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

Mr Rob Duncan
Rob Duncan Planning
70 Ferndale Road
Lichfield
Staffordshire
WS13 7DL

Mr Ward
Lower Clough
Clay Lake
Endon
Staffordshire
ST9 9DE

Application no: SMD/2017/0565

Determined on: 21st December 2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Lower Clough, Clay Lake, Endon, Staffordshire ST9 9DE

Description of Development:
Erection of two storey front extension and rebuilding of single storey rear extension (retrospective)

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:
00664-AL(0) 01B,
00664-AL(0) 02B,
00664-AL(0) 03,
00664-AL(0) 04C,
00664-AL(0) 05C for the reason(s) specified below:-

1. The proposal is for development in the Green Belt. The proposed development would result in a further extension of a dwelling and disproportionate additions over and above the size of the original dwelling. The proposal is therefore inappropriate development in the Green Belt which by definition would be harmful and, due to its scale and massing, the development would harm the openness of the Green Belt. The proposal is therefore contrary to paragraph 90 of the NPPF.

2. 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' that clearly outweigh the harm. Other considerations, relating to what other forms of development might be permitted by the General Permitted Development Order 2015, have been presented by the applicant. However, these considerations do not amount to 'very special circumstances' because they

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attract only limited weight as a material consideration and do not clearly outweigh the substantial weight that must be attributed to the harm to the Green Belt. The proposed development therefore would be contrary to the policy guidance contained at Section 9 of the NPPF and Policy SS6c of the Staffordshire Moorlands Core Strategy.

3. The proposed extension, by virtue of its siting, scale and design, would be out of keeping with the character and appearance of the existing dwelling and would be detrimental to the street scene. The application is therefore contrary to Policy DC1 of the Staffordshire Moorlands Core Strategy and is not in line with Section 7 (Requiring Good Design) of the NPPF.

Informatives

1.The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

2. The applicant was asked if there were any other considerations that he would like to be taken into account. The other considerations that were presented did not amount to 'very special circumstances' that would clearly out weigh the substantial weight attributed to the harm to the Green Belt. Despite this advise it is not considered that a solution could be negotiated which overcomes the harm arising from the principle of the development.

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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