STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Andrew Bailey
MAC Architectural Design Ltd
Moorland House
123 Moorland Road
Burslem
Staffordshire
ST6 1JD

Mr Titterton
Moorside Farm
Clamgoose Lane
Kingsley
Staffordshire
ST10 2EG

Application no: SMD/2019/0521

Determined on: 01/11/2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Moorside Farm, Clamgoose Lane, Kingsley Staffordshire ST10 2EG

Description of Development:

Proposed replacement dwelling

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;
1593-01;
1593-06 Rev A;
1593-07;

for the reason(s) specified below:-

1. The replacement dwelling would be inappropriate development in the Green Belt, and by definition harmful, because the new dwelling would be materially larger, in terms of its mass and footprint, than the existing dwelling. The development would have a significantly greater impact on the openness of the Green Belt than the existing development and would also be harmful in those respects. In this case there would, in addition to the Green Belt harm, also be significant harm to the character and appearance of the area because the new dwelling would appear as a large, visually prominent, suburban dwelling that relates poorly to the existing landscape. The new dwelling would have a significantly greater detrimental impact on the character and appearance of the area than the existing dwelling and result in the loss of a building which is intrinsic to the character of the area, without showing any

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respect for a traditional Moorlands vernacular, the landscape setting or the scale, design and apearance of that existing dwelling. The inappropriate development in the Green Belt can not be approved because there are no 'very special circumstances' to demonstrate that the substantial weight given to the harm to the Green Belt, and the additional weight given to the harm to the character and appearance of the area, are clearly outweighed by other considerations. The development would be contrary to the National Planning Policy Framework - specifically section 13 ‘Protecting Green Belt Land’ paragraphs 133, 134, 143, 144 & 145; section 12 ‘Achieving well-designed places’ paragraphs 124 and 127; and section 15 ‘Conserving and enhancing the natural environment’ paragraph 170. The development would not comply with the Development Plan either and would specifically contravene ‘Other Rural Area Strategy’ SS6c and policies DC1, DC3 and R2 of the Staffordshire Moorlands Core Strategy and emerging strategy SS10 and policies H1, DC1 and DC3 of the yet to be adopted Local Plan 2016-2031.

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.