

**19/00863/FUL  
NON MAJOR**

**Mr Patrick Dunne**

**BREWOOD & COVEN**

**Cllr Wendy Sutton  
Cllr Joyce Bolton  
Cllr Diane Holmes**

**Land Adjacent Brinsford Bridge Stafford Road Coven Heath**

**Erection of 2 amenity buildings**

**1. SITE DESCRIPTION AND PLANNING HISTORY**

**1.1 Site Description**

1.1.1 The application relates to an existing traveller site that is occupied by one extended family. The site is in the Green Belt, approximately 1.2km south of Coven village, with access via the western side of the A449 Stafford Road.

1.1.2 The site is bordered by the A449 to the east, the Staffordshire and Worcester Canal to the north and west, and by an open field to the south.

1.1.3 The site is bound on all sides by mature hedgerows and trees that provide effective screening. The character of the area is semi-rural with sporadic residential development along Shaw Hall Lane to the west beyond the application site boundary with the Staffordshire and Worcestershire Canal (a Conservation Area). Brinsford Farm Boat yard and repair workshop are located on the opposite side of the A449 to the east. There is a row of houses fronting the western side of the A449 approximately 70m south of the application site.

1.1.4 The application site is an allocated Gypsy site 'GT08 - Brinsford Bridge, Coven Heath'.

**1.2 Relevant Planning History**

2002, Change of use of land for the siting of mobile home and temporary siting of static caravan, Refused (02/01223/COU).

2003, Change of use to private gypsy caravan site for one family. Refused (03/00989/COU).

2006, Private gypsy caravan site, Refused (06/00140/FUL).

2006, Private gypsy caravan site, Refused (06/00783/FUL). Allowed at appeal on 22/11/2007 (APP/C3430/A/06/203210/NWF).

2009, Removal of condition 4 of 06/00783/FUL to allow stationing of static caravans, Approved (09/00099/VAR).

2009, Construction of day room building ancillary to gypsy site and amendments to site layout, Approved (09/00633/FUL).

2010, Use of land for the stationing of caravans for 4 residential gypsy pitches with ancillary hardstanding, fences and dayrooms, in addition to the existing planning permissions for 3 caravans and utility/dayroom, Refused (10/00392/FUL).

2011, Use of land for the stationing of caravans with revised site layout for 2 residential Irish traveller pitches and 1 transit pitch with ancillary utility building, Approved (11/00125/FUL).

2013, Erection of single loose box stable for stabling 1 horse, Approved (13/00838/FUL).

2015, Use of land for the stationing of caravans for residential purposes for additional 3 gypsy pitches, together with the formation of ancillary hardstanding and utility/dayrooms, Refused (15/00452/FUL).

2016, Use of land for the stationing of caravans forming 3 gypsy pitches, together with the formation of ancillary hardstanding and utility/dayrooms, Refused (16/00562/FUL).

2017 - The use of land for the stationing of caravans for residential purposes for additional 3no. gypsy pitches and 3no. transit pitches, together with the formation of hardstanding and utility/dayrooms ancillary to that use and conversion of the existing stable ref: 13/00838/FUL to the toilet block for the use of the transit pitches. - refused (17/00834/FUL).

### **1.3 Pre-Application Discussions - None.**

## **2. APPLICATION DETAILS**

2.1.1 The applicant proposes the erection of two single storey ancillary dayrooms/amenity buildings. They are proposed to be approximately 10 metres long by 8 metres wide. The day rooms are proposed to contain a kitchen/dining area, bathroom, utility area and a sitting area.

2.1.2 The buildings are proposed to be used by the extended family during the day, the existing touring caravans would be used for sleeping accommodation. The dayrooms would also facilitate the home schooling of children on the site.

2.1.3 The buildings are proposed to be constructed of brick and tile and be domestic in appearance.

## **3. POLICY CONTEXT**

3.1 Within the Green Belt and adjacent to the Staffordshire & Worcestershire Canal Conservation Area.

3.2 Adopted Core Strategy

Strategic Objectives:

Strategic Objective 1: To protect and maintain the Green Belt and Open Countryside in order to sustain the distinctive character of South Staffordshire.

Strategic Objective 3: To protect and improve South Staffordshire's environmental assets.

Strategic Objective 4: To protect, conserve and enhance the countryside, character and quality of the landscape and the diversity of wildlife and habitats.

Strategic Objective 6: To ensure that all new development is sustainable, enabling people to satisfy their basic needs and enjoy a better quality of life, without compromising the quality of life of future generations.

Strategic Objective 8: To ensure the delivery of decent homes for members of the community including the provision of more affordable housing which matches in type, tenure and size the needs of the residents of South Staffordshire and to meet the needs of an ageing population.

