STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr David Gafney
David Lewis Associates
54a High Street
Chapmanslade
Westbury
BA13 4AN

Mr & Mrs Roper
Farley House Wootton Lane
Farley
Staffordshire
ST10 3BQ

Application no: SMD/2017/0412

Determined on: 07/08/2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Farley House Wootton Lane Farley Staffordshire ST10 3BQ

Description of Development:
Replacement detached outbuilding

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:
1960-S-loc plan,
1960-S-04,
1960-S-05B,
1960-D-06H,
1960-S-07A,
1960-D-12B,
1960-D-13A
1960-D-21H
1960-D-20J
for the reason(s) specified below:-

1. The proposed outbuilding by virtue of its scale, form, design and materials would be harmful to the setting of the nearby Grade II listed historic dwellinghouse and the character and appearance of the surrounding part of the Conservation Area within Farley and there are no public benefits to outweigh this harm. The proposal would not comply with the Council's Core Strategy Development Plan Document (adopted March 2014) policies DC1 'Design Considerations' or DC2 'The Historic Environment' or the Council's emerging Local Plan (Submission Version - February 2018) policies DC1 or DC2. The proposal would also therefore not be in line with the Staffordshire Moorlands Design Guide and recently revised government planning guidance contained in the National Planning Policy Framework (NPPF)

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

sections 12 and 16.

2. The proposed outbuilding, by virtue of its scale, form and materials, would not respect the host dwelling on site and undermine its dominance and would also be detrimental to the open and rural character of this part of the countryside. It would not be in line with the Council's Design SPD (Supplementary Planning Guidance) (February 2018) which requires garage buildings to be designed to be in sympathy with the properties that they serve. The proposal would therefore not comply with policies SS6c 'Other Rural Areas Area Strategy', DC1 and DC2 of the Core Strategy or policies SS10, DC1 and DC2 of the emerging Local Plan (Submission Version) and would not be in line with the NPPF para 79 or Sections 12 and 16 or the Council's recently adopted Design Guide.

3. The application information provided to demonstrate that bats, a protected species, would not be harmed by the proposed demolition of the existing outbuilding on site, is insufficient and as the impact on the ecological value of the site cannot be properly assessed, the proposal would have the potential to harm the ecological value of the site contrary to policy NE1 of the Core Strategy, policy NE1 of the Local Plan (Submission Version) and Section 15 of the NPPF.

Informative

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. Such matters have been discussed with the applicant with a view to seeking solutions, although such solutions have not been possible as the amendments to the application have not been sufficient and the applicant has refused to amend the proposal further.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING • EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

8.