

Reference: 16/01512/FUL	Site: Land Adjacent Astons Villa And Appletons Brentwood Road Bulphan Essex
Ward: Orsett	Proposal: Change of use of land to residential use for Romani Gypsy family and stationing of one caravan and one camper van for residential occupation with ancillary works comprising modified access and area of hardstanding.

Plan Number(s):		
Reference	Name	Received
BP01	Proposed Site Layout	7th November 2016
DS01	Existing Site Layout	7th November 2016
LP01	Location Plan	7th November 2016
SUS01	Other	7th November 2016

The application is also accompanied by:	
- Design and Access Statement	
Applicant: Mr Christopher Smith	Validated: 24 February 2017 Date of expiry: 22 nd May 2017 [Extension of time agreed with applicant]
Recommendation: To Refuse	

This application has been called into Planning Committee by Councillors Kelly, B Little and S Little to consider residential occupation in the Green Belt and planning policy.

1.0 DESCRIPTION OF PROPOSAL

This application seeks full planning permission for the change of use of the land to residential use to allow one family to occupy the land, in one caravan and one

campervan. Also proposed as part of the development would be an area of hardstanding and improved access to the highway.

2.0 SITE DESCRIPTION

2.1 The existing site is a largely flat and open field. There are a number of structures on the land, including two touring caravans, a wooden shed and two poly tunnels. There is also hardstanding, close boarded wooden fencing to some parts of the perimeter and a metal base which was previously associated with a static caravan stored on the site.

2.2 The entrance to the site is wooden gate with a post and rail fence either side, which accesses onto the Brentwood Road.

2.3 Mains electricity and water are connected to the site. There is also connection to a mains sewer.

3.0 RELEVANT HISTORY

Application Reference	Description of proposal	Decision
11/00652/FUL	Erection of 5 bedroom detached house with separate garage and new access onto Brentwood Road	Refused
12/00246/FUL	Erection of 3 bedroom detached house with separate garage and new access onto Brentwood Road	Refused
14/01328/CLEUD	Use of the land for the storage of caravans	Deemed Lawful

4.0 CONSULTATIONS AND REPRESENTATIONS

4.1 Detailed below is a summary of the consultation responses received. The full version of each consultation response can be viewed on the Council’s website via public access at the following link: www.thurrock.gov.uk/planning

PUBLICITY:

4.2 This application has been advertised by way of individual neighbour notification letters, press advert and public site notice which has been displayed nearby. Eighteen letters of representation have been received objecting to the proposals on the following grounds:

- Out of character with the residential nature of the area;
- Contrary to recent changes to government policy;

- Inappropriate development in the Green Belt;
- Family have no ties to the locality;
- Bulphan has no doctors surgery or medical facilities, no nursery or preschool and there is no secondary school area in the immediate area so location will not meet applicants very special circumstances argument;
- Poor access onto Brentwood Road;
- Caravans are unsuitable;
- Recent development in the area has been attractive new houses;
- Applications for other permission in the past have been refused;
- Site access would be on dangerous sharp bend;
- There is a watercourse running adjacent to the site that would be affected;
- Existing caravans are an eyesore and should be removed;
- A more appropriate use should be sought;
- Loss of open character of land;
- Would cause stress to local people;
- Would devalue nearby houses;
- No footpath past the entrance/exit to the site;
- More occupiers may get onto the site;
- Lack of nearby public transport.

4.3 ENVIRONMENT AGENCY:

No objection.

4.4 ENVIRONMENTAL HEALTH:

No comments.

4.4 FLOOD RISK MANAGER:

No comments.

4.5 HIGHWAYS:

No objection subject to condition.

4.6 HOUSING SERVICES:

No comments.

5.0 POLICY CONTEXT

National Planning Guidance

National Planning Policy Framework (NPPF)

- 5.1 The NPPF was published on 27th March 2012. Paragraph 13 of the Framework sets out a presumption in favour of sustainable development. Paragraph 196 of the Framework confirms the tests in s.38 (6) of the Planning and Compulsory Purchase Act 2004 and s.70 of the Town and Country Planning Act 1990 and that the Framework 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.
- 5.2 The following headings and content of the NPPF are relevant to the consideration of the current proposals:
- 7. Requiring good design
 - 9. Protecting Green Belt land
 - 10. Meeting the challenge of climate change, flooding and coastal change

