

**20/00274/FUL**

**Mr John Evans**

**SHARESHILL**  
**Cllr Frank Beardsmore**  
**Cllr Bob Cope**

**Brookfield Farm Cannock Road Shreshill WV10 7LZ**

**Temporary use of land for the siting of a mobile home and related structures including septic tank for occupation for the lifetime of Mr C J Evans only**

## **1. SITE DESCRIPTION AND PLANNING HISTORY**

### **1.1 Application Site**

1.1.1 The application site is located within the northern aspect of the farm complex sited close to existing buildings that form the existing farm complex of buildings associated with Brookfield Farm which extent to the south of the application site. Brookfield Farmhouse is located to the northwest of the application site. Vehicular access to the site is taken directly from the Cannock Road to the west of the site. An existing public Bridleway runs adjacent to the site in an east/west direction. The site is located within Green Belt.

### **1.2 Planning History**

Various but none of direct relevance to this application.

## **2. APPLICATION DETAILS**

### **2.1 The Proposal**

2.1.1 The proposal seeks the retention of the temporary use of land for the siting of a mobile home and related structures including a septic tank for occupation for the lifetime of Mr. C.J Evans only.

### **2.2 Agents Case**

2.2.1 The application is supported by a statement outlining the Applicant's circumstances, a number of doctors letters and two testimonials.

### **2.3 Pre-application**

No pre-application discussions have taken place.

## **3. POLICY CONTEXT**

### **3.1 The application site is located within Green Belt.**

### **3.2 Adopted South Staffordshire Core Strategy, adopted 2012.**

Core Policy 1: The Spatial Strategy for South Staffordshire

Policy GB1: Development in Green Belt

Core Policy 2: Protecting and Enhancing the Natural and Historic Environment

Policy EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

Core Policy 3: Sustainable Development and Climate Change

Policy EQ9: Protecting Residential Amenity  
Core Policy 4: Promoting High Quality Design  
Policy EQ11: Wider Design Considerations  
South Staffordshire Design Guide Supplementary Planning Document, 2018.  
Sustainable Development Supplementary Planning Document, 2018.

### **3.3 National Planning Policy Framework 2019 (the 'NPPF').**

Section 2 - Achieving Sustainable Development  
Section 12 - Achieving well-designed places.  
Section 13- Protecting Green Belt Land

### **3.4 National Planning Policy Guidance**

3.4.1 Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

3.4.2 The law makes a clear distinction between the question of whether something is a material consideration and the weight which it is to be given. Whether a particular consideration is material will depend on the circumstances of the case and is ultimately a decision for the courts. Provided regard is had to all material considerations, it is for the decision maker to decide what weight is to be given to the material considerations in each case, and (subject to the test of reasonableness) the courts will not get involved in the question of weight.

## **4. CONSULTATION RESPONSES**

**Councillor Cope** comments received as summarised:

"Having looked at the situation I have no objections to the merit of granting a temporary approval because of VSC."

**Shreshill Parish Council** (expired 19.04.2020) and no comments received

**Staffordshire County Council (Highways Team)** (Received 1.05.2020): No Objections

**South Staffordshire Council (Environmental Health Team)** (Received 1.05.2020): No Objection "however the Applicant should be aware that they would need to apply for a caravan site license should the planning application be approved."

**South Staffordshire Council (Housing and Wellbeing Team)** (Received 19.01.2021) Support very special circumstances supporting proposal

No neighbour comments (expired 6.05.2020)

Site Notice n/a

## **5. APPRAISAL**

5.1 The proposal is brought before Members of the Planning Committee as it is contrary to Green Belt Policy.

### **5.2 The Key Issues**

- Principle of Development

- Impact on openness of Green Belt
- Very Special Circumstances
- Residential Amenity

### **5.3 Principle of Development**

5.3.1 The NPPF attaches great importance to the Green Belt with its fundamental aim of preventing urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence.

