

APPLICATION NO:	15/00108/S73
LOCATION:	Land to the South West of junction between Newton Lane and Chester Road, Daresbury
PROPOSAL:	Proposed removal of condition 1 from planning permission APP/D0650/C/10/2126943 to allow the permanent retention of a mixed use for the keeping of horses and a residential gypsy caravan site and the variation of condition 5 to allow the stationing of 12 caravans at any time (of which no more than one shall be a static caravan or mobile home)
WARD:	Daresbury
PARISH:	Daresbury
CASE OFFICER:	Andrew Evans
AGENT(S) / APPLICANT(S):	Mr P Brown Philip Brown Associates 74 Park Rd Rugby Warwickshire CV21 2QX
DEVELOPMENT PLAN ALLOCATION:	National Planning Policy Framework (2012) Planning Policy for Traveller Sites (2012) Halton Unitary Development Plan (2005) Halton Core Strategy Local Plan (2013)
DEPARTURE REPRESENTATIONS:	Yes
KEY ISSUES:	Objection from Daresbury PC <ul style="list-style-type: none"> • Green Belt harm • Inappropriate development • If very special circumstances exist to overcome harm to the Green Belt.
RECOMMENDATION:	Refusal
SITE MAP	
<p>The site map shows a red-outlined area on the south-west side of the junction between Newton Lane and Chester Road. The map includes labels for 'Newton Lane', 'Chester Road', 'Pond', 'Pump', 'Daughter's Farm', and 'Stanger's Pooch'. The Halton Borough Council logo is repeated across the map. A copyright notice at the bottom left reads: © Crown Copyright and Database Rights 2015 Ordnance Survey 100018552.</p>	

1. APPLICATION SITE

- 1.1 The application site (the “Site”), known as ‘Ponderosa’ comprises 0.3 hectare of Green Belt land located along the eastern side of Chester Road (A56), about 1 kilometre south of Daresbury Village. The A56 forms a clear, distinct physical boundary for Runcorn’s significant Green Belt area
- 1.2 The Site originally comprised a narrow field, set between the A56 to the west and a closed-off section of the old Chester Road to the east. The former appearance of the site (identified by a red line) in 2000 is shown in **Figure 1** of this report.
- 1.3 Access to the site is from Old Chester Road, via an existing gateway at the northern end of the site.



Figure 1: Aerial Image of the Site dated 2000.

- 1.4 The Site is bounded by mature hedgerows and trees on all sides. The western hedgerow is in the ownership of the Council and is routinely managed.
- 1.5 The Site is largely hard-surfaced, a stable block has been erected about 30 metres from its southern end. Foul drainage, for toilets located within the stable building, has been installed within the south-western corner of the Site in the form of an underground cess tank. The Site is now occupied by caravans providing residential accommodation. An aerial image of the Site developed for 6 No. caravans is found in **Figure 2** of this report.
- 1.6 In 2014, the Applicant moved onto the Site together with other residents from Bigfield Lodge, a lawful development owned by the Applicant. This increased the number of caravans on the Site from 6 to 12. Bigfield Lodge has planning consent for use as a residential caravan site.

1.7 In addition to increasing the number of caravans on the Site, the Applicant has installed additional foul drainage facilities, together with toilet and utility buildings at the northern point of the site. These works do not form part of this application and have no planning permission or building regulations approval.



Figure 2. Aerial image of the application site when occupied by six caravans

1.8 Site Context

Apart from a small collection of houses situated adjacent to the junction of Old Chester Road and Newton Lane, the area comprises open countryside to the east of the A56.

1.9 Outside of the Green Belt boundary formed by the A56, land to the west of the A56 has been allocated through the Halton Core Strategy as part of a Key Area of Change, Policy CS11 'East Runcorn' (**Figure 3** of this report). Part of this area is already developed as part of Daresbury Business Park. Land to the north of Daresbury Park has been allocated as development land for a mixed use development comprising an Enterprise Zone and residential elements.

