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

Mr Rob Duncan
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Mrs R. Mason
C/O Agent

Application no: SMD/2018/0681

Determined on: 7th February 2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Wetley Abbey Cottage, Abbey Road, Wetley Rocks, Staffordshire, ST9 0AS

Description of Development:
Erection of a timber L shaped building and construction of hardstanding used for the purposes of household storage

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development already carried out that is described above and shown in the site and location plans and drawing number 185/17 that were submitted with the application for the reason(s) specified below:-

1. The development that has already been carried out, and has for the past two years been used for household storage, is not considered to be an 'appropriate' facility for the applicant's outdoor recreation. The development is not provided for by any of the exceptions at paragrpah 145 of the National Planning Policy Framework and is therefore inappropriate in the Green Belt and by definition harmful. Moreover, there is additional harm to the Green Belt because the development fails to preserve openess and conflicts with the purposes of including land within the Green Belt. There are no considerations or circumstances that clearly outweigh that harm to the Green Belt. As such the development is contrary to and has been considered agaisnt Section 13 "Proposals affecting the Green Belt" paragraphs 133, 134, 143, 144 & 145 of the National Planning Policy Framework (the NPPF).

2. The unmade access track to the development winds through tree lined 'park land' countryside on an approach to Wetley Abbey Manor and the properties beyond. Closer to and then passing Wetley Abbey, a relatively dense wooded edge provides only glimpses of the Abbey that is largely concealed and, until works were carried out in 2015, that wooded edge continued to line the track to its end. However, now the site suddenly opens up,

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frontage shrubs and trees replaced with a post and rail fence and gate, to make a gap within the otherwise wooded edge. The large blank timber clad side of the building and the hard standings together with means of enclosure and other paraphernalia (including children's swing, patio and garden furniture) are all revealed and quite prominently exposed within the application site, all contributing to a rather cluttered piece of land that detracts from the quality and character of the area which does in turn, at least on approach and in a wider context, make some contribution to historic environment and the setting of the listed building. This results in significant harm to the character and appearance of the area and less than substantial harm to the setting of the Grade II Listed 'Designated Heritage Asset' Wetley Abbey and the non-designated heritage asset of its wider 'parkland' There are no public benefits to outweigh this harm. The development is contrary therefore to policy DC3 of both the Core Strategy and the emerging Local Plan, DC2 of the Emerging Local Plan and Section 15 "Conserving and enhancing the natural environment" paragraph 170 and Section 16 "Conserving the historic environment" paragraph 196 of the NPPF.

Informatives

Important and fundamental information was absent from the application. There was an opportunity to expand upon the original submission but additional detail was not forthcoming. In any event, however, it is considered unlikely that, in this case, the applicant would have been able to address or justify the harms that are identified above.

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.