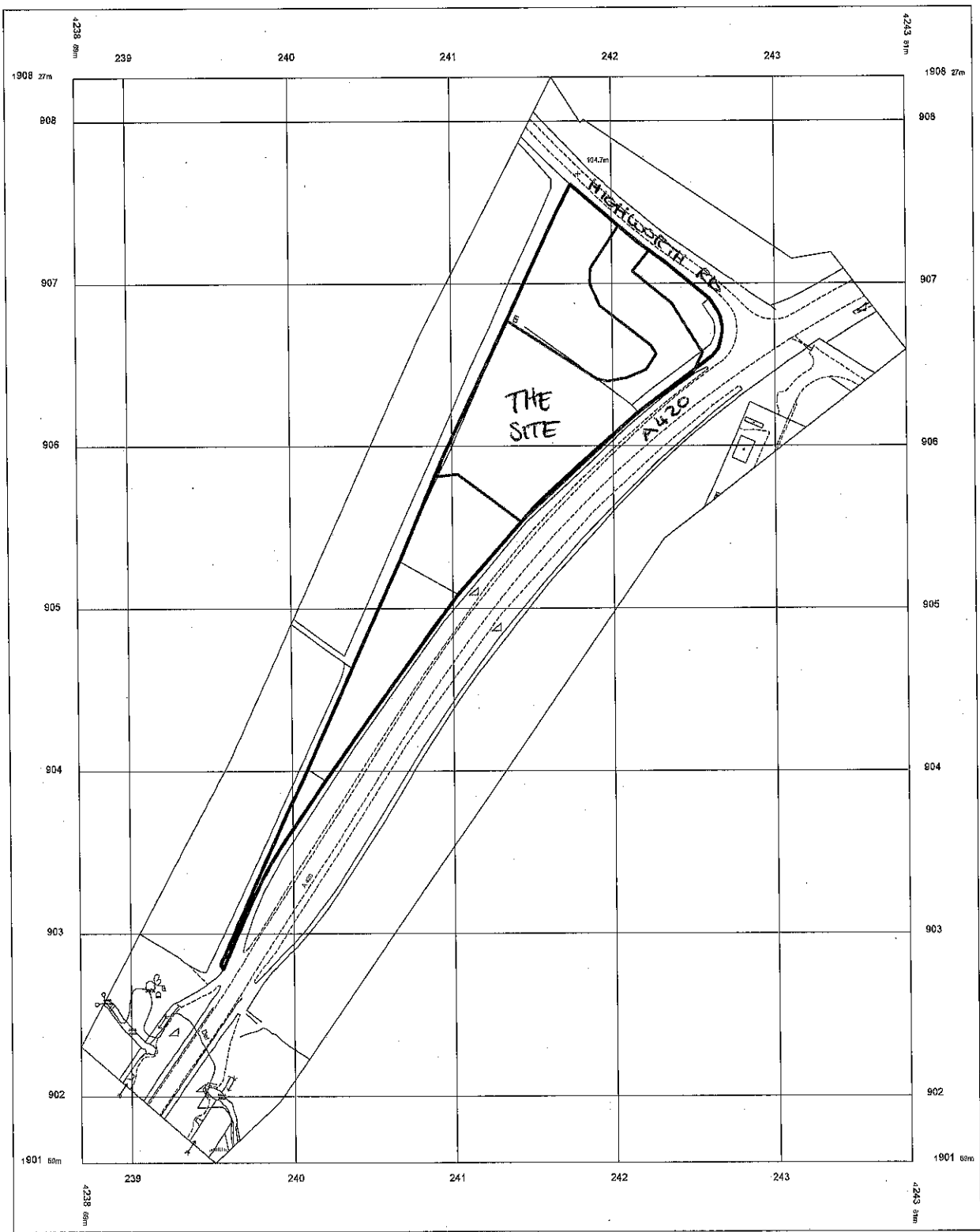


<p>Proposed main access</p> <p>Proposed utility cover</p> <p>Proposed paving surface</p> <p>Proposed hard-standing</p> <p>Proposed Access</p> <p>Additional paving, kerbs & tree planting</p> <p>Existing landscaping</p> <p>Existing buildings</p> <p>Boundary</p> <p>Proposed tree planting</p> <p>Existing trees</p> <p>Proposed footways</p> <p>Existing footways</p> <p>Proposed paths & cycle tracks/ways</p> <p>Proposed other, unclassified, hard/soft</p> <p>Existing watercourses</p> <p>Proposed watercourse works</p>		<p>Scale: 1:1250</p> <p>Author: Paul Vasey</p> <p>Checker: Paul Vasey</p> <p>Date: 10/03/2010</p>	<p>Project: 10_339_VARE1</p> <p>Phase: Planning</p> <p>Drawn: 10_339_001</p>
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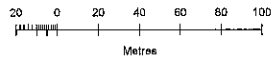
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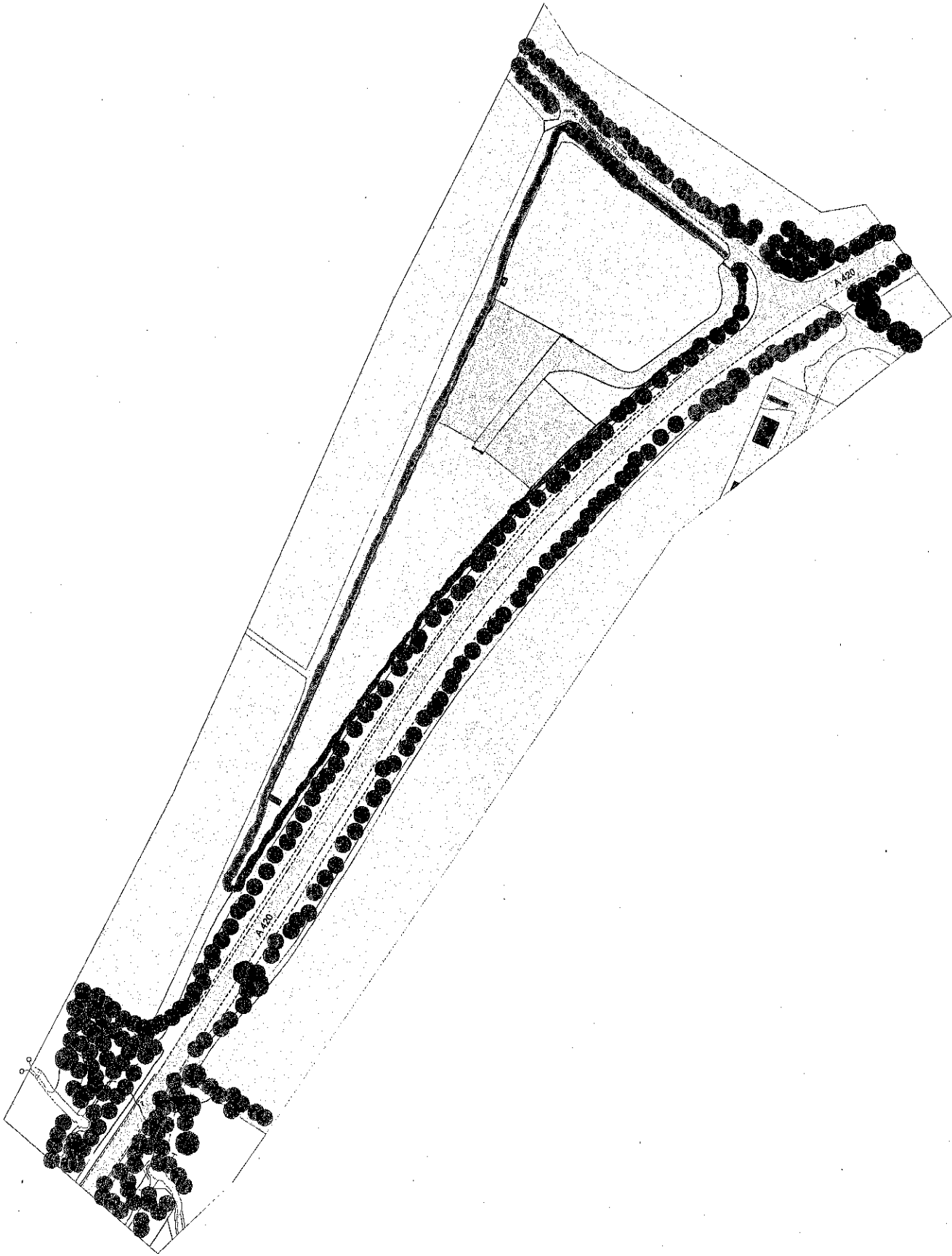
OS Sitemap



