STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr R Sadler
Sycamore Croft High Lane
Brown Edge
ST6 8RT

Application no: SMD/2016/0788

Determined on: 08/03/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
3 High Lane Brown Edge Staffordshire ST6 8RT

Description of Development:
Decking area at the bottom of the garden behind the existing summerhouse.

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: for the reason(s) specified below:-

1. The proposed decking would constitute operational development of a kind that is not excluded from the definition of inappropriate development within the Green Belt. In addition the proposed development would result in an encroachment of the residential curtilage into the adjoining woodland area which also constitutes a form of development which is not listed as an exemption and the development would therefore automatically be inappropriate and as such would conflict with one of the purposes of including land in the Green Belt by causing encroachment. The proposed timber decking would result in the incursion onto land that was previously free from built development with a consequential and harmful effect on the openness of the Green Belt. Furthermore, it would by virtue of its size, scale, form, design and materials result in an alien and incongruous feature which would be harmful to the visual amenity of the Green Belt and detract from the character and appearance of this woodland location. Whilst the personal requirements of the applicant are acknowledged it is not considered that these represent very special circumstances which would outweigh the harm caused to the Green Belt. The proposed development would therefore, contravene the guidance and policy contained in the NPPF and Spatial Strategy Polices SS6c, D1 and D3 of the Staffordshire Moorlands Core Strategy Document.

I**nformatives**

In dealing with the application the Council has implemented the requirement in the National

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Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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.

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