Strategic Objective 13: To reduce the need to travel, to secure improvements to public transport infrastructure and services and make it safer and easier for the community to travel to jobs and key services by sustainable forms of transport, such as public transport, walking and cycling.

Core Policies:

Core Policy 1 - The Spatial Strategy for South Staffordshire

Core Policy 6 - Housing Delivery

Core Policy 11 - Sustainable Transport

Development Policies:

GB1 - Development in the Green Belt

EQ1-Protecting, Enhancing and Expanding Natural Assets

EQ3 - Conservation, Preservation and Protection of Heritage Assets

EQ4 -Protecting and Enhancing the Character and Appearance of the Landscape

EQ7 - Water Quality

EQ8 - Waste

EQ9 - Protecting Residential Amenity

EQ11 - Wider Design Conditions

EQ12 - Landscaping

H6 - Gypsies, Travellers and Travelling Showpeople

EV11 - Sustainable Travel

EV12 - Parking Provision

South Staffordshire Site Allocations Document (SAD) in respect of proposed Gypsy and Traveller Sites - 2018.

3.3 Other Policy Considerations

Planning Policy for Traveller Sites 2015

National Planning Policy Framework

South Staffordshire and Northern Warwickshire Gypsy and Traveller Accommodation Assessments (GTAA)

The Black Country & South Staffordshire combined GTAA

**4. CONSULTATION RESPONSES**

**Councillors** (expired 02.01.20) - No comments received

**Parish Council** (expired 02.01.20) - No comments received

**County Highways** (Received 10.01.20) No objections

**Local Plans** (expired 02.01.20) No comments received.

## **5. APPRAISAL**

5.1 The application is brought before Committee as the proposal is inappropriate development in the Green Belt.

### **5.2 Key Issues**

- Principle of Development
- Green Belt
- Very Special Circumstances (VSC)
- Impact upon the character and appearance of the locality
- Residential amenity
- Highways
- Impact on the conservation area

### **5.3 Principle of Development**

#### **Policy H6/Gypsy and Traveller Needs**

5.3.1 The 2012 adopted Core Strategy contains Policy H6: Gypsies, Travellers, and Travelling Showpeople, which sets out criteria for the determination of applications for Gypsy and Travellers sites and pitch requirements up to 2028. However, this policy relates to the provision of a new pitch rather than amenity blocks on existing authorised pitches, nevertheless, this Policy is considered within the report.

5.3.2 The Policy requires the following 9 criteria to be met for additional pitches and suitable site allocations.

1. The intended occupants must meet the definition of Gypsies & Travellers or Travelling Showpeople.
2. Essential services such as power, water sewerage, drainage and waste disposal are either available or can be provided to service the site
3. The site will be well designed and landscaped.
4. Transit sites should have good access to the strategic highway network.
5. Sites for Travelling Showpeople will be large enough to accommodate ancillary yards for business uses.
6. The site can adequately and safely be accessed by vehicles towing caravan
7. The proposal, either in itself or cumulatively having regard to existing neighbouring sites.
8. Proposals shall be sited and landscaped to ensure that any impact on the character and landscape of the locality is minimised
9. Proposals must not be located in areas at high risk of flooding including functional floodplains

## 5.4 Green Belt

5.4.1 The application site is within the Green Belt where there is a general presumption against inappropriate development. As the site is in the Green Belt the proposal is subject to Core Strategy Policy GB1, with the approach to Green Belt set out in the NPPF a further material planning consideration. The construction of a new building should be regarded as inappropriate development. National policy within the Framework contains a general presumption against inappropriate development in the Green Belt. Such development should not be approved, except in very special circumstances (paragraph 143). Paragraph 145 and Policy GB1 of the Core Strategy sets out a number of exceptions,

5.4.2 The proposed development does not fall within the listed exceptions with the NPPF and is therefore regarded as inappropriate development. Policy GB1 and Paragraph 143 of the NPPF details that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

## 5.5 Very Special Circumstances (VSC)

5.5.1 The proposal is located in the Green Belt and therefore Very Special Circumstances will need to be demonstrated by the applicant.

5.5.2 The Planning Policy for Traveller Sites (PPTS) Paragraph 16 under Policy E states that;

*"Inappropriate development is harmful to the green belt and should not be approved, except in very special circumstances"*

5.5.3 Paragraph 16 of the PPTS also comments that;

*"Subject to the best interests of the child, personal circumstances, and unmet need are unlikely to outweigh harm to the Green Belt and any other harm so as to establish very special circumstances."*

5.5.4 The proposal is for 2 additional amenity blocks totally within the boundary of an allocated and approved gypsy site.