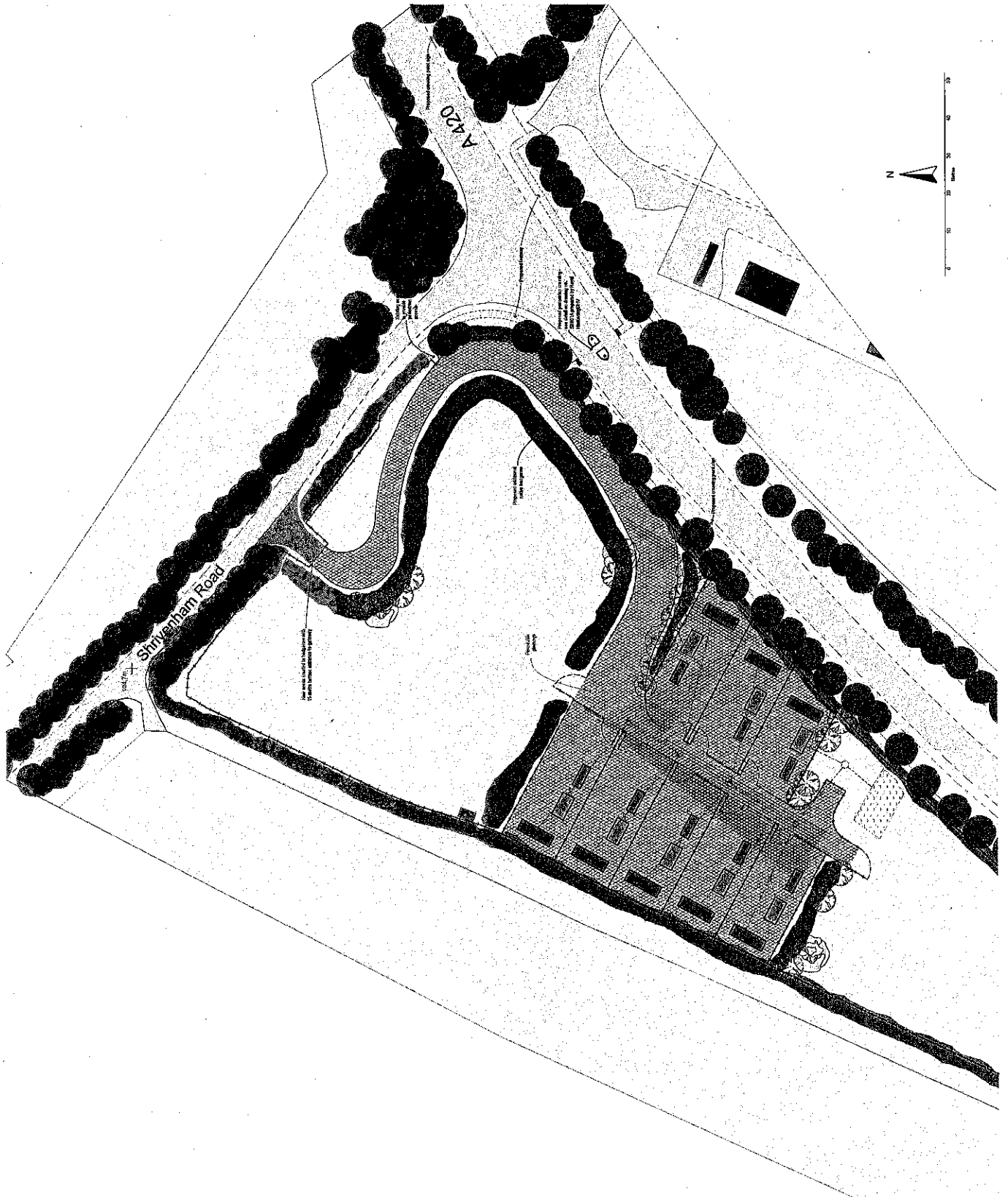
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<p>North Street Planning 1000 Highway 100, Suite 100 Vancouver, BC V6N 2G1</p>	<p>LEGEND</p> <ul style="list-style-type: none"> Proposed public space Proposed display zone Proposed building setback Proposed landscaping Grassed Area Administrative bridge & tree planting Existing landscaping Existing sidewalk Setback Proposed tree planting Existing trees Proposed tree setbacks Existing landscaping Proposed Post & Rail timber frame Proposed tree based timber frame Existing structures Proposed timber frame surface Proposed pedestrian bridge 	<p>Scale: 1:1000</p> <p>Date: 10/30/2024</p> <p>Author: Paul Vary</p> <p>Client: Greenpark Gardens</p>
		<p>Project: 10_339_VARE1 Planning</p> <p>Drawing No: 10_339_002</p>



<p>Legend</p> <ul style="list-style-type: none"> Proposed multi-home Proposed utility area Proposed parking area Proposed hard-standing Grass Area Artificial water beds & low planting Existing landscaping Existing buildings Existing Proposed tree planting Existing trees Proposed new exchange Existing buildings/structures Proposed path & wall barrier fence Proposed clear treated timber decks / runs Existing structures Proposed fence/chain link fence Proposed perimeter fencing 		<p>Client: Paul Vary</p> <p>Project: Land off Highfield Road, Watchfield</p> <p>Drawn by: Proposed Site</p>	<p>Scale: 1:300</p> <p>Date: 10/30/2010</p> <p>Drawn by: 10_339_VARE1</p> <p>Checked by: 10_339_003</p>
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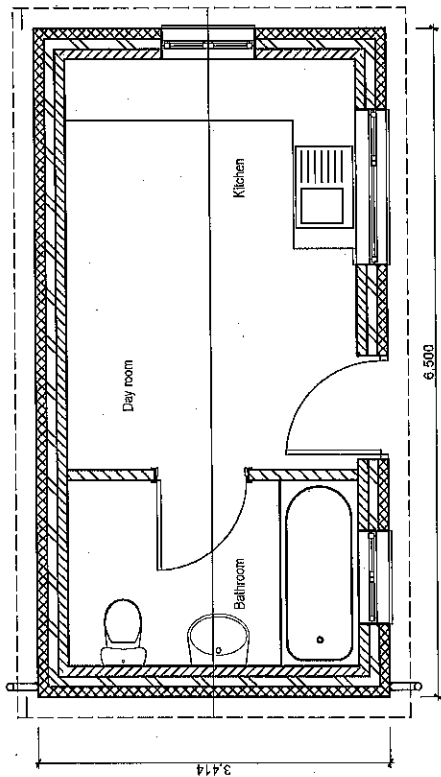


