

TWC/2025/0314

Land adjacent Oak View, Sugden Lane, Sugden, Telford, Shropshire
Full planning application for a Gypsy/Traveller site with 2no. mobile homes and
hardstanding (Retrospective) *** Planning Statement received ***

APPLICANT

Gaia Planning, J Horton

RECEIVED

02/05/2025

PARISH

Rodington

WARD

Wrockwardine

THIS APPLICATION IS BEING HEARD AT PLANNING COMMITTEE AS THE PROPOSAL HAS BEEN REFERRED BY THE WARD MEMBER CLLR GARETH THOMAS.

<https://secure.telford.gov.uk/planning/pa-applicationssummary.aspx?ApplicationNumber=TWC/2025/0314>

1. SUMMARY RECOMMENDATIONS

- 1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to conditions and informatives.

2. SITE AND SURROUNDINGS

- 2.1 The site lies along Sugden Lane located within the rural north west of the Borough, sitting approximately one mile from Rodington to the south west and Longdon Upon Tern to the north east as the nearest villages, 5 miles from Wellington and 8.8 miles from Telford Town Centre to the south east.
- 2.2 The application site has been subject to a series of planning applications over recent years, with its established equestrian use stemming from a 2021 consent affording the change of use from agricultural land to equestrian land including the erection of a stable block, and the creation of vehicular access with associated gravel parking, turning area, fencing and gates. Further expansion of the equestrian use was sought through a 2024 permission entailing the erection of a store shed, tack room with mess facilities and construction of ménage. Both permissions have been subject to a condition for personal use only and not as a commercial enterprise.
- 2.3 The parcel of land forming the application site amounts to 0.23ha sitting off Sugden Lane at the frontage of the wider equestrian site, with gated access then through to the stable yard and field beyond. The boundary treatments comprise a mix of fencing and soft landscape hedging treatments. Through the latest planning application the land was permitted to comprise grass paddock, store shed, tack room with mess facilities and ménage. Officers are mindful that given the retrospective nature of the application, the position of equestrian elements is shown divergent to approved plans – for instance the

ménage now sitting in a more southerly position in the site plan provided. This is being taken up separately with the Applicant.

- 2.4 A mix of arable and grazing land surrounds the site, with the nearest residences comprising 'Beech Croft' 62m to the north east, 'Overdale' sitting approximately 86m to the west, and 'The Marsh' 120m to the south east (measurements comprising all site boundary to residence boundary distances).

3. PROPOSAL

- 3.1 This application seeks full planning permission for a Gypsy/Traveller site comprising 2no. mobile homes and hardstanding with space for two touring caravans (one sitting adjacent to each of the mobile homes), the Application Form identifies that the proposal is retrospective in nature.
- 3.2 Access to the site is from the north eastern corner of the site via a boarded timber gate.
- 3.3 The application is accompanied by the Application Form, Location Plan, Site Layout, and Planning Statement.

4. PLANNING HISTORY

- 4.1 TWC/2023/0263 - Erection of store shed, tack room with mess facilities and construction of ménage (Part Retrospective). Full Granted 01/02/2024
- 4.2 TWC/2022/0904 - Outline application for the erection of 1no. dwelling with all matters reserved. Full Refused 12/12/2022
- 4.3 TWC/2021/0011 - Change of use from agricultural land to equestrian land to include the erection of a stable block and the creation of vehicular access with associated gravel parking, turning area, fencing and gates (Part-Retrospective) ****AMENDED DESCRIPTION AND PLANS SUBMITTED****. Full Granted 17/06/2021.

5. RELEVANT POLICY DOCUMENTS

- 5.1 National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites (PPTS)
- 5.2 Telford and Wrekin Local Plan (2011-2031)
SP3 Rural area
SP4 Presumption in favour of sustainable development

HO8 Meeting the needs of the Gypsy and Traveller Community
HO9 Gypsy and Traveller Developments
NE1 Biodiversity and Geodiversity
C3 Impact of development on highways
BE1 Design criteria
ER11 Sewerage systems and water quality
ER12 Flood risk management

- 5.3 Telford & Wrekin Local Plan 2020-2040 (Regulation 19 Review):
The Council are currently at the Regulation 19 Stage of the Local Plan review and therefore, limited weight is given to the relevant policies within this document (<https://www.telfordandwrekinlocalplan.co.uk/site/index.php>).