5.5.5 In regard to VSCs the agent has detailed that the primary function of the two amenity buildings would to provide classrooms/playrooms for the children and grandchildren and that the existing amenity building does not provide sufficient space for this to take place. The site has consent for three static caravans/mobile homes pitches, the two proposed buildings would ensure there would be an amenity building/day room for each pitch, this would ensure that each individual household has responsibility for maintenance of their own amenity building. In this case, although the households occupying the site are related, each household can furnish and the amenity building to their own taste.

5.5.6 The proposed dayrooms are of a size commensurate with the size of the families that will be using them. The need for a classroom/playroom for the children is for the best interests of the children, present facilities are insufficient for this purpose, the extent and scale of the proposal is appropriate and justifiable in this context and do therefore represent VSC.

5.5.7 As such, it is considered that VSC has been demonstrated as the application is in compliance with Policy SAD4, GB1 and the NPPF.

## **5.6 Impact upon Green Belt**

5.6.1 Brinsford Bridge, Coven Heath is an existing gypsy site in the Green Belt. The proposal is for additional amenity buildings within the established boundary of the site. It is considered the proposal would not result in a further incursion into the Green Belt by adding the amenity blocks to the site.

5.6.2 Whilst the proposal would involve an increase in mass and buildings within the Green Belt it is considered it would have very limited impact and harm upon the openness of the Green Belt.

## **5.7 Impact upon the character and appearance of the locality.**

5.7.1 The application site is located within the boundary of the existing authorised site along the A449 and is constrained on its north, east and western boundary. The site is well screened by the established hedgerows on its boundaries.

5.7.2 The proposed development is not therefore visible from public views or prominent within the landscape setting. The development would not therefore cause any additional harm to the visual amenities of the locality.

5.7.3 The design of the buildings, due to their single storey nature and domestic design, are considered to be sympathetic to the locality.

5.7.4 The provision of 2 amenity blocks relating would not be therefore impact adversely on the character and appearance of the locality. It is therefore considered that the development would conform with the third criteria of Core Policy H6.

## **5.8 Residential amenity**

5.8.1 Policy EQ9 states that new development "should take into account the amenity of any nearby residents, particularly with regard to privacy [...] and daylight."

5.8.2 The proposed amenity blocks would not increase the numbers of people using the site and there is significant separation between the proposed amenity blocks and any nearby residential dwellings.

5.8.3 Due to the location of the proposed buildings and the distance from any nearby residential dwellings, it is considered that the proposed buildings would not cause harm to the amenity of any nearby residents.

5.8.4 It is considered that the proposal would not result in an enlarged site dominating the local settled community. It is considered that the proposal accords with the third and seventh criterion of policy H6 and is in accordance with the aims of EQ9.

## **5.9 Highways**

5.9.1 The existing site access from the A449 would be utilised to serve the proposal. The proposal does not propose to increase the number of pitches but to improve existing facilities on site. The development would not therefore result in any increase in the number of vehicle movements to and from the site.

5.9.2 The site access is of a sufficient size and set back from the highway to allow safe access with towing vehicles. There is sufficient space on site to allow vehicle parking, turning and to leave the site in a forward gear.

5.9.3 County Highways have raised no objection to the application. It is considered the proposed development would not result in highway safety issues and that the proposal would be in accordance with the fourth and sixth criterion of policy H6.

#### **5.10 Impact on the Conservation Area**

5.10.1 Policy EQ3 seeks to protect the District's conservation area resources for the benefit of future generations. The application site is adjacent to the Staffordshire and Worcester Canal Conservation Area. Therefore, there is the potential that the proposal would have an impact upon the setting of the conservation area.

5.10.2 However, due to the extent of landscaping present between the application site and Conservation Area, it is considered that the proposed development would not detrimentally impact upon the setting of the Staffordshire and Worcester Canal Conservation Area, complying with Policy EQ3.

#### **5.11 Other matters**

5.11.1 The status of the applicant and his family as travellers has been established in previous applications on the site. It is therefore considered criteria 1 of Policy H6 has been met.

5.11.2 The application site is within Flood Zone 1 and therefore not at risk of flooding, this complies with criteria 9 of Policy H6.

#### **6.0 Conclusion**

6.1 The site falls within the West Midlands Green Belt wherein there is a strong policy presumption against inappropriate development. It is acknowledged that the proposed development represents inappropriate development and it is therefore essential to assess whether the factors which weigh in favour of the application override the harm to the Green Belt by reason of inappropriateness combined with any other identified harm.

