STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Phil Boardman
16 Kingfisher Crescent
Cheadle
Staffordshire Moorlands
ST10 1RZ

Mr John Rushton
The Grange
Whiston Eaves Lane
Whiston
Staffordshire Moorlands
ST10 2JB

Application no: SMD/2016/0501

Determined on: 03/01/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
The Grange, Whiston Eaves Lane, Whiston, Staffordshire Moorlands ST10 2JB

Description of Development:
Proposed two storey rear extension

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: 125/175/1 and 125/175/2 for the reasons specified below:-

1. The extension as proposed is over large in proportion to the existing property and, in the prominent views of the rear of the building visible from the public road, would dominate the existing building rather than being subordinate to it. In design, in particular in the size, position and distribution of windows, the extension would be significantly out of keeping with the existing property and with properties of this age and character in the area generally. The proposal is therefore found contrary to the Staffordshire Moorlands Core Strategy policies for rural building extensions SS6c, R1 and R2 and, in terms of design, DC1 and is not consistent with the priciples of the Council's Adopted Design Guide SPD. This is further supported in that stone built farm houses are listed as a key characteristic of the Dissected Sandstone Highland Fringe Landscape Character Type as identified in the Landscape and Settlement Character Assessment - a supporting evidence document to the Local Plan Core Strategy. The commentary states under Landscape Planning Guidelines that "changes that detract from local character and over urbanise properties and their settings should be avoided".

2. Due to the evident age and character of the buildings at Whiston Grange it is appropriate to regard the existing property as a non-designated heritage asset as discussed at paragraph 135 of the NPPF which calls for a balanced judgment based on the scale of the harm and the significance of the heritage asset. The property is recorded in the Staffordshire HER in which it is described as a farmstead likely to have been established between 1775 and 1834 and appearing to have survived relatively unaltered. The over-dominant scale, the

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conflicting design character of the proposal in the context of the existing building and farmstead and the losses to the original building's structure and form all give rise to further strong heritage grounds for refusal and the proposal is therefore contrary to policy DC2 of the Staffordshire Moorlands Core Strategy.

3. The location in the Churnet Valley Master Plan area adds further weight to the assessment against this proposal on design and heritage grounds as contrary to Policy SS7 of the Staffordshire Moorlands Core Strategy.

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Informatives

Prior to the determination of the application the Council advised the applicant that the development was considered inappropriate in principle and unsustainable and that it did not conform with the provisions of the NPPF. Whilst a revision was discussed it was ultimately considered that the applicant is unable to overcome the principle concerns and achieve the enlargement being sought and therefore ultimately no amendments to the application were requested.

X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council

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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.

2. 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.

3. 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.

4. 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.

5. 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

6. 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.

7. 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.