

**16/00827/FUL**

**Mr Stephen Davies**

**Cllr Bolton, Cllr  
Holmes & Cllr Sutton  
BREWOOD & COVEN**

**Pool House Barn, Old Stafford Road, Slade Heath WV10 7PH**

**Extension and remodelling of original amenity block to  
accommodate facilities for two recently approved caravan pitches**

**1. SITE DESCRIPTION AND PLANNING HISTORY**

**1.1 Site Description**

1.1.1 The site is located off Old Stafford Road, Slade Heath, which is approximately 1km north-east of Coven. Immediately to the north-west of the site is Pool House which is a substantial residential property. To the south-east is The Spinney, which is a separate residential caravan site serving gypsies and travellers. To the north of the site is Saredon Brook and open agricultural land.

1.1.2 Pool House Barn is at the front of the site and has been converted to a dwelling. There are currently five gypsy pitches on the site, whilst two additional pitches have recently been approved, resulting in a total of 7 pitches, two at the front of the site and five towards the rear. One amenity block has been erected towards the rear of the site and a further amenity block was approved in December 2015 towards the middle of the site. The site is generally well screened, both from the road and adjoining sites.

**1.2 Planning History**

2005- Amendments to approved plan 94/00158 for the alterations and extension of cottage, REFUSED [05/00212/FUL]

2006- Demolition of existing cottage, removal of mobile home and erection of 4 bed house REFUSED [06/00591/OUT]

2009- Change of use of land to private gypsy caravan site for five residential caravans and the parking of five touring caravans REFUSED [08/01044/COU]

2009- Use of land to site three mobile homes REFUSED [08/01077/COU]

2010- Formation of four gypsy caravan pitches with additional hardstanding and construction of ancillary communal utility/day room ALLOWED ON APPEAL [09/00522/FUL]

2012- Move dayroom from one side to the other and interior layout change as shown for four shower, toilet, basin units. [09/00522/AMEND]

2015- Conversion of one large existing caravan pitch into two caravan pitches, which creates one new additional pitch APPROVED [15/00009/COU]

2015- Additional amenity block to service existing caravan pitches. APPROVED [15/00966/FUL]

2016, two new caravan pitches within site boundaries, APPROVED (16/00147/FUL)

**1.3 Pre-application discussions**

No pre-application discussions regarding the proposal put forward by this application have taken place.

## **2. APPLICATION DETAILS**

### **2.1 Proposal**

2.1.1 It is proposed to extend the existing amenity block to the west. It was originally allowed on Appeal and is located towards the rear of the site. It currently measures 8m x 5m, with a pitched roof, measuring 2.4m high to the eaves and 4.5m to the ridge.

2.1.2 The amenity block currently serves four pitches and comprises 4 shower rooms, a kitchen area and dayroom.

2.1.3 The proposal has been amended to reduce the size of the proposed extension from 10m x 5m to 7m x 5m, resulting in a building measuring a total of 15m x 5m. The pitched roof would line through with the existing roof.

2.1.4 The accommodation would comprise 4 bathrooms, 4 kitchen/utility areas and an area for children to be supervised whilst parents are cooking.

### **2.2 Applicant's Submission (Summary)**

2.2.1 -new amenity block is under way and will service 3 most westerly pitches

-with the recently approved pitches are expecting applicants nephews to move on imminently, but their facilities need to be sorted out

-new layout gives individual kitchen areas and bathrooms, together with a playpen style children's area, which enables use of the kitchens whilst being able to keep small children under a watchful eye

-will give all 7 pitches vital cooking and hygiene facilities needed.

### **2.3 Additional information (Summary)**

2.2.3 Site is brown field, but have reduced the extension so that it is smaller than the original block; would give each pitch approximately 15.75 sq m of usable kitchen/dayroom and toilet/bathroom facilities; original amenity block was far too small to provide such facilities; each kitchen has 11-12ft of worktop space, which reduces to 5-6ft to prepare and serve meals when hobs and sinks are allowed for; this is the absolute minimum amount of space required to make facilities practical and usable.

2.2.4 Makes reference to extensions and a garage which have recently been approved at another property in Old Stafford Road which are a greater percentage increase than the proposed amenity block extension.