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Proposed Site

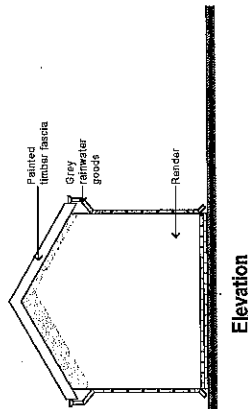
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Notes:		Health & Safety Information: (* indicates latent risk - 'C' indicates construction risk)	
Rev.	Date	Amendments	Author
			Unit 3 Limesdale Upton Magna Business Park Shrewsbury SY4 4TT t. 01743 709364 f. 01743 709385 e. admin@gpsip.co.uk
Client:		Paul Varey	
Project title:		Land off Highfield Road, Washfield	
Drawing title: Utility/Day Room - Indicative layout - Elevation			
Scale @ A3:	Date of first issue:	Drawn:	
1:50, 1:100			
Project No.	Issue Status	Revision	
10_339_VARE1	Planning	/	
Drawing No.	Green Planning Solutions LLP is a limited liability partnership. Partners: Matthew Green BA, Ruth Ward BA, Dip Arch, MA, RIBA Reg. No. 01237955		
10_339_004			



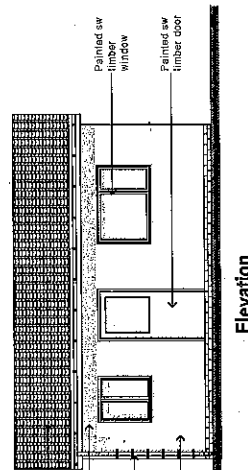
Utility/Day Room - Indicative layout

1:50



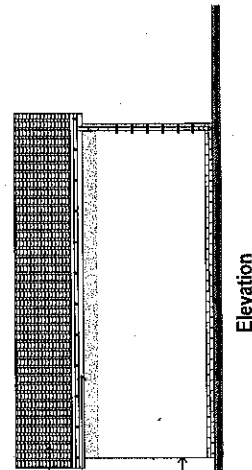
Elevation

1:100



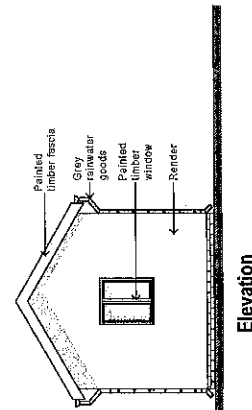
Elevation

1:100



Elevation

1:100



Elevation

1:100


NOTES
 THIS DRAWING HAS BEEN DESIGNED IN ACCORDANCE WITH DMRB VOLUME 5.7A.9.03 AND VOLUME 6.1A.4.296
 ALL SIGNS ARE IN ACCORDANCE WITH THE TRAFFIC SIGNS AND GENERAL DIRECTIONS LIGHTING SCHEME TO BE DESIGNED BY OXFORDSHIRE COUNTY COUNCIL

REV	DATE	DESCRIPTION
1	10/10/19	ISSUE FOR PERMIT

MR P. VAREY

WATCHFIELD
 OXFORDSHIRE

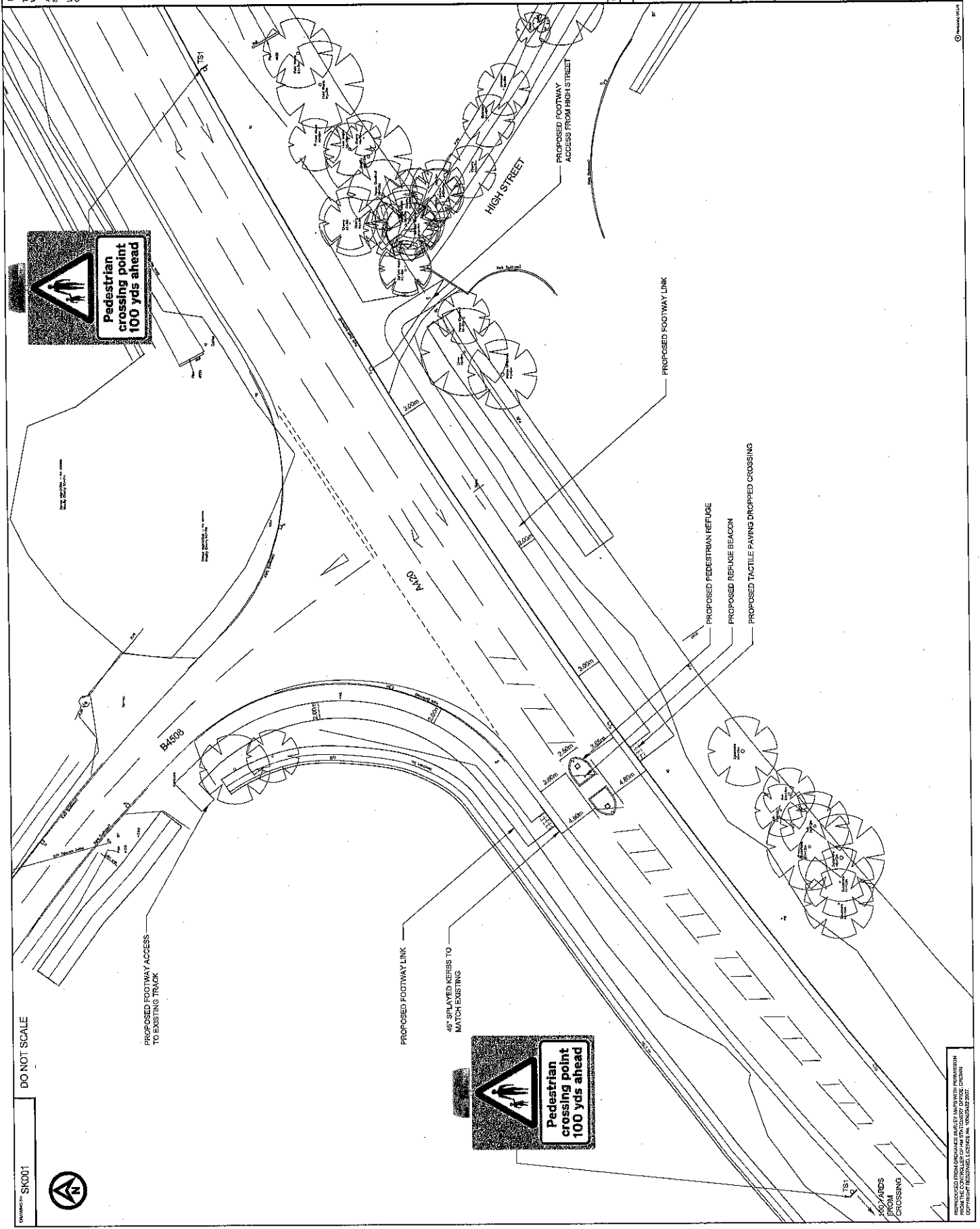
PROPOSED PEDESTRIAN
 CROSSING POINT



Royal HaskoningDHV
 Enhancing Society Together

DATE: 10/10/19
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: AS SHOWN
 QUANTITY: [Value]