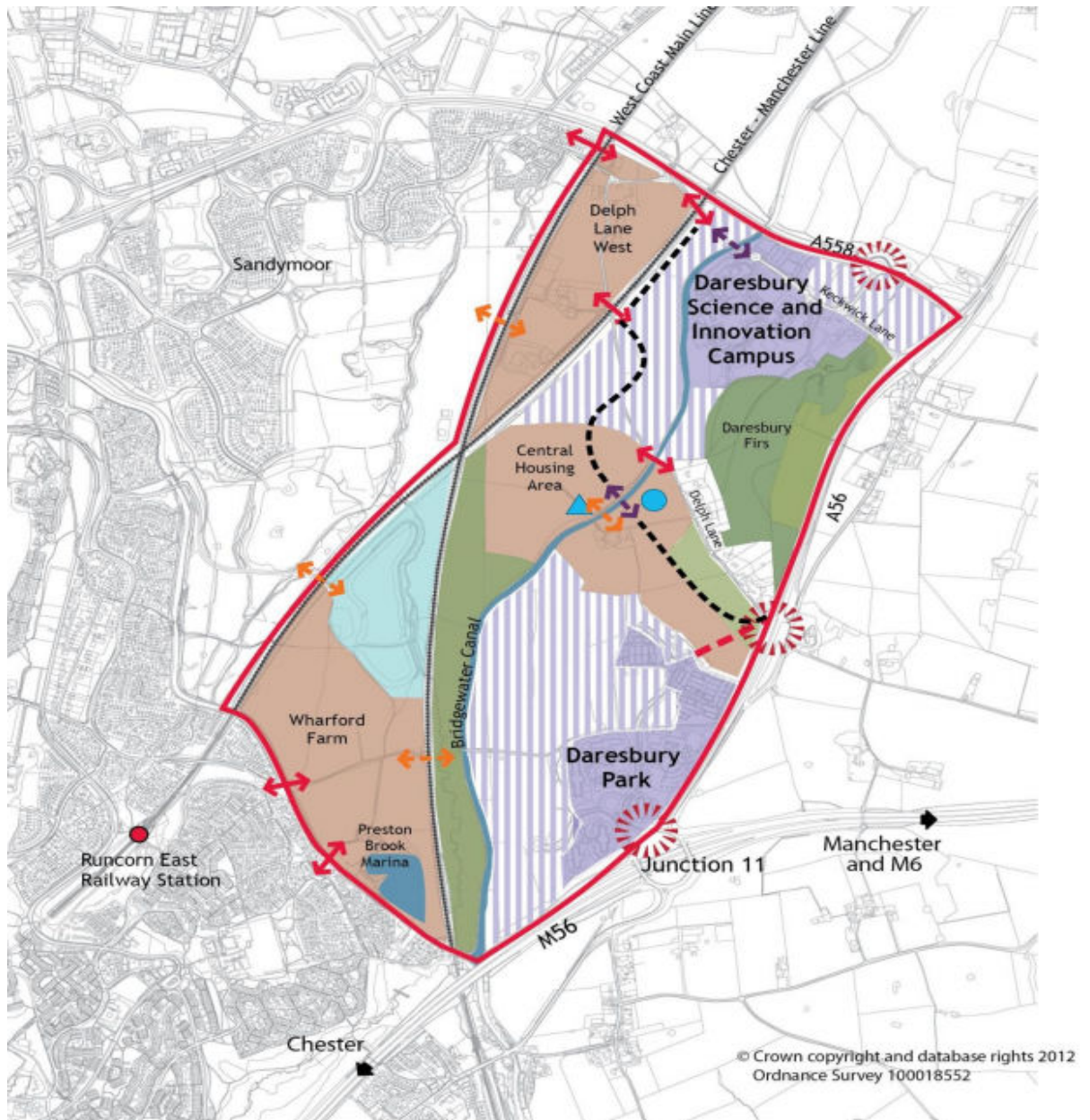


Figure 3: Land Allocation Plan taken from CS11

1.10 Relevant Planning History

- 2007** Planning Permission granted on appeal for the development of stables and ménage ref: APP/D0650/A/07/2048263.
- 2010** Enforcement Notice Served on residential use of the site.
- 2011** Temporary Planning Permission granted on Appeal of Enforcement Notice ref: APP/D0650/C/10/2126943.
- 2013** Planning Application ref:12/00428/S73 to retain permanent residential use for 6 No. caravans is refused by the Local Planning Authority.
- 2014** Planning Appeal decision ref:APP/D0650/A/13/2196163 upholds Council's refusal of application 12/00428/S73.

