STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Rob Duncan
70 Ferndale Road
Lichfield
Staffordshire
WS13 7DL

Mr Leese
Shrubbery Cottage Cheadle Road
Cheddleton
Staffordshire
ST13 7BW

Application no: SMD/2017/0007

Determined on: 21/02/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Shrubbery Cottage Cheadle Road Cheddleton Staffordshire ST13 7BW

Description of Development:
Erection of a carport

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in the plans that were submitted and numbered 'Planning 1' for the reason(s) specified below:-

1. The proposal is for development in the Green Belt. The development would result in the further extension of a dwelling and disproportionate additions over and above the size of the original dwelling/building. The proposal therefore, is for a form of development that is not listed at paragraph 90 of the National Planning Policy Framework (NPPF) as being not inappropriate in the Green Belt. As such, paragraph 90 confirms that the proposal is for inappropriate development in the Green Belt which by definition would be harmful.

2. The development would harm the openness of the Green Belt. Paragraph 79 of the NPPF states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. There is a significant 150 metre wide gap of open, largely undeveloped agricultural land between 340 Cheadle Road to the north and 366 Cheadle Road to the south. The property at Shrubbery Cottage lies within this gap and has a long linear chain of structure that stretches between north and south. The development would further prolong the footprint and width of built form that would expand within and creep closer to closing that gap of undeveloped land thereby increasing its harmful impact on the openness of the Green Belt. The development would be at odds with a fundamental aim of the Green Belt identified at Paragraph 79 of the NPPF.

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3. The NPPF makes it clear that substantial weight should be given to any harm to the Green Belt and that planning permission should only be granted if there are other considerations that would amount to 'very special circumstances' and clearly outweigh the harm. The applicant has not presented any other consideration that might weigh in favour of the proposal. The proposed development therefore, would be contrary to the policy guidance contained at section 9 of the NPPF and the other rural areas strategy SS6c of the Staffordshire Moorlands Core Strategy.

4. The original dwelling is a 19th Century stone cottage that makes an established and positive contribution to the character and appearance of the local and historic landscape. The development would attach to the end gable of the original dwelling prolonging the rangy, disjointed train of built form. The character and appearance of the original 19th Century stone cottage, which would be sandwiched between recent additions on both sides, would become increasingly lost to the detriment of the character and appearance of the landscape. As such the development would contravene Policies DC1, DC2 and DC3 of the Staffordshire Moorlands Core Strategy.

Informatives

The applicant was given the opportunity to comment on the balance of considerations particularly in respect of the Green Belt harm and to present any additional considerations that he would want the Authority to take into account. The applicant declined that opportunity and asked that the application be determined as submitted.

X B.J. Haywood

Signed by: Ben Haywood

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.