

Mr Rob Duncan  
Rob Duncan Planning  
28 Ferndale Road  
Lichfield  
Staffordshire  
WS13 7DJ

C/o Agent  
Sapling Associates Ltd.

Application no: SMD/2023/0093

Determined on: 15/09/2023

**Town and Country Planning Act 1990**  
**Town and Country Planning (Development Management Procedure) (England) Order 2015**

**REFUSAL OF PLANNING PERMISSION**

**Location of Development:**

BREACH LANE CARAVAN SITE Breach Lane Upper Tean Staffordshire ST10 4JL

**Description of Development:**

Erection of 5no. bungalows and associated works

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with plans ref: 7976 1, 1a, 1b, 1c, 2b and 4b, for the reason(s) specified below:-

1. The application site is in the Green Belt. Policy SS10 'Other Rural Areas Strategy' of the Council's Local Plan (adopted September 2020) requires strict control over inappropriate development in the Green Belt. The government planning guidance contained in the National Planning Policy Framework (NPPF) at paragraphs 149 and 150 sets out the forms of development which are not inappropriate development in the Green Belt. It does not include new-build market-value dwellings and the development is not considered to fall into any of the other categories of development listed in paras 149 and 150. The proposed development in providing five new bungalows and a substantially increased volume of development in relation to the amount of development to be removed is therefore deemed to be inappropriate development in the Green Belt and is therefore by definition, harmful to its openness. Inappropriate development should only be allowed where very special circumstances, considered to outweigh the harm to the Green Belt, have been demonstrated. However, no such very special circumstances exist. The proposal is therefore contrary to Section 13 of the NPPF and is also contrary to Policy SS10 of the Council's adopted Local Plan which, also, resists new-build market-value dwellings in the countryside.

2. The location of the site is not accessible to shops and services via means other than private transport and there are no pedestrian facilities from the site to reach public transport. The

proposed development is predicted to lead to an increase in vehicle movements in relation to the current use of the site. The site is deemed to not be in sustainable location. The proposal is therefore contrary to policies H1 and T1 'Sustainable Transport' of the Council's Local Plan.

3. The development on largely open land outside of the edge of the built-up part of a settlement would represent an encroachment into the countryside and the development of five new bungalows, a new wider access and the associated works required along a narrow country lane to provide adequate visibility splays would have an urbanising impact on the area, harmful to the rural character and appearance of the country lane and the overall rural character and appearance of the wider area, contrary to policies SS10, DC1 'Design Considerations' and DC3 'Landscape and Settlement Setting'.

### **Informatives**

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

X *B.J. Haywood*

Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**

## NOTES

1. 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.
1. If the decision to refuse planning permission is for a householder application, and 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.
2. If this is a decision to refuse planning permission for a minor commercial application, and 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.
3. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
4. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
5. 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.
6. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
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