2. THE APPLICATION

2.1 The application was advertised with the following description:

Proposed removal of condition 1 from Planning Permission APP/D0650/C/10/2126943 to allow the permanent retention of a mixed use for the keeping of horses and a residential gypsy caravan site and the variation of condition 5 to allow the stationing of 12 caravans at any time (of which no more than one shall be a static caravan or mobile home)

2.2 The two conditions referenced in the proposal description were attached by the Secretary of State when granting planning permission in the 2011 appeal APP/D0650/C/10/2126943.

2.3 Condition 1 reads as follows:

The use hereby permitted shall be for a limited period being expiring on 30 November 2014. At the end of this period the use hereby permitted shall cease, all materials and equipment brought on to the land in connection with the use shall be removed, and the land restored to its former condition in accordance with a scheme previously submitted to and approved in writing by the local planning authority.

2.4 Condition 5 reads as follows:

The residential use hereby permitted shall be restricted to the stationing of no more than 6 caravans at any time (of which no more than 5 shall be a static caravan or mobile home).

2.5 The cumulative effect of removing condition 1 and 5 of the temporary planning permission reference APP/D0650/C/10/2126943 would be a permanent use of the land for a residential gypsy caravan site for up to 12 caravans.

2.6 Due to the time taken by the Applicant to submit the necessary supporting documentation in support of their application, the planning permission granted by appeal APP/D0650/C/10/2126943 expired on 30 November 2014.

2.7 Documentation

The proposal before members consists of the following documentation.

- Application Form
- Two covering letters
- Layout Plan
- Location Plan
- Supporting letters from Local School and medical practitioners.

3. POLICY CONTEXT

3.1.1 Halton Unitary Development Plan (UDP) (2005)

- Policy GE1 of the UDP 'Control of Development in the Green Belt'

3.1.2 Halton Core Strategy Local Plan (2013)

- Policy CS6 'Green Belt'
- Policy CS14 'Meeting the Needs of Gypsies, Travellers and Travelling Showpeople.'

3.1.3 National Planning Policy Framework (NPPF)

3.1.4 Introduced in 2012, the NPPF set out the Government's planning policies for England.

3.1.5 Paragraph 196 of the NPPF states that the planning system is plan led. As set out in the planning Acts, applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

3.1.6 Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise. Where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted. Green Belt is one such restriction on development.

3.1.7 Section 9 of the NPPF sets out national policy for Green Belts. Specifically, paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

3.1.8 Paragraph 88 of the NPPF states:

'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'

3.1.9 Paragraph 80 of the NPPF sets out the five purposes of including land within the Green Belt.

- To check the unrestricted sprawl of large built-up areas;

- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

3.1.10 Planning Policy for Traveller Sites (PPTS)

3.1.11 Published at the same time as the NPPF in 2012, the Planning Policy for Traveller Sites (PPTS) 'sets out the Government's planning policy for traveller sites. It should be read in conjunction with the National Planning Policy Framework'.

3.1.12 Paragraph 14 of the PPTS 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."

3.1.13 Paragraph 3 of PPTS states the Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

3.1.14 Paragraphs 20 to 26 set out the guidance for determining a planning application for a Gypsy or Traveller site. PPTS also advises at paragraph 9 that authorities should identify a five year supply of deliverable sites.

3.1.15 Together the NPPF and the PPTS set out the national policy framework relevant to this application.

4. CONSULTATIONS

4.1 The Application has been advertised by a press notice and a site notice posted near the site. Letters have been sent to interested parties; previous appeals have resulted in a great deal of local interest, as a result the consultation exercise for this Application has been extensive.

4.2 Daresbury Parish Council has been consulted and their response is found at **Appendix A.**

4.3 The Highway Authority has been consulted and their comments are reproduced below:

Highways

It is noted that the access to this site was allowed as part of an appeal to the Planning Inspectorate a number of years ago. Although the application is to double the number of caravans and there will be an increase in vehicle movements, it is not envisaged that this will create significant additional impact on the highway network. There are no police recorded injury accidents at this location between 2009-2013 (only information available).

