

SOUTH PLANNING COMMITTEE**SCHEDULE OF ADDITIONAL LETTERS****Date: 11 April 2023****NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting**

Item No.	Application No.	Originator:
5	22/05521/FUL	Mike Davies

A representation has been submitted on behalf of Tong PC by a planning consultant which raises the following points.

- Has the Council obtained further info about the personal circumstances of the site occupants.
- What evidence has the applicant supplied in relation to their search for sites
- Has the Council checked ownership of site and covenants
- Concern at the appropriateness of some conditions
- Concern that consideration not given to Ministerial statement regarding unauthorised development
- Concern about possible future planning applications and timescales for enforcement

LPA Response

- A statement of personal circumstances was submitted with the application which provided the individual details of all site occupants. This has been checked and verified with the Council's G&T liaison officer and supporting statements have also been received from Shifnal Primary School and Medical Professionals.
- The site occupants have lived on the site since they originally moved on. They do not have alternative accommodation to go too. G&T families as a matter of course use forwarding postal addresses to receive mail. The PC have provided no further details in relation to properties at Hatfield and Sutton Coldfield which they allege are owned by the applicant and the agent confirmed these were mail collection addresses.
- In relation to requests for further details around school attendance and medical information this is subject to data protection and will not be made publicly available.
- The applicants have not supplied any details of their site search. However, within the county and neighbouring districts there are no available public or private pitches which would accommodate an extended family of this size.
- Part of the rationale for granting a temporary permission is to explore alternative sites with the applicant outside of the GB.
- The applicant has submitted a revised certificate B for the restricted by-way as they do not own this.
- The covenant on the title deeds does not impact the use of the site
- The applicant has contended throughout that the site is Previous Developed Land in the GB, but the Council does not accept this and the applicant whilst continuing to assert these claims has failed to provide any evidence to support these assertions.

- Conditions will be used to restrict permanent structures on the site, but conditions restricting vehicle movements would be ultra vires
- The temporary permission is being granted on the basis that there is no alternative accommodation immediately available, the G&T policy in the emerging local plan is subject to a number of challenges and will be examined at public inquiry, the children are being educated locally, other family members have health issues and this will allow for the assessment of alternative sites. There is also the issue of Human Rights as the LPA would be intentionally making the family homeless by refusing permission without being able to provide alternative accommodation.
- The development has already taken place as this application is retrospective, so the PC concern about outlay and cost to the applicant is misplaced as this has already taken place and it is perfectly acceptable to seek additional mitigation in the circumstances even for a temporary period.
- Personal condition has been altered to list all occupants of the 4 pitches
- The planting season runs between November and March therefore planting would take place later in the year following approval of the scheme
- The PD rights removed relate to hardstanding only
- Ministerial statement on unauthorised development addressed in report at para 6.8.16

A further representation has been received from the planning consultant representing Tong PC which states that many of the issues raised in his earlier letter have not been addressed in the updated officer report. The original letter was received one day prior to the agenda publication deadline and the outstanding comments are addressed in the late items sheet. The PC have once again reiterated their objections to the scheme and requested the application be refused.

Cllr Ed Bird has emailed to reiterate his earlier comments namely.

- Site was refused planning permission previously (Not Twice)
- Site is subject to/was subject to enforcement (Investigation only pending outcome of app)
- Complaints from neighbours alleging harassment
- PC opposed to site as its GB.

A further representation from a member of the public objecting to the application has also been received. Issues relate to impact on residential amenity from noise and disturbance, highway safety with vehicles pulling off Stanton Road without warning and impact on GB.