Planning Practice Guidance

- 5.3 In March 2014 the Department for Communities and Local Government (DCLG) launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. PPG contains 42 subject areas, with each area containing several subtopics. Those of particular relevance to the determination of this planning application comprise:
- Determining a planning application
 - Flood risk and coastal change
 - Making an application
 - Use of planning conditions

Local Planning Policy

Thurrock Local Development Framework (as amended) 2015

- 5.4 The Council adopted the “Core Strategy and Policies for the Management of Development Plan Document” (as amended) in January 2015. The following Core Strategy policies apply to the proposals:

Spatial Policies:

- OSDP1 (Promotion of Sustainable Growth and Regeneration in Thurrock)¹

- CSSP4 (Sustainable Green Belt)

Thematic Policies:

- CSTP3 (Gypsies and Travellers)
- CSTP22 (Thurrock Design)
- CSTP23 (Thurrock Character and Distinctiveness)²
- CSTP27 (Management and Reduction of Flood Risk)²

Policies for the Management of Development:

- PMD1 (Minimising Pollution and Impacts on Amenity)²
- PMD2 (Design and Layout)²
- PMD6 (Development in the Green Belt)²
- PMD15 (Flood Risk Assessment)²

[Footnote: ¹New Policy inserted by the Focused Review of the LDF Core Strategy. ²Wording of LDF-CS Policy and forward amended either in part or in full by the Focused Review of the LDF Core Strategy. ³Wording of forward to LDF-CS Policy amended either in part or in full by the Focused Review of the LDF Core Strategy].

Focused Review of the LDF Core Strategy (2014)

- 5.5 This Review was commenced in late 2012 with the purpose to ensure that the Core Strategy and the process by which it was arrived at are not fundamentally at odds with the NPPF. There are instances where policies and supporting text are recommended for revision to ensure consistency with the NPPF. The Review was submitted to the Planning Inspectorate for independent examination in August 2013. An Examination in Public took place in April 2014. The Inspector concluded that the amendments were sound subject to recommended changes. The Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework Focused Review was adopted by Council on the 28th February 2015.

Draft Site Specific Allocations and Policies DPD

- 5.6 This Consultation Draft "Issues and Options" DPD was subject to consultation commencing during 2012. The Draft Site Specific Allocations DPD 'Further Issues and Options' was the subject of a further round of consultation during 2013. The Planning Inspectorate is advising local authorities not to continue to progress their Site Allocation Plans towards examination whether their previously adopted Core Strategy is no longer in compliance with the NPPF. This is the situation for the

Borough.

Thurrock Core Strategy Position Statement and Approval for the Preparation of a New Local Plan for Thurrock

- 5.7 The above report was considered at the February meeting 2014 of the Cabinet. The report highlighted issues arising from growth targets, contextual changes, impacts of recent economic change on the delivery of new housing to meet the Borough's Housing Needs and ensuring consistency with Government Policy. The report questioned the ability of the Core Strategy Focused Review and the Core Strategy 'Broad Locations & Strategic Sites' to ensure that the Core Strategy is up-to-date and consistent with Government Policy and recommended the 'parking' of these processes in favour of a more wholesale review. Members resolved that the Council undertake a full review of Core Strategy and prepare a new Local Plan

Thurrock Local Plan

- 5.8 In February 2014 the Council embarked on the preparation of a new Local Plan for the Borough. Between February and April 2016 the Council consulted formally on an Issues and Options (Stage 1) document and simultaneously undertook a 'Call for Sites' exercise. It is currently anticipated that consultation on an Issues and Options (Stage 2 Spatial Options and Sites) document will be undertaken in the Autumn of 2017.

6.0 ASSESSMENT

- 6.1 The assessment below covers the following issues:

I) Plan designation and principle of development

II) Harm to Green Belt and 'other' harm

III) Gypsy traveller status and need

IV) Whether the harm to the Green Belt and any other harm is clearly outweighed by other considerations, so as to amount to very special circumstances

V) Residential impacts

VI) Access and parking

VII) Environmental impacts

VIII) Infrastructure improvements (S.106 Contributions)

BACKGROUND:

- 6.2 As detailed in the planning history above, the site has a lawful use for the storage of caravans. An application was made, by the current applicant, in 2014 for the continued use of the land for a period of 10 years or more for the storage of caravans (14/01328/CLEUD).
- 6.3 In reviewing the application, the Council could provide no evidence to counter the evidence provided by the applicant to support the fact that the site has been used for more than 10 years for the storage of two campervans and one touring caravan. A certificate was therefore issued.
- 6.4 The current position is therefore that the existing structures on site are lawful and the Council cannot require them to be removed. However, application 14/01328/CLEUD established the use of the land for storage purposes; there is no lawful use of the existing structures for residential purposes.