5.3.2 The siting of static caravans and temporary storage containers has historically been considered as a change of use of the land in policy terms. Paragraph 146 of the NPPF considers that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it, including material changes of use. The retention of these structures, although small and of a temporary nature, will have some impact, albeit limited; there is no conflict with the purposes of including land within Green Belt. I therefore consider the proposal to be inappropriate. Any such development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 in the NPPF states that 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.'*

### **5.4 Very Special Circumstances**

5.4.1 This proposal is for the retention of the change of use of land for the temporary stationing of a mobile home. It is for occupation by the Applicant on land which is in ownership of the farm complex the mobile home is stationed within.

5.4.2 The Applicant previously resided at Watt Meadow Farm which comprised of an equestrian centre involving horses at livery where there are indoor riding arenas. The Applicant acted as security for the enterprise and he assisted the owners clients on an informal basis looking after their horses. He moved from the Farm and moved to the present location after the landowner at Brookfield Farm offered to accommodate the Applicant out of concern for his welfare.

5.4.3 The Applicant suffers from a series of health problems and has local connections to Shareshill including with St. Mary and St Luke's Church where his joinery company undertook various works of repair. A number of testimonials have been submitted with the application providing references for the Applicant.

5.4.4 The Case Officer raised the case with the Housing and Wellbeing team as a safeguarding issue whom in turn, has discussed the circumstances with the Applicant. They verify the special circumstances of this case and have undertaken an assessment of the Applicant's situation to ensure the welfare of the Applicant.

5.4.5 The siting of the mobile home would allow the applicant to remain on site which is acceptable to the landowner.

5.4.6 Furthermore, the visual impact is minimised by the siting of the mobile home which is shielded from public view and close to an existing complex of substantial buildings. In addition, the mobile home is not of permanent construction, any recommendation of approval would recommend a condition once the use has ceased for the land to be restored back to its original situation. There are personal circumstances that can be afforded weight in the planning balance and when combined with the temporary nature it is considered that these matters amount to the very special circumstances needed to clearly outweigh the harm to the Green Belt in this instance.

## **5.5 Residential Amenity**

5.5.1 Policy EQ9 Protecting Residential Amenity states that all development proposals should take into account the amenity of any nearby residents, particularly with regard to privacy, security, noise and disturbance, pollution, odours and daylight.

5.5.2 The Environmental Health Team has been consulted on the proposal and have no objection on the amenity of the Applicant.

5.5.3 Given the special circumstances of this case it is considered that the proposal is in accordance with the objectives set out within Policy EQ9 of the Core Strategy, 2012.

## **6. CONCLUSIONS**

6.1 The proposal is considered to be inappropriate development in the Green Belt however I consider there to be very special circumstances, that would clearly outweigh the limited identified harm to the Green Belt (subject to suitably worded conditions requiring removal in the future).

6.2 Furthermore, the proposal would not have any undue harm outside of the complex and there are no concerns arising in respect of highways impact or residential amenity. Therefore, planning permission is recommended subject to appropriate conditions.

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

Subject to the following condition(s):

1. The development shall be retained in accordance with the amended plans referenced 0262 WS1 001 entitled 'Site Location Plan', 0262 WS1 002 entitled Site Block Plan, 0262 WS1 020 entitled 'As Built Plan' and 0262 WS1 025 Rev A entitled 'As Built Elevations' all received by the Local Planning Authority dated 2nd April 2020.
2. The development hereby approved shall be occupied only by Mr. C.J Evans and shall be occupied in this manner until the premises ceases to be occupied by Mr. C.J Evans.
3. When the premises cease to be occupied by Mr. C.J Evans, the use hereby permitted shall cease and all materials and equipment brought on to the premises in connection with the use shall be removed.

## **Reasons**

1. In order to define the permission and to avoid doubt.

2. The use is only justified in the light of the special circumstances of the case.
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**INFORMATIVE**

Please note that a caravan site licence is not limited to just the use of multiple caravans as a caravan park. Individual caravans for personal use and accommodation on land is also required to obtain a caravan licence, whether that be permanent or on a temporarily basis.

Proactive Statement - In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2019.



Brookfield Farm, Cannock Road, Shreshill, WOLVERHAMPTON WV10 7LZ