5. NON STATUTORY REPRESENTATIONS

5.1 A number of objections have been received. A summary of the points raised are detailed below.

5.2 Summary of objections:

- Previous inspectors have deemed it inappropriate development within the green belt.
- The doubling of caravans will cause an increase in the nuisance associated with this site spoiling the visual amenity to the adjacent property and the community walkway.
- The visual aspect is wholly against the rural stature of Daresbury and its surrounding areas.
- The caravan site owner has consistently defied and ignored planning requirements and conditions.
- This caravan site causes distress and nuisance to local residents with traffic problems/incidents, light pollution, dogs barking, issues with waste disposal.
- 6 caravans is adequate.
- High volume of litter close to the site.
- I feel that the council has more than met their obligations to provide sites in the borough.
- The site is clearly seen from the A56
- The area is now unpleasant visually, with caravans sheds, work type vans etc.
- There are two industrial size waste bins permanently at the entrance Noisy dual carriageway.
- It has desecrated a local beauty spot in our village.
- Increase in commercial traffic in the immediate vicinity of the caravan site has spoilt this area of the village.
- The caravan site has already been refused permission, and the caravans should have vacated the area.
- There have been many breaches of the original temporary planning application in terms of number of caravans on site
- The family on this site continues to upgrade the site, with more groundworks, static vans and caravans
- The environmental conditions are unchanged since the current conditions were imposed. Increasing the size and use of this land would be detrimental to the local environment and to the wider community.

6. ASSESSMENT

6.1 Green Belt

- 6.1.1 The Site is located within the Green Belt as shown on the UDP Proposals Map. The Site is not subject to any other land-use designation. Green Belt is the land to the east of the A56 in this location.
- 6.1.2 UDP policy GE1 'Control of Development in the Green Belt' is of primary importance. This should be read in conjunction with Policy CS6 Green Belt, within the Core Strategy.
- 6.1.3 Paragraphs 87 and 88 of the NPPF set out the presumption against inappropriate development in the Green Belt which is only to be permitted in very special circumstances: *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."* It is for the Applicant to demonstrate why permission should be granted and make out any very special circumstances.
- 6.1.4 Paragraphs 89 and 90 of the NPPF set out Green Belt exemptions. The proposed development does not constitute any of the exemptions listed under those paragraphs.
- 6.1.5 Paragraph 88 of the NPPF reads; *'Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations'*. Therefore, as required by paragraph 88, substantial weight should be accorded to the harm to the Green Belt when carrying out any balancing exercise of positive and negative aspects in reaching an overall planning decision.
- 6.1.6 Paragraph 14 of PPTS 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'.
- 6.1.7 The Green Belt policy objective from the NPPF and PPTS is consistent with local policies GE1 and CS6. Green Belt is allocated in order to keep land permanently open. There is no gradation of value of Green Belt. It is simply either Green Belt, or not. Development which is outside Green Belt boundaries, such as the land allocations in CS11 should not in any way reduce the importance to be attached to the Green Belt designation and land so designated.
- 6.1.8 The Application is considered to be inappropriate development in the Green Belt. The residential caravans, car parking, external domestic paraphernalia, and residential activity that will be associated with additional households on the Site will significantly detract from the rural

character of the area. The proposal therefore represents a significant encroachment of residential development into the countryside.

6.1.9 The proposal would lead to a material loss of openness to the area, thereby undermining one of the essential characteristics of Green Belts. Furthermore, the proposal represents an encroachment into the countryside contrary to one of the purposes of including land within the Green Belt. Consequently, the proposal represents inappropriate development for the purposes of national, as well as development plan, policy. Inappropriate development would, by definition, be harmful to the Green Belt and should not be approved except in very special circumstances.

6.1.10 Planning Policy For Traveller Sites (PPTS)

6.1.11 Paragraph 22 of PPFTS sets out five considerations for determining planning applications for Traveller sites:

- 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
- e) That they should determine applications for sites from any travellers and not just those with local connections.