SK001



DESIGNED BY: [Name]
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: 10/10/19
 SCALE: AS SHOWN
 QUANTITY: [Value]

DO NOT SCALE





Watchfield Parish Council

Miss Laura Hudson
Planning Department
VWHDC
Abbey House
ABINGDON
OX14 3JE

October 09, 2012

Dear Miss Hudson

Re: Planning Application P12/V1901/FUL

Watchfield Parish Council has considered this application in detail and the unanimous view is to object to the proposed planning application. The comments are detailed below:

- Councillors made objection to the change of use of the land in that it would be inappropriate for this site. The location is outside the built up zone of Watchfield in the open countryside and would have a harmful impact on the character of this rural area and set a precedent for ribbon development along the A420. This development would be contrary to Planning Policy for Traveller Sites, March 2012, Policy H, 23.
- The local authority does not have an up-to-date local needs analysis for travellers' sites and has not demonstrated that this site is necessary above the existing local provision: Planning Policy for Traveller Sites, March 2012, Policy H, 22. The Parish Council and villagers cannot detect a visible or pressing need for a site in this area.
- The proximity of the access road to the busy junction of the A420 and B4508 would be harmful to highway safety. The B4508 is the main access route to the town of Highworth from the A420 and a heavily used cut through to Swindon which will only get busier with the recently approved development of 120 homes in Watchfield and the expansion of the Defence Academy. The B4508 also serves several farms, an auction business, gliding club, wind turbine site, farm visitors' centre and a golf club, as well as those travelling to and from the busy MoD Defence Academy. The location of this access would lead to limited visibility from the site onto a busy road. Slow moving towed vehicles manoeuvring onto this road would add to the hazard of this junction.
- The 60mph A420 Shrivenham by-pass is the main commuter route between Swindon and Oxford and one of the busiest roads in the area with constant traffic throughout the day and night, a large percentage of which are heavy goods vehicles. There have been at least 12

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Chairman

Mr D Gale – 7 Eagle Lane – Watchfield – Oxon – SN6 8TF

Clerk

Dr C Matthews – 8 Barrington Road – Watchfield – Oxon – SN6 8SU



Watchfield Parish Council

fatalities on the short stretch between South Marston and the Coxwells since 1999, including 2 pedestrians. The use of the hatched area at the A420/B4508 junction for pedestrian crossing was considered to be unacceptable when the previous application was refused (P10/V1915). The Council does not consider that an un-lit pedestrian refuge located within this hatched area will improve safety and may impinge on the sight lines of traffic turning into and out from the B4508. The proposed signage for the crossing also appears to be inadequate. Relying on such a dangerous crossing point for pedestrians, which may include children and vulnerable adults, would be an unacceptable risk. There are no other pedestrian crossing points along the length of the A420. Surveys carried out by Watchfield Parish Council on 04/10/12 (17:15-18:15) and 05/10/12 (07:30-08:30) showed an average number of traffic movement at the A420/B4508 junction of 2,576 vehicles per hour (167 heavy goods, 2,380 cars and light goods, 27 motorbikes, 1 cyclist and 0 pedestrians). 429 of these movements per hour were turning in or out of the B4508, which represents nearly 17%.

- Planning Policy for Traveller Sites, March 2012, policy B 11d, highlights the need to consider the local environment of the proposed site in terms of noise and air pollution. The proposed site in this application runs alongside the A420 which is extremely busy, with concomitant noise and air pollution, and is not conducive to habitation in such a small plot. The Council is also concerned that animals, such as horses and dogs, kept on this site could present a danger to road users and themselves if not adequately contained.
- Planning Policy for Traveller Sites, March 2012, policy B 11e, states sites should not put undue pressure on local infrastructure and services. Watchfield High Street has very few amenities; a part-time sub-post office, small hairdresser, church and a public house which has now closed. Grocery shopping at the Co-Operative store at the A420 roundabout is over 800m away from the proposed site. Public transport is only accessible by crossing the busy A420 into Watchfield. Watchfield Primary School is at capacity now and pressed to cope with the recently approved development of 120 new homes in the near future. Health care provision in Shrivenham is already over-stretched.
- The Application for Planning Permission form submitted does not include any application for on-site parking spaces (section 10) when there will clearly be parking on site. It also states that there are no trees or hedges on the proposed development site (section 15) which is untrue, does not specify a gain in residential units or non-residential floorspace (sections 17 & 18) when one of these statements must be true, and does not indicate the previous use of this land as agricultural (section 14). Section 3 states that building work or change of use has not already started however, previous occupation of the site by the applicants was used to begin building work. There do not appear to be any play areas for children included in the site plans contrary to Planning Policy for Travellers, March 2012 Policy H, 24b.

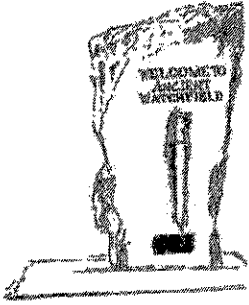
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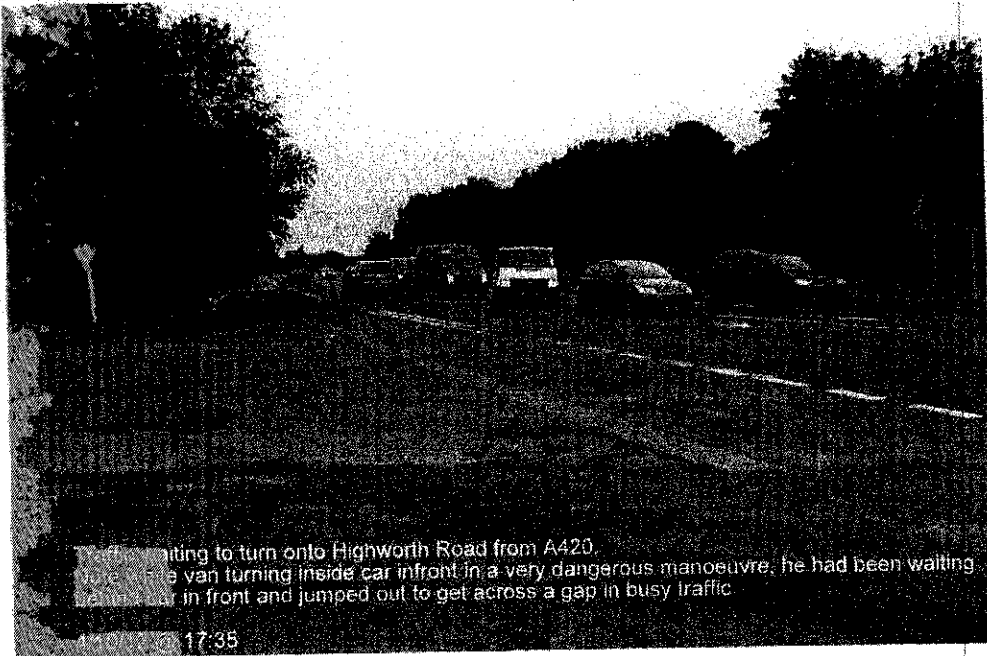
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Watchfield Parish Council

- Previous refusal (P10/V1915) alluded to the insufficient information submitted in relation to foul and surface water drainage to ensure effective drainage of the site and to avoid flooding. The Council cannot see any material changes to the foul and surface water drainage arrangements and has concerns about surface water run-off onto the A420 and foul water contamination of the nearby Pennyhooks Brook.
- Planning Policy for Travellers Sites, March 2012, Policy B 11a, advocates the peaceful and integrated co-existence between the site and the local community. The location of this proposed site puts it firmly outside the envelope of Watchfield village, separated from the local community by the A420. This location would inevitably add to the isolation of the occupants, rather than their integration. The previous building work carried out at the site and the present plans indicate a use of high closeboard fencing which will contribute to the compound feel of the site contrary to Planning Policy for Traveller Sites, March 2012 Policy H, 24d. The government's aim is to reduce tension between travellers and the local community but there has been no attempt at prior consultation with the villagers.
- The Council has received many objections from parishioners and, as their representative, wish to forward these concerns on behalf of the electorate.



