* and Guidance note GN08/23 "*Bats and artificial lighting at night*", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Thereafter, the development shall be maintained in accordance with the approved details.

REASON: To preserve the special landscape character of the North Wessex Downs National Landscape and the biodiversity value of the surrounding area.

05 – Surface Water Drainage
Notwithstanding the details of the submitted plans and documents, within six months of the date of this decision the caravan and all associated hard-surfaced areas (including roofs of any associated structures) shall be connected to a system for the management and disposal of surface water in accordance with details that shall first be submitted to and approved in writing by the local planning authority. As a minimum, the details shall include plans and full system technical details, including maintenance proposals, to include system discharge locations, outflow rates and measures to ensure

the water quality of the adjacent river is protected.

REASON: To ensure the site can be adequately drained and in the interests of protecting the water quality and biodiversity value of the adjacent River Kennett Site of Specific Scientific Interest.

06 – Foul Drainage
Notwithstanding the details of the submitted plans and documents, within six months of the date of this decision the caravan and any associated structures that may include a bathroom and/or WC) shall be connected to a system for the management and disposal of foul drainage effluent in accordance with details that shall first be submitted to and approved in writing by the local planning authority. As a minimum, the details shall include plans and full system technical details, including maintenance proposals, to include system discharge/disposal measures, outflow rates (if relevant) and measures to ensure the water quality of the adjacent river is protected.

REASON: To ensure the site can be adequately drained and in the interests of protecting the water quality and biodiversity value of the adjacent River Kennett Site of Specific Scientific Interest.