6.1.12 These criteria are analysed in turn in the following sections of this report.

6.1.13 a) Existing level of local provision and need for sites

6.1.14 The Council has, in partnership with neighbouring authorities, commissioned a Gypsy and Traveller Accommodation Assessment (GTAA). The GTAA, published in March 2014, objectively assesses accommodation needs based upon specific empirical research and fieldwork. There is no equivalent study prepared by others.

6.1.15 The GTAA sets out the level of provision and need for sites in Halton. The study is only just over 12 months old and is considered both current and the best evidence available.

6.1.16 The GTAA identifies existing local provision. Existing local provision comprises both Council provided sites and private sites.

6.1.17 One of the private sites, Bigfield Lodge in Runcorn was formerly occupied by the Applicant and other Travellers over a long period of time. The

Applicant moved onto the application site in 2014, along with some former residents of Bigfield Lodge.

6.1.18 As some of the households now resident at the application site have moved from lawful, permanent, settled provision onto a site without planning permission, it is not considered that these persons now comprise 'unmet need'. They have intentionally chosen to move from a lawful site onto a site that has been subject to enforcement action, has had an uncertain future, and now does not have planning permission.

6.1.19 The requirement in PPTS is that the Local Planning Authority should set pitch targets that address the likely need in their area. The GTAA identifies a need of 12 pitches in the 5 year period 2013-2018. The Council is meeting this need through the provision of a new permanent 12 pitch site in Warrington Road, Runcorn.

6.2 b) The availability (or lack) of alternative accommodation for the applicants

6.2.1 The application site has had up to 12 caravans stationed on the land, but the number is known to fluctuate regularly.

6.2.2 Bigfield Lodge, owned by the Applicant provided alternative accommodation for the Applicant and other households. The Applicant has effectively made himself intentionally homeless, by moving from a lawful, permanent site, in order to seek to justify inappropriate development in the Green Belt. These circumstances do not constitute a valid claim that there is a lack of alternative accommodation.

6.2.3 The imminent delivery of a new public site provides the Council with the 5-year supply of pitches identified in the GTAA and required by PPTS.

6.2.4 This new permanent public site is considered to offer sufficient alternative accommodation for the residents of the application site, should they have no other accommodation options.

6.3 c) Other personal circumstances of the Applicant

6.3.1 The needs of the children resident at the Site must be a primary consideration in the planning decision. Children who reside on the application site attend local schools and have a settled base to further their education and to attend to any health needs.

6.3.2 Human rights of the occupants are a matter of great importance. Refusal of this application would, to an extent, interfere with home and family life by requiring a change of location. However, it is the view of the Local Planning Authority that such interference would be a proportionate response in the light of suitable and available alternative accommodation which can be provided. The Traveller way of life can be facilitated by occupation of the new Warrington Road site and residents would have access to the same schools and health care facilities as they have access

to at the Site. Indeed, the new Warrington Road site is in the same location as Bigfield Lodge, where many of the residents have moved to the application site from. It is not considered that the human rights of the residents will be prejudiced by the refusal of this application.

6.3.3 There would be no discrimination under Article 14 of the Human Rights Act as the same considerations would be applied to any non-Traveller applicant in circumstances such as these.

6.3.4 Although moving to the new site at Warrington Road would change the location of their base, there is nothing before the Local Planning Authority which indicates that the change in location would not provide as good a base for access to the same school and healthcare that is currently enjoyed. The needs of the children can therefore be catered for without detriment to the well-being of children at the Site.

6.4 d) Locally specific criteria used to guide the allocation of sites

6.4.1 Policy CS14 of the Halton Core Strategy is the criteria based policy relating to the provision of Traveller sites. The application site broadly accords with the criteria in CS14. However, policy CS14 sits alongside other development plan policies setting the general extent of the Green Belt (CS6) and controlling development within it (UDP GE1). This proposal conflicts with policy GE1 of the UDP and policy CS14 does not state that sites which meet its criteria but which are located in the Green Belt would be acceptable.

6.4.2 Having assessed the Green Belt policy objectives found in the NPPF, PPTS, Policy GE1, and Policy CS6 it is clear that the application according with the criteria contained in policy CS14 cannot carry greater weight than the conflict with Green Belt policy objectives.

6.5 e) Determination of applications for sites from any Travellers

6.5.1 As required by PPTS, the Local Planning Authority will determine applications from any Travellers. In the case of this application, the Applicant is known to have local connections.