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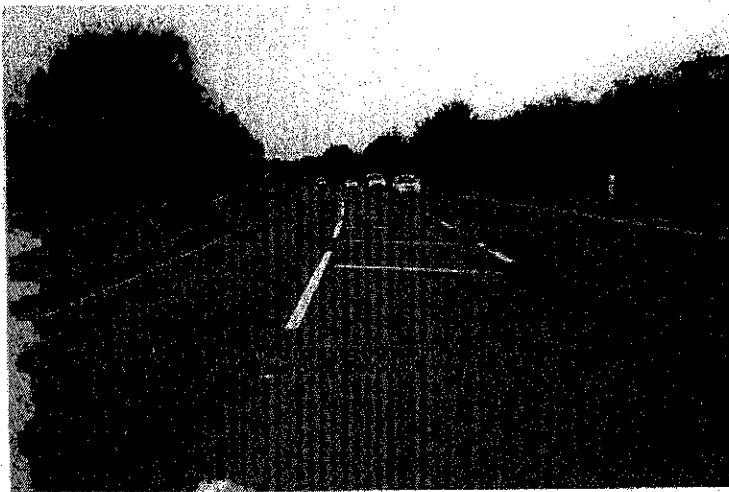
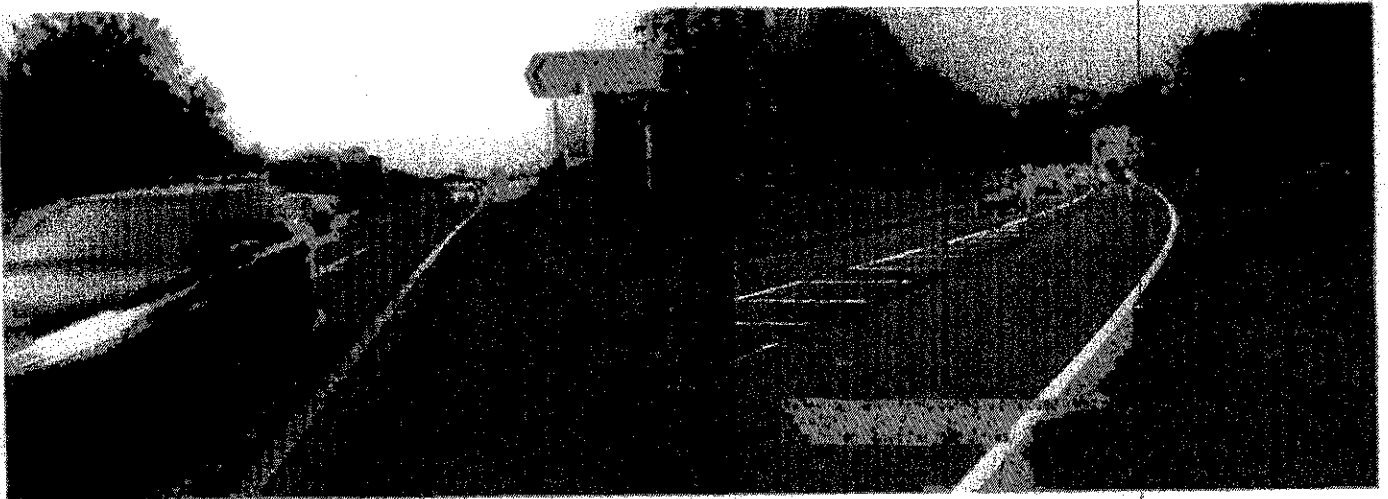
Mr D Gale - 7 Eagle Lane - Watchfield - Oxon - SN6 8TF

Clerk

Dr C Matthews - 8 Barrington Road - Watchfield - Oxon - SN6 8SU



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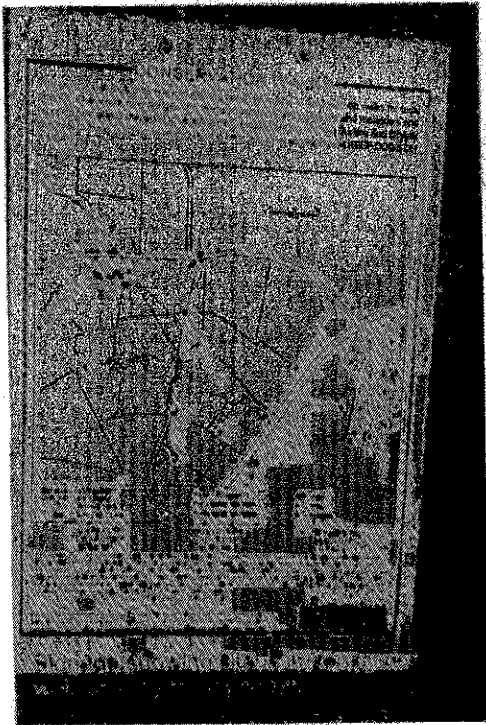
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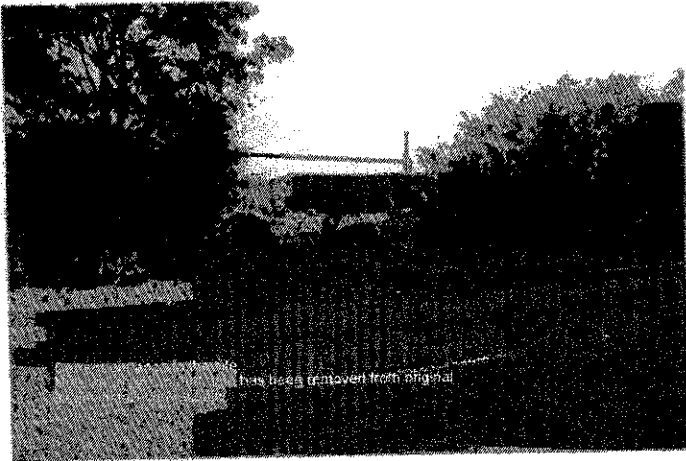
Mr D Gale – 7 Eagle Lane – Watchfield – Oxon – SN6 8TF

Clerk

Dr C Matthews – 8 Barrington Road – Watchfield – Oxon – SN6 8SU



Watchfield Parish Council



Kind Regards,

Dr Cindy Matthews, Clerk to Watchfield Parish Council

All correspondence should be addressed to the Clerk

Chairman

Mr D Gale – 7 Eagle Lane – Watchfield – Oxon – SN6 8TF

Clerk

Dr C Matthews – 8 Barrington Road – Watchfield – Oxon – SN6 8SU

Councillor Elaine Ware
31 Station Road Shrivenham Oxon SN6 8ED

10 October 2012

Ms Laura Hudson
Planning Department
Vale of White Horse District Council
Abbey House
Abingdon
OX14 3JE

Dear Ms Hudson

Planning Application: P12/V1901/FUL

A number of residents of Watchfield and the local area have contacted both Councillor Simon Howell and me to express their concerns regarding the above application for change of use.

