STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Smytheman Architectural Services
High Street
Tean
Stoke-on-Trent
Staffs
ST10 4DZ

Mr Doherty
Heath House Farm
Caverswall Old Road
Forsbrook
ST11 9BQ

Application no: SMD/2018/0489

Determined on: 19/10/2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Heath House Farm Caverswall Old Road Forsbrook Staffordshire ST11 9BQ

Description of Development:
Proposed Oak Framed Porch and Landscaping

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:
2887-SA-XX-XX-DR-A-0101,
2887-SA-XX-XX-DR-A-0102,
2887-SA-XX-XX-DR-A-0201,
2887-SA-XX-XX-DR-A-0202 for the reason(s) specified below:-

1. Paragraph 145 and 146 of the National Planning Policy Framework (NPPF) lists the exceptional forms of development in the Green Belt that would not be inappropriate and this includes the enlargement of buildings where they would not be disproportionate in relation to the size of the original building. It is considered by virtue of the scale of the proposed porch cumulative to all previous extensions to the building, that the further enlargement of the building would be disproportionate in relation to the size of the original building and therefore the proposal would amount to inappropriate development in the Green Belt which by definition in Section 13 of the NPPF, would be harmful to its openness. There are not considered to be any very special circumstances in this case which are considered to outweigh the harm to the Green Belt or the operation of Green Belt policy. The proposal is also therefore contrary to policy SS6c 'Other Rural Areas Strategy' of the Council's adopted Core Strategy Development Plan Document which requires strict control to be exercised over inappropriate development within the Green Belt.

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2. In design the proposals, the front entrance porch is found out of character with this simple form rural building and as such contrary to policies SS6c and DC1 of the Staffordshire Moorlands Core Strategy and contrary to the Council's adopted Design Principles Supplementary Planning Guidance, adopted Design Guide and design advice within the NPPF.

Informative

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

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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