6.2 Having carried out a necessary balancing exercise and taken into account it is concluded that the factors which weigh in favour of the application (i.e. the need and the limited harm to openness) clearly outweigh the identified harm in this case and as such recommend approval of the proposed development.

#### **7. RECOMMENDATION - APPROVE Subject to Conditions**

Subject to the following condition(s):

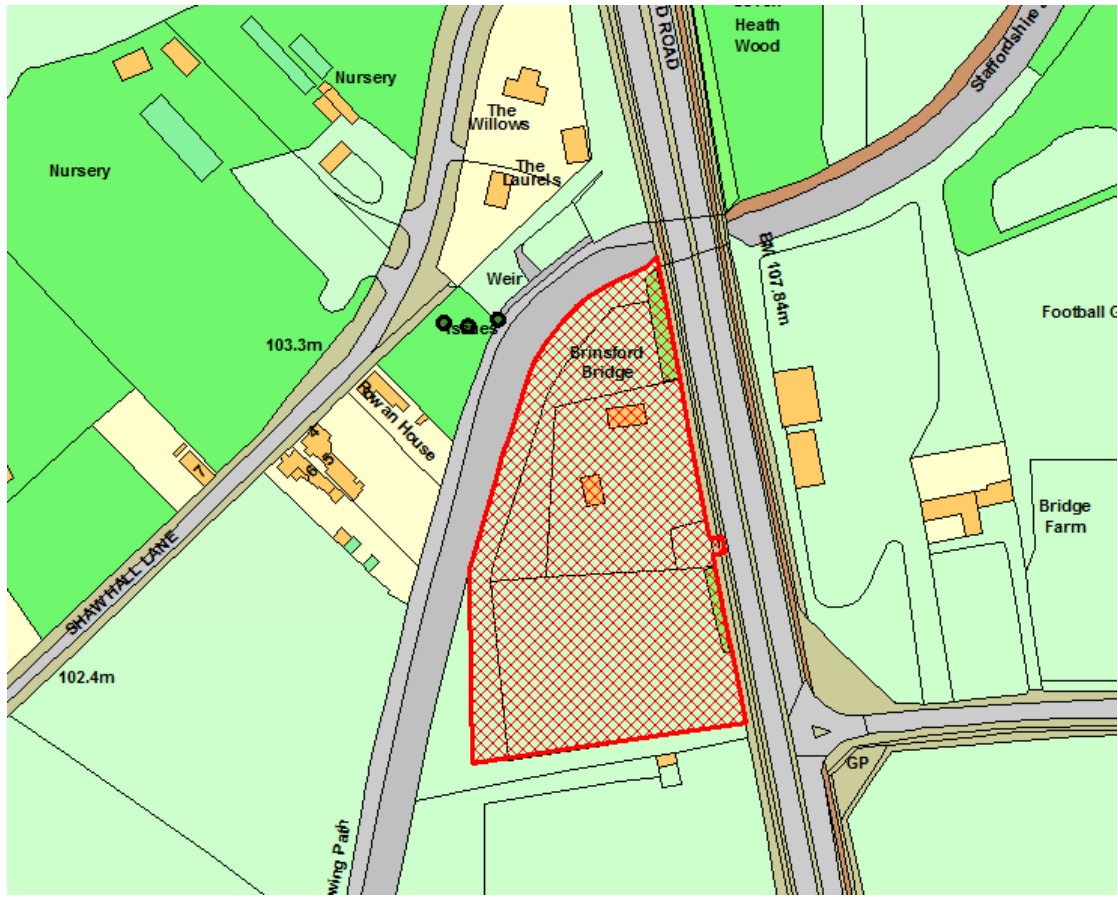
1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.

2. No works above damp-proof level shall take place until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority.
3. Development shall be carried out in accordance with the approved details.
  - 'Site Layout'
  - 'Amenity Building' - front and rear elevations plan, received on the 2nd July 2020, scale 1:100
  - 'Amenity Building' - side elevation and roof plan, received on the 2nd July 2020, scale 1:100
  - 'Amenity Building' - floor plan, received on the 2nd July 2020, scale 1:100
4. The amenity blocks hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of the existing residential gypsy pitches and shall not be sold off, sub-let or used as a separate unit of accommodation.

#### Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
3. To define the permission.
4. In order to define the permission in accordance and Policy GB1 of the Core Strategy and the National Planning Policy Framework.
5. Proactive Statement - In dealing with the planning application the Local Planning Authority has worked in a positive and proactive manner by agreeing amendments to the application and in accordance with paragraph 38 of the National Planning Policy Framework 2019.





Land Adjacent Brinsford Bridge, Stafford Road, Coven Heath