I) PLAN DESIGNATION AND PRINCIPLE OF DEVELOPMENT

- 6.5 The application site is located within the Green Belt. Core Strategy Policy PMD6 applies and states that permission will not be given, except in very special circumstances, for the construction of new buildings, or for the change of use of land or the re-use of buildings unless it meets the requirements and objectives of National Government Guidance.
- 6.6 Paragraph 89 of the NPPF states that '*a local planning authority should regard the construction of new buildings as inappropriate in Green Belt*'. The NPPF sets out a limited number of exceptions however the provision of gypsy traveller accommodation does not fall into any of the exceptions.
- 6.7 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*'. Paragraph 88 goes on to state '*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*'.
- 6.8 Consideration also needs to be given to Department of Communities and Local Government 'Planning Policy for Traveller Sites' [published in August 2015]. This document sets out the Government's planning policy for traveller sites. The document has been produced to be read in conjunction with the NPPF. Policy E of the document reinforces the guidance within the NPPF and states that Traveller sites, both temporary and permanent, in the Green Belt are inappropriate development which is by definition harmful to it and should not be approved except in very special circumstances.

II. HARM TO GREEN BELT AND 'OTHER' HARM

- 6.9 Having established that the proposal constitutes inappropriate development in the Green Belt, it is necessary to consider the matter of harm. Inappropriate development is, by definition, harmful to the Green Belt, but it is also necessary to consider whether there is any other harm to the Green Belt and the purposes of including land therein
- 6.10 At paragraph 79, the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
- 6.11 With regards to the impact on openness, the proposals would result in the permanent development of the countryside. Members should note that while the site benefits from a lawful development certificate in relation to the storage of one campervan and two touring caravans it is not a Brownfield site or Previously Developed Land (PDL).
- 6.12 The proposed caravans, structures, fencing, surfacing and associated levels of activity associated with the residential use of the site are all considered to be urbanising features that fail to integrate into the surrounding rural area. The permanent development would be utilitarian in design and would fail to comply with the requirements of CSTP22, PMD2 and PMD6 of the Core Strategy.
- 6.13 In addition, criteria (iv) of Policy CSTP3 seeks to ensure development would not unacceptably harm the character and amenity of the area and result in an unacceptable visual impact. The proposed development would harm to the character and appearance of the area contrary to Policy CSTP3 of the Core Strategy.
- 6.14 Criteria (ix) of Policy CSTP3 requires the incorporation of adequate landscape strategies where appropriate. The Design and Access Statement indicates that existing planting is to be retained and that new planting will be provided if required, however no plans have been provided showing any landscaping. Without full details of any such landscaping, the Council is not presently satisfied that the development could be adequately screened therefore increasing the harmful impact upon the area contrary to policies PMD2, PMD6 and CSTP3 of the Core Strategy.
- 6.15 In conclusion under this heading, the development is considered to be inappropriate development within the Green Belt and further harm is also identified through the loss of openness arising from the built development and occupation of the site.

III) GYPSY AND TRAVELLER STATUS AND NEED

- 6.16 Given the nature of the application, it is necessary to firstly establish whether this development relates to a bona fide Gypsy/Traveller site before considering the applicant's case in more detail.

6.17 The information provided by the applicant and gained through the lawful development certificate reveals that the previous and current proposals relate to the same family. If this application were approved, there would be three generations of the same family on site, Mr Christopher Smith and his son, Mr Danny Smith, and his family.

6.18 For the purpose of planning policy, the definition of 'Gypsies and Travellers' is detailed within Annexe 1 of the Planning Policy for Traveller Sites. This definition is as follows;

"Persons of nomadic habit of life whatever their race or origin, including such persons who on the grounds only of their own or their own family's or dependents' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

6.19 There is limited information submitted with the application to demonstrate the occupants' recent travelling habits in specific terms however the following is submitted:

- The applicant (and other proposed residents) are members of the Gypsy Traveller community and have gypsy status;
- The family regularly travel for purposes of trading and earning a living, they also travel to markets, horse fairs and other family and cultural events;

6.20 There is no evidence to suggest the applicants are not gypsies. Based on the details submitted in this and the previous Lawful Development Certificate application, there is some evidence that the occupants are of a nomadic lifestyle. The applicants have indicated that they would accept a personal permission; there is no suggestion that this is proposed temporary use.

