



South Staffordshire Council

Town and Country Planning (Development Management Procedure) (England) Order 2015

GRANT OF PLANNING PERMISSION

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Application Number: 20/00243/VAR
Proposed: Variation of 15/00001/FUL appeal decision. Conditions 1 (time limit), 4 (personal condition), 9 (number of caravans)
At: New Acre Stables Wolverhampton Road Penkridge ST19 5PA

In pursuance of their power under the above mentioned Act, South Staffordshire Council hereby **GRANT** planning permission for the development described above in accordance with the details given in the application numbered above,

Subject to the following condition(s):

1. The use hereby permitted shall be for a limited period being the period from the date of this decision until 12th April 2025. At the end of this period, the use hereby permitted shall cease, all materials and equipment brought on to the land in connection with the use shall be removed, and the land restored to its former condition in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.
2. Prior to the siting of the proposed additional static residential caravan and touring caravan details of the proposed revised site layout, structures and installations shall be submitted to and agreed in writing by the Local Planning. The development shall be maintained in accordance with the approved layout/details throughout the life of the development unless otherwise agreed in writing by the Local Planning Authority.
3. The occupation of the site hereby permitted shall be carried on only by the following and their resident dependents:

John and Fanta McCarty, Winnie, Patrick, Philomena, Martin, Lawrence and Mary Ward, Martin Ward Jnr. & wife Bridget Ward, Mammy Blue McCarty and Donna Ward.

4. When the premises cease to be occupied by those named in condition 3 above, the use hereby permitted shall cease and all caravans, buildings, structures, materials and equipment brought on to the land, or works undertaken to it in connection with the use, shall be removed and the land restored to its condition before the development took place.
5. The site shall not be occupied by any persons other than gypsies and travellers as defined in the National Planning Policy for Traveller Sites.
6. No more than one commercial vehicle per pitch shall be kept on the site for use by the occupiers of the caravans hereby permitted.
7. No vehicle over 3.5 tonnes shall be stationed, parked, or stored on this site.
8. No commercial activities shall take place on the land, including the external storage of vehicles/materials.
9. No more than 14 caravans, of which no more than 7 may be a static caravan/mobile homes, shall be stationed on the site at any time.
10. The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

The reasons for the Council's decision to grant permission for development subject to compliance with the conditions hereinbefore specified are:-

1. The proposal represents inappropriate and harmful development in the Green Belt and the development has been justified for occupation by gypsies and travellers based on the particular very special circumstances of the case which outweigh the automatic harm to the Green Belt in accordance with Policy GB1 of the Core Strategy and the Planning Policy for Traveller Sites solely on a temporary basis.
2. To safeguard the visual amenity of the area in accordance with policy EQ4, EQ11 and EQ12 of the adopted Core Strategy.
3. The proposal represents inappropriate development in the Green Belt and the development has been justified on the basis that its occupation by gypsies and travellers represents very special circumstances to outweigh the automatic harm to the Green Belt in accordance with Policy GB1 of the Core Strategy and the Planning Policy for Traveller Sites.
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in accordance with Policy GB1 of the Core Strategy and the Planning Policy for Traveller Sites.

5. The proposal represents inappropriate development in the Green Belt and the development has been justified on the basis that its occupation by gypsies and travellers represents very special circumstances to outweigh the automatic harm to the Green Belt in accordance with Policy GB1 of the Core Strategy and the Planning Policy for Traveller Sites.
6. To restrict the impact of the development on the openness of the Green Belt in accordance with Policy GB1 of the Core Strategy.
7. In the interests of highway safety, in accordance with Policy EV11 of the Core Strategy
8. In the interests of highway safety, in accordance with Policy EV11 of the Core Strategy
9. To restrict the impact of the development on the openness of the Green Belt in accordance with Policy GB1 of the Core Strategy.
10. To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Proactive Statement:

In dealing with the application, the Local Planning Authority has worked in a positive and proactive manner based on seeking solutions to problems in relation to dealing with the planning application, in accordance with paragraph 38 of the National Planning Policy Framework, 2019.

Signed

Dated: 8 July 2021



Development Management Team Manager

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NORTHWICH
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NOTES

APPEALS

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

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.

If this is a decision to refuse planning permission for a minor commercial 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.

Otherwise, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

However, if you are not sure which of these time limits applies to your decision please contact the Planning Inspectorate

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

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 to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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 her/him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.