## **3. POLICY CONTEXT**

3.1 Within the Green Belt

### 3.2 Adopted Core Strategy:

Core Policy 1 - The Spatial Strategy for South Staffordshire

Core Policy 6 - Housing Delivery

Core Policy 11 - Sustainable Transport

GB1 - Development in the Green Belt

EQ1-Protecting, Enhancing and Expanding Natural Assets

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

EQ11 - Wider Design Conditions

EQ12 - Landscaping

H6 - Gypsies, Travellers and Travelling Showpeople

EV11 - Sustainable Travel

EV12 - Parking Provision

### 3.3 Other Policy Considerations

Planning Policy for Traveller Sites August 2015

National Planning Policy Framework

National Planning Practice Guidance

Designing Gypsy and Traveller Sites - A Good Practice Guide Communities and Local Government

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

D.C.L.G. Parliamentary Statement 'Planning & Travellers' by Brandon Lewis MP, published 2nd July 2013.

## **4. CONSULTATION RESPONSES**

No Councillor comments (expired 18/10/2016)

Brewood Parish Council (received 03/10/2016) No comments

No Environment Agency comments (expired 18/10/2016)

No Local Plans comments (expired 18/10/2016)

1 neighbour (received 06/10/2016) objects on grounds that site is no longer a family site and has evolved into a commercial venture with very obvious potential for further development; potential further increases in traffic to and from the site; increase in population density on Green Belt land; increased effluent and its environmental impact on Saredon Brook, reduction in privacy of their garden; further devastation of wildlife and trees

## **5. APPRAISAL**

5.1 The application has been referred to Planning Committee as the proposal is contrary to Policy GB1.

### **5.2 Key Issues**

- Principle of Development
- Very Special Circumstances/ Impact on Green Belt
- Impact on Openness
- Impact on Visual amenity
- Design and landscaping
- Impact on neighbours
- Flood Risk
- Access/Highways
- Representations

### **5.3 Principle of Development**

5.3.1 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. Where the Core Strategy is silent on the partial or complete redevelopment of previously developed sites, proposals should be considered in line with Paragraph 89 of the NPPF.

5.3.2 The NPPF does allow the partial or complete redevelopment of previously developed sites (brownfield land) which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development. Whilst the site has previously been accepted to be previously developed land (PDL), it is clear that it cannot be claimed that the proposal has 'no greater impact on the openness of the GB in this location' (Para 89 NPPF).

5.3.3 Policy GB1 of the Core Strategy and Para 89 of the NPPF provides for 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building...' and the Green Belt and Open Countryside Supplementary Planning Document (SPD) suggests a percentage increase of between 20 and 40% increase over the original footprint may be acceptable. The proposed extension represents an increase of 87.5% over and above the size of the original building, which is considered to be disproportionate and it is therefore harmful, by definition. The proposal therefore represents inappropriate development unless very special circumstances can be demonstrated which outweigh the automatic harm to the Green Belt.

### **5.4 Very Special Circumstances and Impact on Green Belt**

5.4.1 The site now has permission for 7 pitches and has approval for 2 amenity blocks. The original amenity block, which is the subject of this application, has been built for some time and currently measures 8m x 5m. A second amenity block measuring 10m x 7m was approved in December 2015 and was justified on the grounds that the existing amenity block was inadequate to meet the needs of all the pitches. Since the approval of the second amenity block, 2 more pitches have been approved on the site, bringing the total to 7.

5.4.2 It is not unusual for each pitch on a gypsy site to have its own amenity block. However, there is no official guidance as to what represents a reasonable provision of amenity blocks in relation to pitches.

5.4.3 This site is approximately 100m deep and the current amenity block is close to the rear of the site. The proposed extension would result in an increase in floor space of 35 m<sup>2</sup> which, given the overall size of the site is modest and will still leave a gap of approximately 30m between the 2 blocks. It will allow the provision of cooking and laundry facilities outside of the caravans, rather than just bathroom facilities, as at present.

5.4.4 It has already been established that the proposed development, by definition represents inappropriate development in the Green Belt. The inappropriateness of the development must therefore attract "significant weight" in the assessment of this case. However, the proposal does not conflict with any of the purposes of including land in the Green Belt as the development is contained within the parameters of the existing site. As the proposal would allow each pitch to have its own cooking, laundry and bathroom facilities I am giving significant weight to the Very Special Circumstances.

### **5.5 Impact on openness**

5.5.1 Openness is the most important attribute of Green Belts and any proposal should be assessed with reference to its nature, scale, bulk and site coverage. This proposal seeks permission for an extension to the existing amenity building, within the existing site. The extension would add an additional 35 m<sup>2</sup> of floor area to the building and therefore the proposal would have limited impact on openness. I am attaching moderate weight to the limited impact on openness.

### **5.6 Impact on visual amenity**

5.6.1 The application site is largely screened by mature tree planting along its boundaries. The development would not therefore cause any additional harm to the visual amenities of the Green Belt. I am attaching moderate weight to the lack of impact on visual amenity.

