

Appeal Reference: APP/B3438/W/25/3375459

Site: Land north of Moorside Farm, Eaves Lane, Armshead

Proposal: Change of use to a 2-pitch family Gypsy & Traveller site (retrospective; resubmission of SMD/2024/0486)

Position: **OBJECTION – Appeal should be dismissed; no temporary permission**

SUMMARY

This proposal represents **inappropriate development in the Green Belt**, resulting in clear and ongoing **harm to openness**, **encroachment** into open countryside, and **urbanising intrusion** into a sensitive rural landscape. The site fails the **NPPF (2024) paragraph 155** tests for “grey belt” and is demonstrably **unsustainable**, with no safe pedestrian or public transport access to essential services. It also causes **harm to neighbour amenity**, generates **drainage impacts**, and erodes the approach to **Wetley Moor Common (SSSI)**. Although the district has an under-supply of Traveller sites, national policy and case law confirm that **unmet need and personal circumstances do not override Green Belt protections**. Relevant decisions, including **Wychavon DC v SSCLG (2008)**, show that even **temporary permissions** require compelling justification, which is plainly absent. The harms significantly and demonstrably outweigh any benefits. The appeal should therefore be **dismissed** with **no temporary or personal permission** granted.

1. GREEN BELT HARM AND INAPPROPRIATE DEVELOPMENT

The development has already reduced openness through the installation of **extensive hardstanding**, **2m+ close-boarded fencing**, gates, and the siting of caravans. The proposed **brick day room** and additional caravans would further erode both **spatial** and **visual** openness.

The location also contributes to **encroachment** and a perception of **sprawl** towards the edge of the Stoke-on-Trent conurbation.

Substantial weight must be given to these harms under national policy.

2. FAILURE TO MEET NPPF (2024) PARAGRAPH 155 TESTS

Not Grey Belt

The site is **not previously developed land** as defined in the NPPF. Evidence shows it was last used and marketed as a **smallholding with barns/field shelters**, not a lawful non-agricultural yard.

Parcel Contribution to GB Purposes

Current Green Belt guidance requires **granular parcel assessment**; this land forms part of a wider area that makes a **strong contribution** to Purpose (a): preventing the unrestricted sprawl of a large built-up area.

Unsustainable Location

The site lacks safe pedestrian routes, public transport, nearby services, or community facilities. This directly conflicts with **NPPF transport policy** and **PPTS paragraph 13**.

Because all paragraph 155 criteria must be met for development not to be inappropriate, the scheme **fails the test** and remains inappropriate, requiring **Very Special Circumstances (VSC)**, which are not present.

3. LANDSCAPE AND VISUAL IMPACT, INCLUDING SSSI CONTEXT

The extensive hard surfacing and tall fencing introduce an **urban, engineered character** incompatible with the **Ancient Plateau Farmlands** landscape.

The site is prominently visible from **Eaves Lane** and **PRoW Werrington 32**.

Screening of sufficient height or density to mask the development would itself appear **incongruous**.

The approach also serves **Wetley Moor Common (SSSI)**, whose setting and recreational value depend on maintaining the surrounding **open rural character**. The proposal materially harms that setting.

4. RESIDENTIAL AMENITY AND DRAINAGE

Evidence from neighbours and the LPA identifies:

- **Noise disturbance** from barking dogs and late-night engine noise
- **Works-vehicle movements** linked to the appellant's driveway business
- **Surface water run-off** and ground saturation affecting adjoining land following hardstanding installation

These impacts cannot be adequately controlled by condition due to the nature of the use and site layout.

5. NEED AND PERSONAL CIRCUMSTANCES

It is acknowledged that the district lacks a **5-year supply** of traveller sites, and that the older **2015 GTAA** likely under-estimates need following changes to the **PPTS definition (2024)** after the **Smith** judgment.

However, national policy consistently confirms that **unmet need and personal circumstances do not in themselves amount to Very Special Circumstances** in the Green Belt.

The appellant's move from a previous settled residence has **not** improved access to schooling or healthcare and provides **no locational justification** for this sensitive site.

6. TEMPORARY PERMISSION SHOULD ALSO BE REFUSED

Green Belt policy applies **equally** to temporary and permanent proposals.

The Court of Appeal in **Wychavon DC v SSCLG & Butler (2008)** confirmed the **high bar** for permitting even time-limited Traveller sites in the Green Belt; temporary consent **cannot** be used to legitimise harmful, unsustainable development.

The harms in this case—loss of openness, encroachment, landscape impact, amenity conflict—would all **persist** for the duration of any temporary period.

7. DEVELOPMENT PLAN CONFLICT AND OVERALL PLANNING BALANCE

The proposal conflicts with **Policies SS10, H4, DC1 and DC3** of the Staffordshire Moorlands Local Plan, relating to countryside protection, traveller sites, design, and landscape character.

Against the **substantial Green Belt harm, landscape/visual harm, amenity harm, and unsustainable location**, the limited benefits carry **insufficient weight**.

Overall, the adverse impacts **significantly and demonstrably outweigh** any benefits.

CONCLUSION

The proposal represents clear, ongoing and unjustified **Green Belt harm**, fails the **NPPF paragraph 155** tests, causes **landscape, visual, amenity, and drainage** harm, and conflicts with the **Local Plan**. There are **no Very Special Circumstances**, and **temporary permission** would only perpetuate the harm.

The appeal should be dismissed in full, with no temporary or personal permission granted.