STAFFORDSHIRE
moorlands
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 Parr
Luzlow Nursery Luzlow Lane
Bagnall
Staffordshire
ST9 9JZ

Application no: SMD/2018/0747

Determined on: 28th January 2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Luzlow Nursery Luzlow Lane Bagnall Staffordshire ST9 9JZ

Description of Development:
Erection of single storey side extension to create garage/store

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: Location Plan and Block Plan (DR-A-0102-S1); Proposed Floor Plans (DR-A-0202-S4); and Proposed Elevations (DR-A-0401-S1) for the reason(s) specified below:-

1. The proposed development does not comply with any of the exceptions listed at paragraphs 145 and 146 of the NPPF and thereby constitutes inappropriate development in the Green Belt by definition. There are no very special circumstances that outweigh the substantial harm to the Green Belt and therefore represents an unsustainable form of development contrary to relevant restrictive policies within Chapter 13 of the NPPF

2. The proposed development, by virtue of its height and scale, constitutes a poor form of design which does not relate well to the existing dwelling, contrary to Core Strategy Policies SS1, DC1 and R2, the Staffs Moorlands 'Design Principles' SPD, The Staffordshire Moorlands Design Guide and paragraph 127 of the NPPF

Informatives

1. The application has been found to constitute an unsustainable form of development due to the substantial harm to the Green Belt by definition, and the significant adverse harm to the character and apperance of the existing building and immediate area by virtue of poor design; and has been refused in line with paragraph 11 of the

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NPPF. The applicant has been offered planning solutions which would address the reasons for refusal and allow the proposal to be sustainable however the application has declined to submit revised plans.

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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