The site was the subject of two planning appeals in 2011 and it appears that the owners of the land are attempting to address the prime issues that were raised by the Planning Inspector. Moving the main site access a few yards away from the junction will make little difference. The dangers will be exactly the same as those identified in the Planning Inspectors previous conclusions for refusal.

More importantly the proposed pedestrian refuge in the middle of the A420 Shrivenham bypass would not only put pedestrians at risk but would add an unnecessary obstacle in the middle of the main link road between Oxford and Swindon. This road is already extremely busy and traffic is expected to increase with more housing and businesses being built along the road from Oxford through to Swindon where it is proposed to build over 7,000 homes to the east of the town in the next few years.

The dangers to pedestrians were highlighted in the Planning Inspectors previous refusal and this proposal is creating even more risks both to pedestrians and to the vehicle users of the A420.

It is recognised that any decision regarding the vehicle and pedestrian access proposals are the responsibility of the County Council's Highways Department and that the Vale will be guided by their decision.

Other concerns raised by residents are access to education at local schools- will there be sufficient places bearing in mind that permission has recently been granted for 120 homes to be built in Watchfield and there is a possibility

of more being built in the village? Access to health care facilities – will the local surgery be able to take on additional patients?

There is limited infrastructure in Watchfield and most residents use the shops and businesses in Shrivenham which in turn adds to the problems of that village with regard to parking. Of course this is good for the economy of Shrivenham but a drain on its resources which also provides services to the Defence Academy which tends to be forgotten. In addition Shrivenham will see additional house building in the next year with 31 homes already approved and more applications being submitted.

The local area will find itself in a situation whereby its infrastructure will be stretched to the limit which ultimately will have a detrimental effect on all who live and work in this part of the Vale.

Yours sincerely

Elaine Ware

Simon Howell



Appeal Decisions

Hearing held on 28 and 29 June 2011

Site visit made on 28 June 2011

by Mark Dakeyne BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 August 2011

Appeal A - Ref: APP/V3120/A/10/2141005

Land on the corner of the B4508 and A420, Watchfield, Oxfordshire

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Varey against the decision of Vale of White Horse District Council.
 - The application Ref WAT/7121/3, dated 1 April 2010, was refused by notice dated 10 June 2010.
 - The development proposed is the change of use of land to use as a residential caravan site for 8 gypsy families with a total of 16 caravans, including laying of hardstanding and installation of package sewage treatment plant.
-

Appeal B - Ref: APP/V3120/A/11/2146552

Land on the corner of the B4508 and A420, Watchfield, Oxfordshire

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Varey against the decision of Vale of White Horse District Council.
 - The application Ref WAT/7121/4, dated 11 October 2010, was refused by notice dated 21 January 2011.
 - The development proposed is the use of land for the stationing of caravans for residential purposes for 8 No gypsy pitches together with the formation of additional hardstanding and utility/dayrooms ancillary to that use.
-

Application for costs

1. At the Hearing an application for costs was made by Mr Paul Varey against Vale of White Horse District Council. This application is the subject of a separate decision.

Decisions

Appeal A

2. The appeal is dismissed.

Appeal B

3. The appeal is dismissed.

Procedural Matters and Background

4. For ease of reference I have referred to the different cases as Appeals A and B in this decision letter as set out in the headers. The two appeals relate to the same site but with different access proposals. I use singular terms where appropriate for ease of reading.

5. A driveway and an area of hardstanding have been formed on the appeal site. The driveway is in the position proposed in Appeal A. The hardstanding covers an area similar to that proposed in both appeals. Therefore, the proposals seek to retain some of the development that has been carried out.
6. *Circular 01/2006 - Planning for Gypsy and Traveller Caravan Sites* remains the main statement of national policy on gypsies and travellers. However, following an earlier announcement that he intends to revoke the Circular, the Secretary of State has published a consultation document¹ which is accompanied by an explanation that the current planning policy for traveller sites does not work and that a new approach is needed. Whilst the Circular has yet to be revoked, the substance of the consultation document gives a clear indication as to the Government's intended direction and is thus a material consideration. That said, because the consultation may prompt amendments to the draft guidance and because the Circular remains in place, I am also bound to have regard to the latter in determining this appeal. In this respect I still give considerable weight to the Circular but limited weight to the DPPS.

Main Issues

7. The applications are for gypsy pitches. Planning policies affecting gypsies and travellers apply. The main issues are:
 - (i) the effect on highway safety;
 - (ii) the effect on the character and appearance of the area;
 - (iii) the need for, and provision of, gypsy and traveller sites and alternative accommodation options; and,
 - (iv) the accommodation needs of the intended occupiers and their other personal circumstances.

Reasons

Highway Safety

8. The Council has concerns about the safety of the vehicular accesses for both appeals. In the case of Appeal A, the existing access would be used which is close to the junction of the B4508 with the A420. The national speed limit applies to both roads. Visibility is affected by the layout of the junction, such that vehicles travelling from the south-west and entering the B-road at speeds of about 25mph are not seen until they are about 35m from the access.
9. There are two main sources of guidance about visibility for accesses, the *Design Manual for Roads and Bridges* (DMRB) and *Manual for Streets 1 and 2* (MfS). DMRB recommends greater visibility requirements than MfS. There was a dispute at the hearing between the main parties as to which guidance should apply.
10. MfS2 advises that the starting point for any scheme affecting non-trunk roads should be MfS. Having considered the advice in Section 1.3 of MfS2 it would seem to me that the B4508 is a road where DMRB recommendations should be followed. In arriving at this view I have taken into account that the actual speed near the access is less than 40mph. However, the road as a whole is designed for, and has traffic speeds above, 40mph. It is a highway with few direct frontages. Moreover, it cannot be described as a rural lane where the character of the road keeps speeds low. Its key role is to accommodate traffic movement rather than having a place function as a street.