IV) WHETHER THE HARM TO THE GREEN BELT, AND ANY OTHER HARM IS CLEARLY OUTWEIGHED BY OTHER CONSIDERATIONS, SO AS TO AMOUNT TO VERY SPECIAL CIRCUMSTANCES

6.21 Neither the NPPF nor the Core Strategy provide guidance as to what can comprise 'very special circumstances', either singly or in combination. Some interpretation of very special circumstances has been provided by the Courts. The rarity or uniqueness of a factor may make it very special, but it has also been held that the aggregation of commonplace factors could combine to create very special circumstances.

6.22 The Design and Access Statement submitted by the applicant to accompany the planning application sets out the applicant's case for development. The main points can be summarised under four headings:

- a. Need to have a stable base for education purposes.

- b. Need to have a stable base for healthcare purposes
- c. Proposal would decrease overcrowding elsewhere
- d. Lack of 5 year supply

6.23 The section below summarises and analyses the arguments advanced by the applicant in support of the application:

a) Need to have a stable base for education purposes.

6.24 There are two children proposed to occupy the site of school age. The information from the applicant states that the education of the children is of importance in seeking a site.

6.25 The educational needs of the occupants are of course important in terms of the Council's core aims and objectives. However, this matter should be afforded little weight given that there is no information to demonstrate that the children are not already in school or that there is a specific requirement for them to attend a school in this area. This matter should therefore be afforded very little weight in the consideration of the application.

b) Need to have a stable base for healthcare purposes

6.26 The information from the applicant states that the family needs to maintain a stable site for healthcare needs and it is indicated that one of the occupiers has previously been treated in a clinic in London.

6.27 There is no information submitted by the applicant to suggest why this geographic location is specifically important to the meeting of the family's healthcare needs. There is not stated to be such a chronic condition to require urgent or regular medical attention that could not be catered for in a different location. They do not state a specific need to be located in this area. The information submitted includes details from a specialist unit in London however their existing location is closer in terms of shortest driving distance to the specialist facility in London than the proposed site in Bulphan. This matter should therefore be afforded very little weight in consideration of the application.

c) Proposal would decrease overcrowding elsewhere

6.28 Details in the information submitted indicate that the applicants have been/are occupying a caravan site in Watford. The Design and Access Statement suggests that the application site could ease overcrowding elsewhere. However no quantitative information is detailed in this regard to show unsatisfactory provision on the existing site. It has not been determined whether the applicants have sought other sites within Hertfordshire, other areas, other sites outside the Green Belt or why they are seeking permission to occupy the current site.

- 6.29 The applicant has not indicated that there are specific family ties in this Borough nor made clear the efforts made to find alternative sites for accommodation closer to their previous site.
- 6.30 No weight should therefore be attached to this matter in consideration of the application.
- d) *Lack of 5 year supply*
- 6.31 'Planning Policy for Traveller Sites' (August 2015) states that Local Planning Authorities should set pitch targets within their Local Plan (policy CSTP3 sets out a target of 87 additional pitched). This policy details the approach of the Council to gypsy and traveller accommodation within the Borough.
- 6.32 Paragraph 5.27 of the Core Strategy states that the provision of sites for Gypsy and Travellers within Thurrock is considered to be sufficient for its needs for the foreseeable future and continues to seek a more fair and equitable distribution of Gypsy pitch provision in the East of England. Nonetheless, Policy CSTP3 aims to support proposals that seek to ensure the standard of the existing approved Gypsy and Traveller sites in the Borough is progressively improved and upgraded. The application site has not been identified previously in any Site Specific Allocations documents.
- 6.33 In determining the current application the Council needs to be satisfied that there is a clear need for the site and that the number of pitches involved cannot be met by an existing authorised site. The proposal would provide accommodation to persons who according to the information provided do not have ties with family members currently residing in the Borough. The information provided does not provide a convincing case to justify the development in this location, or indeed anywhere within the Borough. Furthermore, this site was not designated as a Gypsy site within the Site Specific Allocations DPD – Issues and Options. Therefore, this element of Policy CSTP3 is not considered to be complied with.
- 6.34 Policy H 'Determining planning applications for traveller sites' contained within the Planning policy for traveller sites (August 2015) requires, amongst other things, the Local Planning Authority to consider the existing local level of provision and need for sites and the availability of alternative accommodation for the applicants. There are no known available sites within the Borough where two pitches would be available within Council owned sites. However this does not justify the development in this Green Belt location.
- 6.35 A Ministerial Statement from the Local Government Minister published in July 2013 is of relevance to this case. Under the heading 'Protecting the Green Belt' this statement reiterates the position set out within the NPPF that inappropriate development in the Green Belt should not be approved except in very special circumstances. The statement continues:

“The Secretary of State wishes to make clear that, in considering planning applications, although each case will depend on its facts, he considers that the single issue of unmet demand, whether for traveller sites or for conventional housing, is unlikely to outweigh harm to the green belt and other harm to constitute the ‘very special circumstances’ justifying inappropriate development in the green belt.”