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

5.7.1 Policy H6 of the Core Strategy sets out the relevant requirements which Gypsy and Traveller schemes must meet in order to be deemed acceptable. A number of these, such as those relating to flood risk, highways, Green Belt and impact on character and landscape are addressed elsewhere in this report. Other key requirements of policy H6 are discussed in the following paragraph.

5.7.2 Annex 1 of the National Planning Policy for Travellers Sites superseded by Planning Policy for Traveller Sites August 2015. This document defines gypsies and travellers as:

*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

5.7.3 Paragraph 3 makes it clear that the aim of the policy is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers whilst respecting the interests of the settled community.

5.7.4 The status of the applicant and his family as travellers has been established in previous applications on the site. In addition, the applicant has recently confirmed in his previous application that he and members of his family still go away travelling; I am satisfied as case officer that the residents of this site meet the current definition.

5.7.5 Essential services are available to serve the site. The site is well located to have good access to the strategic highways network due to its proximity to the A449 and M6. Adequate vehicle parking areas are indicated on the plans to serve the plots. The proposal would result in the loss of some open space to the east of the site, although it does not appear that this space serves any significant amenity or play function. There is no evidence to suggest that the proposal will result in an unacceptable strain on infrastructure or that issues of social cohesion would arise from the proposal.

5.7.6 The application site is located off the Old Stafford Road, which has sporadic development along much of its length. Although there are a number of existing gypsy and traveller sites in Brewood and Coven parishes, they are some distance away. The proposal will not result in more people living on the site and I therefore conclude that the extensions to the amenity building would not result in the enlarged site dominating the local settled community. In addition, this is a well-managed family site which has not experienced any issues with social cohesion between the occupants and the local settled community.

## **5.8 Design and Landscaping**

5.8.1 The extension to the amenity building would be located within the boundary of the existing authorised site. The design of the extension is sympathetic to the design of the existing building.

5.8.2 In terms of landscaping, the site is well screened along its boundaries by existing tree and hedgerow planting. The proposed development is not therefore visible from public views or prominent within the landscape setting.

## **5.9 Impact on neighbours**

5.9.1 Policy EQ9 states that new development "should take into account the amenity of any nearby residents, particularly with regard to privacy [...] and daylight." The proposed building will not cause harm to the amenity of the nearby residents in my opinion, as it will not increase the numbers of people using the site and there a good separation between the block and the nearest dwellings. In light of this I consider the proposal in accordance with the aims of EQ9.

## **5.10 Access/Highways**

5.10.1 The existing access would be utilised to serve the site. I do not consider that the development would result in any increase in the number of vehicle movements, as this proposal does not propose to increase the number of pitches on the site.

### **5.11 Flooding and Drainage**

5.11.1 Policy H6 indicates that proposals must not be located in areas at high risk of flooding, including Flood Zones 3a and 3b.

5.11.2 Due to the presence of Flood Zones 2&3 within the site, the Environment Agency has been consulted as part of this application. The applicants have presented a flood risk assessment in support of previous applications and consequentially, having reviewed this assessment, the Environment Agency has not objected to previous schemes subject to conditions. Therefore, although no comments have been received from the Environment Agency, it is considered this application does not warrant refusal on the grounds of flood risk, subject to an appropriate condition being imposed.

### **5.12 Representations**

5.12.1 The issues raised by the neighbour have been addressed in the report.

## **6. CONCLUSION**

6.1 The site falls within the West Midlands Green Belt wherein there is a presumption against inappropriate development. It is acknowledged that the proposed development represents inappropriate development. It is therefore essential to assess if the factors which weigh in favour of the application override the harm to the Green Belt.

6.2 Having carried out the necessary balancing exercise, and taken into account national policy for Gypsy and Travellers, I conclude that the factors which weigh in favour of the application (i.e. the need for kitchen and bathroom facilities and the limited harm to openness and no impact on visual amenity) outweigh the identified harm in this case and as such recommend Members approve the proposed extension.

## **7. RECOMMENDATION      APPROVE**

Subject to the following condition(s):