6.6 Very Special Circumstances

6.6.1 The NPPF states at paragraph 87: *"inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."*

6.6.2 The Applicant has put forward a case for the existence of very special circumstances based on:

- Unmet need
- Absence of alternative provision
- Failure of development plan to meet identified need
- The site residents personal need for accommodation

- Human Rights implications including needs of Children

6.6.3 Each of these matters is considered in turn below.

6.6.4 In terms of unmet need and an absence of alternative provision, the Applicant has effectively made himself intentionally homeless, by moving from a lawful, permanent site in order to seek to justify inappropriate development in the Green Belt. These circumstances do not constitute a valid claim that there is unmet need or a lack of alternative accommodation.

6.6.5 It is the opinion of the Local Planning Authority that the need arising from the application site can, if necessary, be accommodated on the Council's new permanent Travellers site. The development of the new permanent site was held by the Secretary of State's Inspector at IR168 of decision ref: APP/D0650/A/13/2196163 to be valid alternative accommodation for the original occupants of the appeal site.

6.6.6 The Local Planning Authority has recently undertaken the assessment of Gypsy and Traveller accommodation needs in the form of the GTAA (March 2014). The GTAA concludes an identified need of 12 pitches for the period to 2018. That full provision will be made available in 2015. The Council has clearly met its identified need and has complied with national policy set out in Planning Policy for Travellers Sites.

6.6.7 A settled base would give access to healthcare and the continuity of education for those residing on the application site. This is evident in the supporting letters from the local school, and also the health practitioners who are caring for two occupants of the application site. Whilst such letters are personal to occupants of the site, they refer only to a benefit of a permanent base and not to the need to reside at this particular site. The Applicant has not demonstrated a personal need for accommodation at the Site.

6.6.8 In the appeal APP/D0650/A/13/2196163 the Planning Inspector reported the following at IR.170 and IR.171 of his report:

IR.170. It is common ground that the needs of any children must be a primary consideration. Children who reside on the appeal site attend local schools and have a settled base to further their education and to attend to any health needs. Although the potential for a move to the new site at Warrington Road would change the location of their base, there is nothing in evidence which indicates that that location would not provide as good a base for access to the same schools and healthcare as is currently enjoyed. The needs of the children could therefore be catered for elsewhere without detriment.

IR.171. Human rights of the occupants are of course of great importance and weight. At the time of the previous appeal it was determined that dismissal of that appeal would require the appeal site to be vacated with no certainty of suitable alternative accommodation being available. That is not the case now. Although refusal of the current appeal would, to an extent, interfere with home and family

life by requiring a change of location, I am of the view that that interference would be a proportionate response in the light of suitable and available alternative accommodation which is being provided. There would be no discrimination under Article 14 as the same considerations would be applied to any non Gypsy appellant in circumstances such as there. The Gypsy way of life is being facilitated by the provision of the Warrington Road site and the ongoing work to provide future sites (both public and private). The right of enjoyment of the ownership of land is not unconditional for either Gypsy or settled community, and I am satisfied that there is no undue interference in this case.

6.6.9 A permanent site would provide a settled base from which to reside and obtain access to healthcare and education services. The Local Planning Authority agrees with the finding of the Secretary of State, set out above, and finds that such services can be accessed from the alternative site of Warrington Road, Runcorn.

6.6.10 The needs of the children resident at the Site must be a primary consideration in any planning decision. There would be no discrimination under Article 14 of the Human Rights Act as the same considerations would be applied to any non-Traveller Applicant in circumstances such as these.

6.6.11 Other Considerations

6.6.12 The Local Planning Authority is aware that unauthorised development has taken place in the form of a new private residential Traveller site at Ivy House, Astmoor, Runcorn. That development is now subject to a separate planning application 15/00115/COU.

7. CONCLUSIONS

7.1 The Application does not accord with the adopted Development Plan or national planning policy.

7.2 The proposed development comprises inappropriate development in the Green Belt and is, by definition, harmful to the Green Belt. This Site has already been the subject of two appeals and the Secretary of State has previously attached substantial weight to this harm (APP/D0650/C/10/2126943 and APP/D0650/A/13/2196163).