S2 Nature conservation
S5 Mitigating and adapting to climate change
S6 Healthy stronger communities
CC1 Sustainable construction and carbon reduction
CC2 Renewable energy in developments
CC4 Water re-use, conservation efficiency and quality
CC5 Flood risk management and sustainable drainage systems
CC6 Managing air quality
NE1 Biodiversity and geodiversity
NE2 Trees, hedgerows and woodlands
NE3 Biodiversity net gain
HO8 Gypsy, traveller and showpeoples accommodation
DD1 Design criteria
ST3 Impact of development on highways
ST5 Electric vehicle (EV) infrastructure and parking design.

6. NEIGHBOUR REPRESENTATIONS

- 6.1 The application has been publicised through direct neighbour notification. The Local Planning Authority has received one neighbour representation questioning the water supply serving the site, and ensuring that this proposal would not deteriorate the water pressure, together with seven neighbour representations objecting to the scheme (six anonymously), the following summarised issues were raised:
- Non-compliant with local and national planning policy, application does not provide justification or evidence of need, Telford & Wrekin Council have a policy for providing 2 Gypsy/Traveller sites, and there are already 2 such approved sites in existence
 - No detail of how many individuals will potentially be on the site, the number of vehicles and type that will be used, or how the site may develop

- Inappropriate location - small hamlet with no local services, public transport, or infrastructure to support new residential use
- Agricultural land which should be preserved and not developed
- Previous refusal for residential, planning grounds still apply
- Green belt land being used for a business
- Greenfield site
- Set precedent for further development activity on site
- Changes to site have already had negative visual impact, static caravans would add to this
- Loss of residential amenity, site being used for construction company with significant traffic movement, highway safety concerns including application does not say how many people/caravans will inhabit the site or vehicles
- Impact on wildlife – floodlights on barn constantly on, not bat friendly, Biodiversity Net Gain required
- Contravention permitted use for horses
- Frontage fencing out of character.

7. STATUTORY REPRESENTATIONS

7.1 Councillor Gareth Thomas – Call in – **Object**

- Application not within planned development boundaries of revised Telford & Wrekin Local Plan. Should this go ahead, could set a precedent for further builds on this site and others outside of Local Plan boundaries
- No mention of infrastructure like sewage which would be vital for permanent chalet homes on site
- Access issues – tight access lane which causes difficulties for vehicles to pass each other safely, this route is well used by walkers from existing developments with poor visibility when entering and exiting the lane, believe that the visibility distance from the field entrance is insufficient that could increase the chance of an RTC at the field entrance.

7.2 Rodington Parish Council – **Object**

- Intrusion onto a greenfield site
- Development sets a precedent for building in the area along the whole length of field towards Sugden
- Development sets a precedent for retrospective applications without consulting with Parish Council and other consultees
- Concerns over the lack of details regarding utilities including removal of sewage, provision of electricity etc.
- Development is not consistent with Local Plan
- Concerns regarding highways due to the exit entering onto a narrow country lane which raises visibility issues.

7.3 Highways – **No objection**

7.4 Ecology – **No objection**

Request informative guiding Biodiversity Net Gain not required

7.5 Drainage – **Support, subject to conditions**

7.6 Shropshire Fire Service – **Comment**

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" document.

8. APPRAISAL

8.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of development
- Impact on the amenity of adjacent properties / uses
- Design and Layout
- Highways impacts
- Drainage
- Ecology
- Other matters

Principle of Development

8.2 The application site is located within the rural area of the Borough, the site is not allocated on the Adopted Proposals Map of the Local Plan with the established use of the site being for equine purposes. Given the change of use nature of the proposal, applications for Gypsy & Travellers Sites necessitate consideration of TWLP Policies HO8 and HO9, together with the National Planning Policy Framework (NPPF) and associated Planning Policy for Traveller Sites (PPTS).