¹ Planning for traveller sites – Draft Planning Policy Statement – Consultation – April 2011 (DPPS)

11. Visibility from the existing vehicular access in a south-easterly direction is inadequate. The use of the access by vehicles from 8 gypsy pitches, including some touring caravans and small commercial vehicles, would cause unacceptable highway dangers for users of the access and other drivers on the highway. The proposal would lead to an increase in stopping and turning movements close to the junction with greater risk of collisions.
12. The vehicular access in Appeal B would be sufficient distance away from the junction so that the proposal would not increase the risk of accidents at the junction. Existing vegetation on the highway verge restricts visibility at the proposed access point. However, with some limited clearance of branches and undergrowth, the alignment of the B road would allow adequate visibility in both directions, complying with the 160m 'y' distance recommended in DMRB for speeds of about 50mph in a north-westerly direction and providing a splay to the junction to the south-east. A condition could be imposed to ensure that the visibility splays are retained.
13. The village of Watchfield, with its primary school, post office and playing field, lies on the opposite side of the A420 from the appeal site. Given the proximity of the facilities and the existence of a cut-through from the main road onto High Street, occupiers of the proposed pitches would be likely to walk across the A420 to the village.
14. The A420 is a busy road linking Swindon with Oxford. I noted significant flows of traffic along the highway travelling at speeds near to the national speed limit, including a considerable number of heavy goods vehicle. The traffic flow figures provided by the Council confirm high traffic volumes. There are also turning movements into and out of the T-junction with the B4508. There are no footways or street lighting around the junction or facilities to assist pedestrians crossing the road. The road does not provide a pedestrian friendly environment.
15. The appellant pointed to a number of factors which would reduce the risk for pedestrians. There is good visibility in both directions. Highway verges and the central ghost island provide places of refuge. People would assess the risk and take care. It was also pointed out there is evidence of locals crossing the road, including dog-walkers, but no record of pedestrian accidents. The worn surface of the cut-through shows regular use. Comparisons were drawn with situations elsewhere on the A420 where the siting of bus stops requires pedestrians to cross the main road. Reference was also made to previous gypsy appeal decisions in which Inspectors had accepted the risks associated with walking along country lanes, without pavements. Although the position of the access on Appeal B could lead to pedestrians walking about 60m along the B4508, a pedestrian gate could be provided at the corner of the site nearest the A420.
16. These factors do not persuade me that the appeal proposals would be acceptable in respect of pedestrian safety. The ghost island would not be a safe place to take refuge as it is intended to direct traffic and can be sometimes used for overtaking. Pedestrians waiting within it would be vulnerable without protection from bollards, railings or kerbs. Hazards would be compounded during the winter months with fewer hours of day light and the potential for slippery conditions under foot. Those crossing the road for recreational purposes do so by choice. In contrast, some residents of the appeal site would find it necessary to cross the road to undertake essential journeys, including to the school and post office. There are no existing dwellings near the junction so those essential journeys would not tend to arise at present. I also have concerns that children from the site would make their way

across the road to the playing field and shop or may stray onto the road. From my experience, parents could not prevent this occurring. A lack of accidents so far does not convince me that an increased risk of serious accidents would not occur with the proposals.

17. There was no information before me about the frequency of use of the bus stops referred to but they are in isolated locations. The potential hazards for pedestrians caused by the bus stop locations do not justify the appeal proposals. The appeal decisions drawn to my attention involved sites which are 2km or more from the nearest settlement. The frequency of pedestrian movements along country lanes in those situations would not be comparable to the number that would be likely to occur with the appeal proposals and the risks are different. I accept that walking along the B4508 can be avoided but the obstacle of the A420 would remain.
18. On highway safety matters I conclude that Appeal A would be unacceptable due to the inadequate visibility at the point of access. I conclude that both Appeals A and B would lead to unacceptable dangers for pedestrians. There would be conflict with Policy DC5 of the *Vale of White Horse Local Plan (LP)* as safe access would not be provided for all users. This is a case where I have given careful consideration to the safety of children and others who would live on the site due to the adjacent main road as advised by the Government's *Good Practice Guide - Designing Gypsy and Traveller Sites*. My conclusions on highway safety matters take into account that the County Council submitted an application for a gypsy transit site on part of the appeal land in 1993. However, as that proposal was withdrawn for reasons unknown, I give it little weight.
19. I have considered whether conditions could overcome my concerns. Visibility to the south-east of the Appeal A access cannot be improved due to the geometry of the junction. The appellant considers that measures to improve the safety for pedestrians crossing the A420 would not be necessary and the cost would be prohibitive. The Council suggested a condition relating to pedestrian improvements, including lighting, in the list provided in advance of the hearing but was unable to clarify the nature of the works that would be required. Based on the information before me such a condition would not meet the tests of precision and reasonableness².

Character and Appearance

20. The site lies on the edge of an area of open countryside to the north and north-west of the A420. This tract of countryside forms part of the Lowland Vale Area of High Landscape Value but is not subject to any national landscape designations. *Circular 01/2006* advises that rural settings not subject to special planning constraints are acceptable in principle for gypsy and traveller sites and that local landscape designations should not be used in themselves to refuse planning permission. The DPPS recognises that some rural areas may be acceptable for some forms of traveller sites. Policy H22 of the LP accepts that gypsy sites can be located on sites that would not be allowed for conventional housing. Its criteria imply that a countryside location, beyond areas of special constraint, is acceptable in principle for gypsy sites. In such cases Policy GS2 of the LP, which applies to the open countryside, would not be compromised.

² Circular 11/95 - The Use of Conditions in Planning Permissions

21. The countryside around the appeal site comprises undulating arable land. Many of the fields are large with limited natural divisions. In contrast the sloping triangle of land, including the appeal site, is surrounded by substantial hedges.
22. I observed that the hedges provided good screening to the site so that the caravans, utility/day rooms, vehicles and domestic paraphernalia associated with the use would not be readily visible from the A420 and B4508, particularly during the summer months. Although the effectiveness of the screening would reduce in the winter, the thickness of the vegetation would soften the impact of the development and assist in assimilating the caravans and other structures into the landscape. The degree of visibility would be acceptable. Close-boarded fencing has been positioned behind the hedges. The fence is not intrusive because of the hedge but at the same time would assist with screening. The access points in each appeal would allow views into the site but appropriate landscaping could soften the appearance of the development when seen from the B4508. Three lighting columns have been positioned along the access road. However, they do not form part of the proposal. More sensitive lighting could be achieved by illumination fixed to the fencing or through the use of low-level bollards.
23. I also assessed the impact of the proposed development from other potential viewpoints. The development would not be readily discernible from The Ridgeway as it would visually merge with the built-up area of Watchfield from this direction and distance. The nearby main road, wind turbines, solar panels and business units would be much more significant manmade structures in the landscape. Topography prevents the site being visible from the public footpaths to the west and south-west. There is a permissive conservation walk along the north-west boundary. The development would not significantly detract from the enjoyment of the walk as the small gaps in the hedge could be filled by additional planting.
24. I conclude that the proposals would have an acceptable impact on the character and appearance of the area. In arriving at this conclusion I have had regard to the implication that national policy accepts that some degree of harm to the character and appearance of a rural area is likely in many cases, because of the in-principle support for gypsy sites in the countryside. It is a matter of judging whether the harm would fall within acceptable bounds or would be significant. This approach has been adopted by Inspectors in appeal decisions since the publication of *Circular 01/2006* and more recently the DPPS. I judge that the limited harm would be below the threshold between acceptable and unacceptable. This is a more appropriate test than that required by Policies DC1, H22 and NE9 of the LP, which require that no harm would be caused.
25. In relation to Policy NE9, which applies to the Lowland Vale, there would be no adverse effect on the long open views across the vale. Moreover, the policy needs to be considered in the context of Government advice that local landscape designations should be based on robust assessment of landscape quality³. Such an assessment does not appear to have been carried out.