7.3 The Local Planning Authority considers that the harm to the Green Belt is significant and, if permitted, would be permanent. Harm arises from the following:

- Significant harm to the openness and permanence of the Green Belt
- Harm through encroachment of the countryside

7.4 The Local Planning Authority also considers the proposal will result in visual harm to the amenities of the countryside

7.5 The Applicant has not demonstrated the existence of very special circumstances to overcome harm to the Green Belt.

7.6 The Local Planning Authority (LPA) has recently undertaken an assessment of local needs through the Gypsy and Traveller Accommodation Assessment (GTAA). Furthermore the LPA has identified suitable land to meet those needs and provides a five year supply of land for Traveller sites. It has also, in partnership with the Homes and Communities Agency, delivered a new permanent Travellers site of 12 pitches at Warrington Road in Runcorn.

7.7 The LPA does not dispute the importance of a settled base to those families residing on the application site. A settled base would give access to healthcare and the continuity of education for those residing on the appeal site. The loss of their home would cause serious interference with their human rights. However, the new permanent Traveller site provided by the Council represents a permanent alternative that offers the benefits of a settled base with none of the harm to the Green Belt associated with this Application.

7.8 The proposed development is considered inappropriate development in the Green Belt and is therefore inconsistent with the policy framework contained within NPPF and PPTS, and policies GE1 (UDP) and CS6 (Core Strategy) of the adopted development plan. Planning permission should therefore be refused.

8. RECOMMENDATION

8.1 Refusal and to undertake necessary enforcement action

9. Reason for Refusal

9.1 The proposal is inappropriate development in the Green Belt. The impact of the development proposal on the openness of the Green Belt is significant. The totality of harm to the Green Belt arising from the development would not be clearly outweighed by other considerations and therefore the Council is satisfied that the very special circumstances necessary for the granting of planning permission do not exist.

9.2 Accordingly, for the reasons given above, the Council refuses planning permission.

9.3 The decision to refuse permission has been taken having regards to the relevant policies and proposals specifically GE1 of the Halton Unitary Development Plan, and policies CS6 and CS14 of the Halton Core Strategy, the National Planning Policy Framework, Planning Policy for Traveller Sites, and human rights legislation.

10. SUSTAINABILITY STATEMENT

10.1 As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012; and

- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.

Appendix A

From: Daresbury Parish Council [<mailto:daresburyvillage@live.co.uk>]

Sent: 23 March 2015 12:34

To: Control, Dev

Subject: 15/00108/S73

Application No 15/00108/S73

Proposed removal of Condition 1 of App/D0650/C/10/2126943 to allow the permanent retention of a mixed use for the keeping of horses and a residential gypsy caravan site at any time (of which one shall be a static caravan or mobile home) at Land To the South West of Junction Between Newton Lane and Chester Road Daresbury Cheshire

Daresbury Parish Council wish to make a formal objection to the above Planning Application with regard to the proposed removal of Condition 1 and the variation of Condition 5 of the Appeal reference above determined by the Secretary of State on 30 June 2011.

On 24 September 2014 the Secretary of State upheld the Inspector's recommendation that the Appeal Ref: APP/D0650/A/13/2196163 and the Appeal against Halton Borough Council to remove condition 1 of planning permission APP/D0650/C/10/2126943 be dismissed. Condition 5 had been limited to a maximum of 6 caravans at any one time.

Given the above ruling we feel it is ridiculous that a further application for the removal of Condition 1 together with a request to double the number of vans on site can possible merit the time and cost of further consideration.

The owner of the site has been in breach of the Conditions set within the Town and Country Planning Act 1990, most specifically the Conditions laid out in the Inspectors decisions of 18 December 2007, 30 June 2011 and reiterated within the Secretary of States decision of 24 September 2014.

Other factors in our objection are:

Harm to the character and appearance of the area.

In August 2014 the owner more than doubled the occupancy of the site in terms of caravans. These have been accompanied by trucks and commercial vehicles containing scrap and waste materials.

This is green belt land, unfortunately, from the A56 it looks more like a builders yard.

This breach of Condition, despite Magistrates ruling against the Owner in February 2015, is still going on.

Amanda Riley

Clerk to Daresbury Parish Council