8.3 Related to HO8 and HO9 these are a specific form of housing policy, outside of what the previous refused residential application would be considered against, this is having regard to local representation raising that the previous grounds for refusal remain relevant here.

8.4 The NPPF identifies that to support the Government's objective of significantly boosting the supply of homes, it is important "*that the needs of groups with*

specific housing requirements are addressed. Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies". It goes on to state and that these groups should include *inter alia* Travellers. The Planning Policy for Traveller Sites (PPTS) then sets out how Travellers needs should be addressed through Local Plan coverage, identifying need and site specific factors.

- 8.5 Policy HO8 of the existing Local Plan sets out the requirement for meeting the needs over the plan period 2011-2031, and states that the Council will support the provision of 32 permanent pitches – essentially unmet need drawing from the 2014 Gypsy & Traveller Accommodation Assessment (GTAA) which has subsequently been updated. Drawing upon the latest evidence in the 2023 GTAA the Council have an identified unmet need of 26 pitches in the Borough through Policy HO9 of the emerging Local Plan. It outlines that 20 of these pitches would be provided through expansion of two existing sites, with unmet need remaining.
- 8.6 Current TWLP Policy HO9 identifies a series of criteria where the Council will support a planning application for Gypsy and Traveller accommodation where it performs positively against. The first of is that the proposal can be supported by local shops, community facilities, public transport connections, and local employment opportunities. The site is located in the rural area, one mile from the village of Rodington which has a public house, village hall and play area, Church, and a bus service Monday to Friday running between Wellington and Newport via Rodington which operates six times a day between the hours of circa 8:00am-8pm (service 103); and one mile from the village of Longdon Upon Tern with a public house, village hall, Church, and a school time Monday to Friday bus service between Wellington and the rural settlement of Ellerdine (service 104) via the village. Remaining criteria of HO9 will be addressed through subsequent sections of this report.
- 8.7 The PPTS identifies the definition of Gypsies and Travellers in Annex 1, and appreciating the concern that the Applicant has not evidenced that they satisfy this defined status, it has been recorded that both the Applicant (occupying the first mobile home with his partner) and his son (occupying the second mobile home with his family) are Romany Gypsies who fulfil the definition of Gypsies and Travellers. The Applicant grew up on a Gypsy / Traveller site, travelling with his family and working with his grandfather collecting scrap and trading in horses. Due to family commitments, it is guided that much of his current trade, as a groundworker, is now more local, however, he still travels regularly with his family for work, including attending horse fairs to trade in horses. The LPA is satisfied that the definition in Annex 1 of the PPTS has been satisfied.
- 8.8 The Applicant has further (confidentially) identified personal circumstances as to the need to relocate to this site with little notice, this includes welfare needs of a child to have a safe and stable place to stop from which to access health services. The personal circumstances of the applicant and their family sit in

the context of the following three legal principles of Gypsies and Travellers: The Human Rights Act, The Best interests of the Child and the Public Sector Equality Duty, and is a material consideration under paragraph 25. of the PPTS.

- 8.9 Subject to criteria of TWLP Policy HO9 being met, together with site specific considerations of the PPTS, the application is considered acceptable in principle.
- 8.10 Notably HO9 does not preclude proposals in the rural area given commentary around the site sitting outside of Local Plan boundaries. This land is not Green Belt land noting local representation, which would trigger specific policy considerations set out in the PPTS.
- 8.11 The grievance raised in local representation as to the retrospective nature of this application is recognised, Officers would however highlight that the LPA are unable to refuse an application solely because it has been applied for retrospectively, and the Authority are obliged to determine an application before them against planning policy. Further, this application does not set a precedent for development building along the whole length of the field, nor is the applicant required to identify any future proposal through an application, each planning application is considered on its merits.