- 6.36 Therefore, the issue of whether or not there is a shortfall in the supply of traveller sites on its own will be unlikely to comprise very special circumstances to justify inappropriate development in the Green Belt. Very little weight should therefore be afforded.

Analysis of very special circumstances case

- 6.37 The crucial consideration here is whether the applicant’s case for Very Special Circumstances clearly outweighs the in-principle harm due to the inappropriateness of the development and the harm arising from the loss of openness resulting from an increase in built form.
- 6.38 In concluding this section, each circumstance put forward by the applicant attempts to redress that balance in favour of the development. In accordance with the NPPF, the harm has to be *clearly* outweighed by Very Special Circumstances. In this case it is not considered that the matters put forward have, either individually or collectively, satisfied the requirements to meet the very special circumstances test. Accordingly, the principle of the development is considered to be unsound.
- 6.39 Criteria (iii) of Policy CSTP3 seeks to ensure the proposal would not unacceptably impact upon the safety and amenity of the occupants and neighbouring uses. The plot is of a similar size to those surrounding the site and the proposed caravan and campervan would be sited to the centre of the site. Given the size of the plot, location of development within the plot and distance from surrounding properties it is considered it would be difficult to demonstrate a significant harm to neighbour amenity such as to justify a reason for refusal on these grounds.

VI) ACCESS AND PARKING

- 6.40 Criteria (vi) and (vii) of Policy CSTP3 seeks to ensure the proposal would have safe and convenient access to the road network and would not cause significant hazard to other road users. The policy also seeks to ensure that there are sufficient areas for the parking and turning of vehicles within the site.
- 6.41 The Council’s Highways Officer does not raise an in principle objection, but queries matters of detail in relation to the access and the ability for vehicles to enter and exit the site in forward gear. If permission were to be granted a condition could be applied to ensure an adequate access is formed onto the public highway and space

could be made available to allow vehicles to turn within the site. Accordingly an objection on access or parking grounds would be difficult to substantiate.

VII) ENVIRONMENTAL IMPACTS

- 6.42 Criteria (viii) of Policy CSTP3 requires sites to have adequate services provided, such as water, power, sewerage and drainage, and waste disposal. The site is served by water, gas and sewerage. No objection is therefore raised in this regard.

VIII) INFRASTRUCTURE IMPROVEMENTS (S.106 CONTRIBUTIONS)

- 6.43 Policy PMD16 of the Core Strategy indicates that where needs would arise as a result of development; the Council will seek to secure planning obligations under Section 106 of the Town and Country Planning Act 1990 and any other relevant guidance. The Policy states that the Council will seek to ensure that development proposals contribute to the delivery of strategic infrastructure to enable the cumulative impact of development to be managed and to meet the reasonable cost of new infrastructure made necessary by the proposal.
- 6.44 There are no planning contributions or affordable housing required as the proposal falls short of the central government threshold of 10 units. National policy with regard to section 106 planning obligations has recently been updated (19 May 2016). The NPPG guidance indicates that for developments of 10 units or less, and which have a maximum combined gross floor space of no more than 1000sq.m affordable housing or tariff style contributions should not be sought.

7.0 CONCLUSIONS AND REASON(S) FOR REFUSAL

- 7.1 The proposed development is inappropriate development in the Green Belt which is by definition harmful. In addition, the proposed development is considered to be an unacceptable urbanising feature which is harmful to the openness and erode the rural character of the Green Belt. This should be given very significant weight against approving the application.
- 7.2 The development would seriously conflict with Policy PMD6 of the Core Strategy, the National Planning Policy Framework and Policies E and H of Planning Policy for Traveller Sites (August 2015). The circumstances of the applicants and their needs have been carefully considered however it is not considered that these factors outweigh the harm caused to the Metropolitan Green Belt together with the other harm identified. No very special circumstances therefore exist to enable an exception to policy to be made in this instance.
- 7.3 The applicant has failed to justify the need for the proposed development in this location; the proposal would, if permitted, result in the urbanisation of this rural site, resulting in the provision of gypsy traveller accommodation causing significant harm

to the character and appearance of this rural area contrary to Policy CSTP3 of Thurrock's Core Strategy.