The Need for, and Provision of, Gypsy Sites and the Availability of Alternative Sites

26. *Circular 01/2006* identified a need to increase significantly the number of gypsy and traveller sites nationally in appropriate locations in the 3-5 years after its publication. A Gypsy and Traveller Accommodation Assessment (GTAA)⁴ identified

³ Planning Policy Statement 7: Sustainable Development in Rural Areas

⁴ Gypsy and Traveller Accommodation Needs Assessment for the Thames Valley Region - 15 September 2006

an indicative need for 2 pitches in the Vale of White Horse area between 2006 and 2011. The evidence suggests that the GTAA under-estimated need due to assumptions made about the supply of pitches and a failure to take account of in-migration. Having regard to these flaws the appellant estimated that the need up to 2011 would be for 15 pitches with a further 8 pitches required by 2016. An updated GTAA will be required but work on such a document has not been commenced.

27. With regard to the development plan, a partial review of the *Regional Spatial Strategy for the South East* (RSS) proposed a requirement, through Policy H7, for 12 permanent residential pitches between 2006 and 2016 but the proposal has not been finalised due to the intention of the Government to revoke the RSS. The unfinished Panel Report on the partial review, revealed in response to a Freedom of Information request, proposed an increase in the figure to 35 pitches by 2016. However, the draft Panel Report should be given little weight, although the evidence base is relevant.
28. Although the Council accepted that the need is probably greater than set out in the GTAA, it pointed out that there had been a steady decline in the number of unauthorised sites and encampments and no applications or appeals for private sites in the last 15 years until the current proposals. However, the waiting list for Oxfordshire Council sites is sizeable. The analysis carried out by the appellant, suggesting a requirement about midway between the RSS and Panel figures, seems to me to be a reasonable estimate of need.
29. In terms of provision, the Council site at Redbridge Hollow has been extended to provide an additional 8 pitches. There has been no other provision since 2006. The Council's Local Development Scheme indicates that a *Managing Development Document* (MDD), allocating sites for development, will be adopted by August 2013. However, there has already been slippage in the adoption process for the Core Strategy so a more realistic target for the adoption of the MDD, based on the evidence in front of me, would be 2015. It would take a further period of about 12 months for sites to be ready for use. Thus, the provision of sites through the development plan process is some way off and well-beyond the timescales envisaged by *Circular 01/2006*. This represents a failure of policy.
30. Redbridge Hollow, including the additional pitches, is full. The Council site at East Challow has a small number of vacant plots. However, the site is occupied by one extended family. There appear to be management reasons why the plots would not be suitable for other gypsies and travellers. There is an extensive waiting list for Council sites. A private transit site at Fyfield Wick is occupied by non-gypsies. The Council could not point to any alternative private sites which were available, affordable, acceptable and suitable.
31. I conclude that there is a clear and immediate need for more gypsy sites in the area and there are no alternative sites currently available. Planning permission in this case would make up the shortfall in meeting the needs up to 2011 and contribute to the supply of housing sites required by *Planning Policy Statement 3: Housing*.

Personal Circumstances

32. There are two extended families of Romani Gypsies who wish to occupy the site. The families do not currently have residential pitches of their own. Some are currently stopping on a touring caravan site in Ledbury which is subject to flooding.

Others are doubling up on sites occupied by friends, are using transit sites or are pulled up on the side of the road. The evidence indicates that all the families have pressing accommodation needs. There was no evidence before me that there were alternative sites available for the intended occupants.

33. Some of the older gypsies have heart and arthritis problems and require frequent visits to the Doctors. One of the younger women is almost blind and has regular appointments with an eye specialist. A teenage boy has asthma and requires check ups.
34. Two of the families have dependent children. Two children are of secondary school age and are currently home-tutored with the boy hopeful of starting an apprenticeship with a local farrier once he is 16. One child is of primary school age and has been attending a school in North Wiltshire. The youngest intended occupant is almost two. A further child is on the way. Moreover, there are two further young couples who intend to start families soon.
35. The intended occupants have a range of health and education needs which could be said to be typical of a group of gypsy families of mixed age. However, whilst not unusual, these needs are in the context of gypsies and travellers experiencing the worst health and education status of any group in England. *Circular 01/2006* recognises the benefits of continuity in education and access to health care as important issues. The DPPS has an objective of enabling the provision of suitable accommodation from which travellers can access education and health infrastructure. Providing a settled base for the families would enhance the education and health outcomes for the families and improve their general well-being. The families would be able to benefit from the mutual support provided by living as extended family groups, a key feature of their traditional way of life. The appeal site would allow regular access to preventative health care and attendance at the nearby school by those children of primary school age.

Other Matters

36. The site is close to the primary school and post office in Watchfield. The other shops and services in the conjoined settlements of Watchfield and Shrivenham are within easy reach. Putting to one side the issue of pedestrian safety, the site is in a suitable location near to an existing settlement.
37. There is no reason why the site occupants could not live peacefully with the local community. The site would not be out of scale with the settled community of Watchfield. There are no dwellings close to the appeal site. Those of the intended occupants who work would conduct their businesses remotely. Any commercial vehicles parked on the site would be of a scale which would be ancillary to the residential use. The privacy and general living conditions of existing residents would not be materially affected by overlooking, light pollution, noise and disturbance. The damage caused by unauthorised encampments would be reduced.
38. The site is not at risk of flooding. Although public sewers are available in Watchfield village, the Council accepted that the costs of connection, across the main road, would be prohibitive. The proposed package sewage treatment plant would be the next best option. The Council's concerns about the proposed siting of the treatment plant and its soakaway system, close to the small embankment to the A420, could be overcome by conditions requiring the details of the siting of the sewage infrastructure to be agreed with the Council. Surface water would appear

to be capable of being dealt with by soakaways, given the size of the land holding. The camber of the access road could be adapted to prevent run-off onto the A420. Drainage would comply with Policy DC14 of the LP.

39. A quarry formerly straddled part of the site. The level of contamination would be unlikely to be sufficient to prevent the development going ahead. A planning condition could require investigatory work to ascertain the level of contamination and any remediation necessary.

Conclusions

40. There are significant factors in favour of the appeal proposals. The impact on the character and appearance of the area would be acceptable. There is a clear and immediate need for more gypsy sites in the area and there are no alternative sites currently available. The particular accommodation needs of the intended occupants and their other personal circumstances also weigh in favour of the grant of planning permission. However, I conclude that these weighty factors in favour do not override the highway safety objections to the proposals, particularly those related to the risks to pedestrians. To allow the appeals would put the intended occupants of the site, particularly the children, at unacceptable risk.
41. I have considered whether temporary permissions could be granted as such a course of action would time-limit the highway risks and would provide a period for the intended occupiers to find an alternative site or sites. There is a reasonable expectation that new sites are likely to become available within a period of about 5 years through the MDD. Therefore, planning circumstances are likely to change. In such cases substantial weight should be attached to the unmet need. However, I consider that the highway safety risks would be unacceptable, even for a temporary period of a few years.
42. The affected families may need to continue moving between short-term sites or stop on the side of the road. Access to health care and education would continue to be problematic. I have considered whether such consequences, which would cause particular hardship for those with specific health problems, would be proportionate in the circumstances have regard to Human Rights provisions, in particular the right to a home and family life. However, the harm which would be caused by the development in terms of its effect upon public safety would be considerable. Taking into account all material considerations I am satisfied that this legitimate aim can only be adequately safeguarded by the refusal of planning permissions.
43. I have had due regard to Section 71 of the Race Relations Act and the need to eliminate unlawful discrimination and to promote equality of opportunity in reaching my decisions but the safety objection is a strong countervailing argument.
44. For the reasons given above I conclude that the appeals should be dismissed.

Mark Dakeyne

INSPECTOR