



South Staffordshire Council

Town and Country Planning Act 1990 Town and Country Planning (General Development Procedure) Order 1995

REFUSAL OF PLANNING PERMISSION

Application Number: 09/00809/FUL
Proposed: Change of use to residential caravan site for occupation by 5 gypsy families (9 pitches) providing a total of 23 caravans, plus erection of two amenity blocks, laying of hardstanding and access improvements [partially retrospective]
At: Land Off Wolverhampton Road Penkridge South Staffordshire

In pursuance of their powers under the above mentioned Act, South Staffordshire Council, hereby **REFUSE** permission for the development described in the above application.

Reasons for refusal:

1. The site is within the Green Belt and the proposed development is not considered to be appropriate development as set out in Planning Policy Guidance Note 2 and the adopted Local Plan. The development is therefore harmful to the Green Belt, contrary to policy GB1 of the adopted Local Plan.
2. The Local Planning Authority has considered the reasons advanced, but does not consider that these reasons constitute the very special circumstances required to justify inappropriate development in the Green Belt.
3. The development due to the number of caravans which are proposed and their rather stark and utilitarian appearance would provide an unnecessary visual intrusion into the Green Belt and would be prejudicial to the openness, character and amenity of this part of the Green Belt, contrary to the policies set out in PPG2 (Green Belts), policy D5B of the Staffordshire and Stoke on Trent Structure Plan and policy BE26 of the adopted Local Plan.
4. The development due to the number of caravans which are proposed and their rather stark and utilitarian appearance would provide an incongruous and visually intrusive form of development on the edge of the village harming the open and undeveloped character of the area. The development would therefore have a detrimental impact on the landscape character of the area contrary to policies T17, D4 and NC2 of the Staffordshire and Stoke on Trent Structure Plan and policies LS1 and LS10 of the adopted Local Plan and advice contained in PPG2.
5. The proposed method of disposing of foul waste from the site is unacceptable and poses an unacceptable risk of contamination to the underlying controlled waters contrary to advice contained in PPS23 and policy BE28 of the adopted local plan.

Signed

Dated: 29 January 2010

Sarah Poxon
Development Control Manager

Mr William Lee Et Al.
C/O Mr Philip Brown
Philip Brown Associates
74 Park Road
Rugby
CV21 2QX

NOTES

1) APPEALS

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission subject to conditions, she/he may appeal to the Secretary of State for Communities and Local Government in accordance with Section 78(I) of the Town and Country Planning Act 1990. Any appeal must be made within **6 months** of the date of the decision.

* As/If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice.

The Secretary of State has power to allow a longer period for giving of a notice of appeal, but she/he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to her/him that permission for the proposed development could not have been so granted otherwise then subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development order and to any directions given under the order.

Appeal forms are obtained from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6NP or online to www.planningportal.gov.uk/pcs

2) PURCHASE NOTICE

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, she/he may serve on the Borough Council or District Council or County Council in which the land is situated, as the case may be, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3) COMPENSATION

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

*Householder development means development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse. It does not include a change of use or a change to the number of dwellings in a building.