Impact on the amenity of adjacent properties / uses

- 8.12 A mix of arable and grazing land surrounds the site, with the nearest residences of 'Beech Croft' 62m to the north east, 'Overdale' sitting approximately 86m to the west, and 'The Marsh' 120m to the south east (measurements comprising all site boundary to residence boundary distances as opposed to any associated fields).
- 8.13 Given the distances entailed, Officers are satisfied that there is sufficient distance separation present between the proposed units of accommodation and the neighbouring residential properties. The structures subject to this application are single storey and given the boundary treatments, would not result in any issues of overlooking or loss of privacy. As such, Officers are satisfied that the proposal will not have a significantly detrimental impact upon the amenity of neighbouring properties in accordance with TWLP Policies HO9 and BE1. This is together with the modest scale and position of the site that it does not dominate the nearest settled community as required for sites sitting in rural settings in the PPTS.
- 8.14 Reference is made to lighting concerns within representation on this application, given the setting of the site a lighting condition to ensure the protection of residential amenity is considered appropriate here, with any existing lighting associated with the equine use to be checked by the LPA given the imposition of a lighting condition on the previous equine consents.

Design and Layout

- 8.15 Design details comprise the specifics presented on the Site Plan indicating the position of the 2no. mobile homes. The adjacent driveways punctuated by an area per unit for a touring caravan, with surrounding grassed landscaping largely bound by a 1.2m boundary post and rail fence. This is with the exception of the northern frontage boundary which has a panelled timber gate, close board fence (this was established to be permitted development through previous applications) and established hedging positioned between this and Sugden Lane. Visibility of the accommodation would be limited to a section of roof only, given this and the landscaped frontage, the arrangement is considered acceptable.
- 8.16 Elevation drawings are not required for caravans, in such instances the provision of units on site is governed by the Caravan Sites Act 1968 which defines what constitutes a caravan, subject to units sitting within this definition and would be controlled by condition, the level of detail is sufficient.
- 8.17 The site affords sufficient amenity and parking for the units, and is not subject to harmful air or noise environmental factors; such that the proposal does not provide accommodation of an unacceptable quality for residents occupying the site in accordance with TWLP HO9 and the PPTS.

Highway Impacts

- 8.18 Within representation, the nature of Sugden Lane in providing appropriate access has been raised. Here it is confirmed that the vast majority of Sugden Lane width ranges between 5m and 7.5m, which is more than adequate to allow two vehicles to pass one another safely. Whilst appreciated that there are a few sections of Sugden Lane where that width is reduced, the number of vehicular trips that the 2no. mobile homes would generate daily would be minimal, and does not derive a potential capacity issue and unlikely to cause any adverse highway safety issues.
- 8.19 Relating to the access into the site, this now stands at approximately 14m in width, is hard surfaced and with gates set back 12m from the carriageway edge. Visibility to the right out of the access can be achieved within the highway, in excess of 60m to the adjacent bend. Visibility to the left out of the access provides visibility in excess of 90m from a driver's eye height. Review on site has identified that the nature of the road in proximity to the site does not lend itself to vehicle speeds anywhere near the national speed limit, therefore the visibility splays being provided are requisite with national design guidance. Officers are satisfied that the proposal provides an appropriate means of access in accordance with TWLP Policy HO9 and C3.
- 8.20 Reference is made within representation to a commercial vehicle operator license for the site, and concerns relating to this. The site is permitted for equestrian use through previous planning applications, and not business use. The current application does not seek change of use to a business use, with the site being kept under ongoing review to ensure no business applies by Planning Enforcement. The Operators Licence simply allows the parking of a

vehicle which the applicant uses for his work all of which is undertake off site and does not evidence that a business is operating from the site.

- 8.21 Bearing the above in mind, the proposal is not considered to result in an unacceptable highway safety impact or severe residual cumulative impact on the road network, and therefore would not warrant refusal on highways grounds that could be substantiated at appeal.

