STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Robert Berry
10 Truro Close
Congleton
CW12 3BD

Mrs Brownsword
Hollyvilla
209 Uttoxeter Road
Blythe Bridge
ST11 9HQ

Application no: SMD/2019/0021

Determined on: 22nd August 2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
209, Hollyvilla, Uttoxeter Road, Blythe Bridge, Staffordshire, ST11 9HQ

Description of Development:
Erection of detached residential annexe

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown on the plan numbered 1838 02 A1 for the reason(s) specified below:-

1. The development would be inappropriate and, by definition, harmful to the Green Belt because it would be the construction of a new building that would not be provided for by any of the exceptions at paragraph 145 of the National Planning Policy Framework (NPPF). Specifically in this case, a garage that once stood on the site has been demolished and removed well before the date of the application, and the new building therefore would not be a replacement for a building in the same use. In any event, the new building would be materially larger than the old garage that previously occupied the site.

2. In addition to the Green Belt harm there would be harm to the character and appearance of the area because the building would appear as a rather odd form of development with large boxy dormer roof extensions, and a size, shape and fenestration detail that would relate poorly to the cottages on Uttoxeter Road with an appearance and character that would, rather than sit comfortably as an ancillary or secondry outbuilding, compete visually as a primary building in its own right. In these respects the development would contravene policy SS6c and DC1 of the Staffordshire Moorlands Core Strategy and section 12 of the NPPF.

3. The inappropriate development in the Green Belt can not be approved because the applicant's personal circumstances do not amount to 'very special circumstances' and considerations that clearly outweigh the substantial weight given to the harm to the Green Belt, and the additional weight given to the harm that would occur to the character and

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appearance of the area. As such, the proposed development would be contrary to the NPPF and 'other rural areas' strategy SS6c in the Staffordshire Moorlands Core Strategy and yet to be adopted Policy SS10 of the emerging Staffordshire Moorlands Local Plan.

Informatives

Fundamentally, the proposed development would be inappriate development and harmful to the Green Belt. The applicant was unable to address that harm and could not demonstrate that it would be provided for by one of the exceptions at paragraph 145 of the NPPF. There was no scope, therefore, for any negotiation to adapt or revise the scheme to make it acceptable.

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.