- 7.4 The proposed development, by reason of the development proposed would affect the rural character of the area and would poorly integrate into the area contrary to Policies PMD1, PMD2, PMD6 and CSTP22 of the Core Strategy.

8.0 RECOMMENDATION

REFUSE the application for the reasons set out below:

Reason(s):

1. Policy PMD6 of Thurrock's Core Strategy and Policies for Management of Development states that, within the Green Belt, permission will be granted for new development provided it meets the requirements and objectives of government guidance. Paragraph 79 of the National Planning Policy Framework states that the Government attaches great importance to Green Belts, with the fundamental aim of the Green Belt policy to prevent urban sprawl by keeping land permanently open. Paragraph 87 states inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Policy E: 'Traveller sites in the Green Belt' contained within Planning Policy for Traveller Sites published by Department of Communities and Local Government in August 2015 reinforces the guidance within NPPF and states that Traveller sites, both temporary and permanent, in the Green Belt are inappropriate development which is by definition harmful to it and should not be approved except in very special circumstances.

The proposed development is inappropriate development in the Green Belt which is by definition harmful. In addition, the proposed development is considered to be an unacceptable urbanising feature which is harmful to the openness and rural character of the Green Belt. The proposal is therefore also contrary to Policy PMD6 of the Core Strategy, the National Planning Policy Framework and Policy E of Planning Policy for Traveller Sites (August 2015).

The information put forward by the applicant has been carefully considered, but does not amount to the very special circumstances that would be required to enable an exception to policy to be made in this instance.

2. Policy H of the Planning Policy for Traveller Sites published by Department of Communities and Local Government in August 2015 requires the assessment of the level of provision and need for traveller sites, availability of alternative accommodation, the personal circumstances of the applicant, allocation of pitches in the development plan and consider needs of all travellers not only those with local connections.

Policy E of the national traveller site policy also states that allocation of sites for travellers should be identified through the plan making process and not in response to a planning application.

The circumstances of the applicants have been fully assessed. However, the designation of the site within the Metropolitan Green Belt and the harm arising as a result of the development carries significant weight in the consideration of the application. On balance, the circumstances of the applicants and their needs do not outweigh the harm to the Metropolitan Green Belt together with the other harm identified in other reasons for refusal in this decision notice.

3. Policy CSTP3 of Thurrock's Core Strategy and Policies for Management of Development aims to support proposals that seek to ensure the standard of the existing approved Gypsy and Traveller sites in the Borough is progressively improved and upgraded. Policy CSTP 3 deals with proposals for new or extensions to existing Gypsy and Traveller Sites which are considered against the 10 criteria listed within the policy.

The application site was not a site allocated for Gypsy and Traveller accommodation with the Site Specific Allocations and Policies Development Plan Document (DPD) - Issues and Options.

Furthermore, the proposal fails to comply with the criteria with Policy CSTP3 for new sites for Gypsy and Traveller Accommodation with the Borough. The applicant has failed to justify the need for the proposed development in this location and the proposal would result in the urbanisation of this rural site, resulting in a gypsy traveller site with an intensification of an existing access, and significant harm to the character and appearance of the rural area contrary to Policy CSTP3 of Thurrock's Core Strategy and Policies for Management of Development.

4. Policy PMD2 of the Council's Core Strategy and Policies for Management of Development requires that all design proposals should respond to the sensitivity of the site and its surroundings and must contribute positively to the character of the area in which it is proposed and should seek to contribute positively to local views, townscape, heritage assets and natural features and contribute to the creation of a positive sense of place.

Policy CSTP22 of the Council's Core Strategy and Policies for Management of Development indicates that development proposals must demonstrate high quality design founded on a thorough understanding of, and positive response to, the local context. The Government statement of planning policy is included in the National Planning Policy Framework (NPPF) and is a material consideration that must be taken into account in determining planning applications.

The proposed development, by reason of the location and design of the fencing and surface treatment, the utilitarian design of the caravans and vehicles would all

affect the rural character of the area and would poorly integrate into the area contrary to the above named policies.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

www.thurrock.gov.uk/planning