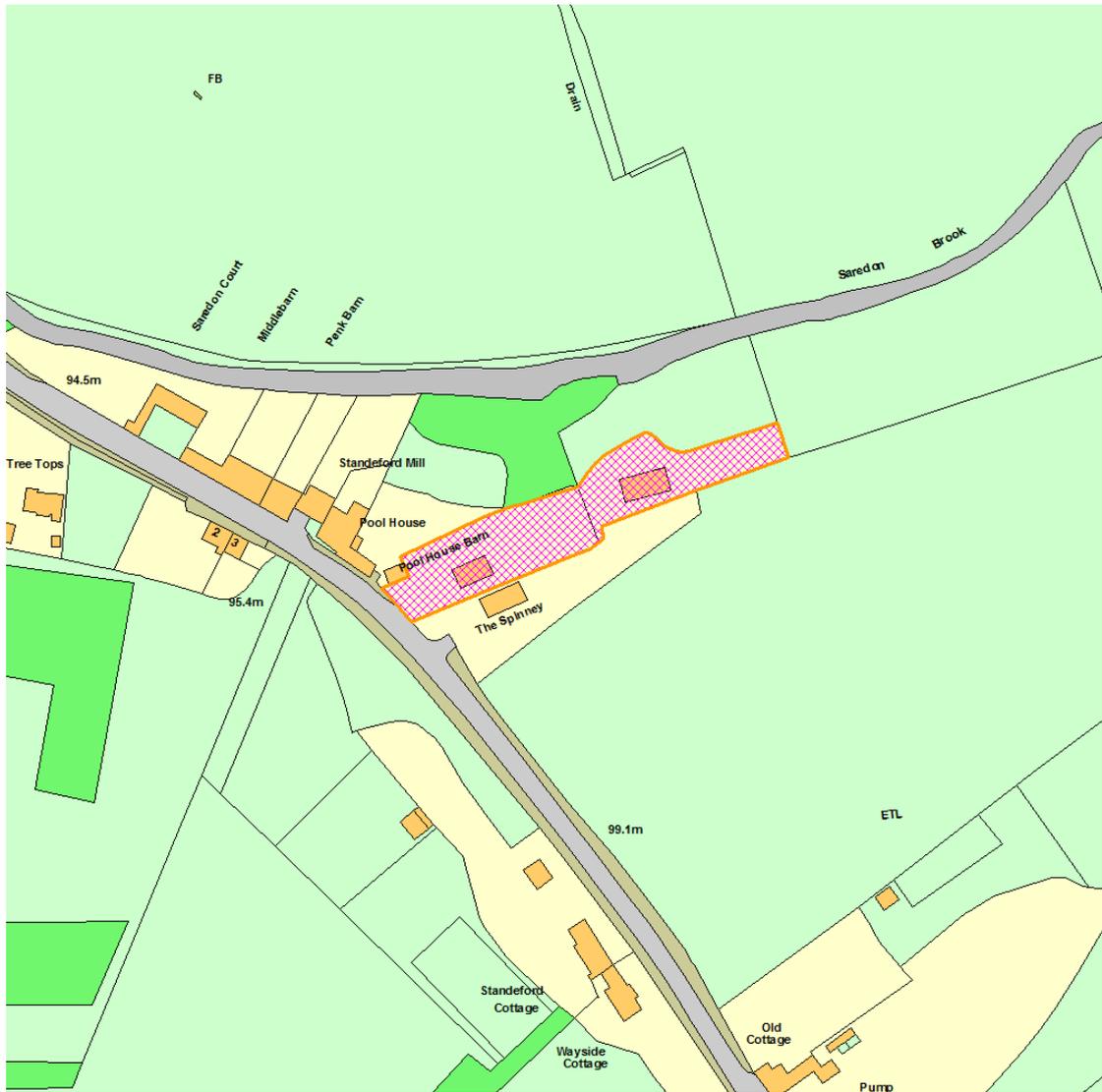
1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings: east and west elevations; north and south elevations; layout and site development scheme; all received 31/10/2016.

3. The materials to be used on the walls and roof of the extension shall match those of the existing building unless otherwise agreed in writing by the Local Planning Authority.
4. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 'Prior Associates Flood Risk Assessment On Land to Rear of Poolhouse Barn, Old Stafford Road, Slade Heath, WV10 7PH, March 2009; Our ref: 8620' and the following mitigation measures detailed within the FRA:
5. No existing trees, shrubs or hedges on the site or its boundaries shall be lopped, topped or cut down without the prior consent of the Local Planning Authority. If any existing trees, shrubs or hedges are cut down or die, they shall be replaced with the same species (unless otherwise agreed with the Local Planning Authority) within the next available planting season and shall be maintained to the satisfaction of the Local Planning Authority.

#### 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. In order to define the permission and to avoid doubt.
3. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
4. To prevent danger or damage from flooding by the adjacent watercourse in accordance with policy EQ7 of the adopted Core Strategy.
5. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
6. Proactive Statement

The Council has considered the application submitted and negotiated amendments to the proposal which have resulted in the application being considered to be acceptable in accordance with the reasons for granting planning permission above. In reaching this decision the Local Planning Authority has therefore complied with paragraphs 186 and 187 of the National Planning Policy Framework, 2012.



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