Drainage

- 8.22 The application material advises that surface water is conveyed to soakaway and foul drainage to an existing septic tank. Given the setting of the site, the arrangement is considered acceptable subject to conditioning around detailed coverage, including the acceptability of the capacity and condition of the septic tank and proof that the condition of the drainage ditch is acceptable. The site is located away from areas at high risk of flooding in accordance with TWLP Policy HO9, ER12 and the PPTS.

Ecology

- 8.23 The proposal has not necessitated the submission of ecological surveys nor obligated in regards to Biodiversity Net Gain requirements, an informative confirming the latter is duly requested.

Other matters

- 8.24 Representation makes reference to the application providing no detail of how many individuals will potentially be on the site, the number of vehicles and type that will be used. Here the applicant has confirmed that one pitch relates to the Applicant and his wife, and the second pitch the Applicant's adult son, his wife and grandchild; essentially, though the maximum number of parties would be dictated by the accommodation available, and in such instances needing to fit within the realms of the Caravan Sites Act 1968. It is considered appropriate to limit the number of touring caravans on site used as accommodation to retain control here.
- 8.25 Relating to vehicles, the Application Form identifies two car parking spaces, even if there were a greater number of vehicles, given further parking space exists within the site, the Local Highways Authority is satisfied with the level of parking. The Local Highways Authority is satisfied that the number of vehicular trips that the 2no. mobile homes would generate daily would be minimal. The Local Planning Authority is not able to dictate the type of vehicles used to access the site, the control lies around the form of use taking place, here conditioned for Gypsy & Traveller use, with the remaining land still controlled for equine use under the earlier consents.
- 8.26 Relating to loss of amenity through the occurrence, and potential increased frequency of, a pony and trap event this is not a material planning

consideration with, this is activity taking place on the adopted highway which should be regulated by the Police.

- 8.27 Concerns around the provision of services is raised, notably the site already benefits from mains electricity, and is served by a borehole. Where this relates to the extraction of less than 20,000 litres per day this does not require a water abstraction license. If these volumes were exceeded they would be managed by the Environment Agency, and therefore sits outside of the influence of the Local Planning Authority through this application.

9. CONCLUSIONS

- 9.1 It is noted that the site is located in the rural area, a mile from services in Longdon Upon Tern and Rodington. The proposal will provide accommodation of an acceptable quality for residents, the proposed change of use to allow the siting of two mobile homes with space for two touring caravans would not unacceptably prejudice the amenities of adjoining or adjacent occupiers, with the boundary of closest dwelling positioned 62m away from the boundary of the application site. The proposal makes provision for an appropriate means of vehicular access to and from the public highway. Through existing drainage provision and capacity details controlled through condition, the LPA is satisfied that suitable provision can be made for access to essential utilities and other services. The site sits behind an established hedge, given the topography, and permission for equine development already on the site, the Authority are satisfied that the siting of two mobile homes with two touring caravans will not detract from the rural character and appearance of the locality. The site is located away from areas at high risk of flooding, and in a safe and secure location with suitable access from the emergency services. There are no technical objections received to this application. It is therefore considered that the proposal is compliant with Policies HO8 and HO9 of the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF and associated PPTS.

10.DETAILED RECOMMENDATION

- 10.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** (with the authority to finalise any matter including conditions or any later variations) subject to the following conditions and informatives (with authority to finalise conditions and reasons for approval to be delegated to the Development Management Service Delivery Manager):-

B061a Foul and surface water

B079 Capacity and condition of the septic tank

B079 Proof acceptable condition of the drainage ditch

B145 Lighting Plan

C038 Development in accordance with plans

D01 Removal of permitted development rights

D06 Gypsy & Traveller Use

DCustom Maximum caravan numbers *Informatives:*

I32 Fire Authority

I35Custom Equine S73 variation application required

I39h Biodiversity Net Gain

I40 Conditions

I41 Reason for Grant

RANPPF1 Approval – NPPF.