

Planning Inspectorate Reference:

APP/E2530/C/21/3274182

SKDC Ref: ENF21/0003

Appeal by: Mr S Smith

**Land at Valley Lane/A1 Junction
Long Bennington,
Lincolnshire,
NG23 5EE**

**Appeal against Enforcement Notice for Unauthorised occupation of traveller caravans
on land**

Suggested Planning Conditions

Local Authority's Suggested Planning Conditions

If on the balance of all relevant material considerations, the Inspector is minded to allow the appeal on Ground (a), the following conditions are suggested:

1. *The use hereby permitted shall be carried on only by the following: MR SAM SMITH and their resident dependents, and shall be for a limited period being the period of three years from the date of this decision. At the end of the three years, the use of the land shall cease and the site vacated.*

Reason: For the avoidance of doubt and to allow the Council to re-assess its planned allocation of gypsy and traveller sites as required by the early Local Plan Review.

2. *Within 3 months of the site being vacated, or the temporary period of 3 years ending, the land shall be returned to the same condition prior to occupation, including the removal of any caravans, trailers, vehicles, commercial equipment and tools, fencing, new hard standings, drainage equipment and any other commercial or domestic paraphernalia.*

Reason: In order to ensure that the land is returned to its former condition, at the end of the temporary permission period.

3. *Within 3 months of the date of this decision, a scheme showing the proposed final layout of the site to include not more than one residential pitch including one mobile home and one touring caravan, as well as defined areas for the residential use, grazing and storage related to the occupants' business shall have been submitted to the Local Planning Authority for approval in writing.*

Reason: To define the permission and for the avoidance of doubt.

4. *Within 1 month following the approval of the site's layout, the site shall be laid out in accordance with the approved site layout plan for one residential pitch including one mobile home and one touring caravan. No additional caravans shall be sited or additional plots or pitches provided without planning permission having first been obtained from the Local Planning Authority.*

Reason: In order to control the number of permanent residential pitches on the site to protect the character of the area in accordance with Policies DE1 and H5 of the adopted South Kesteven Local Plan and in order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

5. *Within 3 months of the date of the decision, a scheme for the treatment of surface and foul water drainage shall have been submitted to and approved in writing by the Local Planning Authority.*

Reason: To ensure the provision of satisfactory surface and foul water drainage in accordance with Policy EN5 of the adopted South Kesteven Local Plan.

6. *Within 1 month of the details required to show the surface and foul water drainage scheme, submitted under Condition 4, being approved, the works to provide the surface and foul water drainage shall have been completed in accordance with the approved details.*

Reason: To ensure the provision of satisfactory surface and foul water drainage in accordance with Policy EN5 of the adopted South Kesteven Local Plan.

7. *Within 3 months of the date of the decision, the applicant shall implement the recommendations and mitigation measures for noise as set out within Section 6.3 of the Noise Impact Assessment Report, produced by NoiseAir Limited, dated 23 June 2021. The implemented measures shall be retained for the duration of this permission.*

Reason: To ensure occupants of the development benefit from appropriate living conditions in respect of noise in accordance with Policy DE1, EN4 and H5 of the adopted South Kesteven Local Plan.

8. *No commercial activities shall take place within the site, other than those related to the [REDACTED] business operated by the applicant.*

Reason: In the interests of visual amenity and to protect the character of the area in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

9. *No floodlighting, security lighting or other external lighting shall be installed or operated on the site other than in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority.*

Reason: To protect the visual amenity of the area and limit pollution in accordance with Policies EN4 and DE1 of the adopted South Kesteven Local Plan.