STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Philip Kelsall
Philip Kelsall Associates
47 Rockside
Stoke on Trent
Staffordshire
ST7 4PG

Mr Birtles
322 New Street
Biddulph Moor
ST8 7NQ

Application no: SMD/2019/0575

Determined on: 13/11/2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
322 New Street Biddulph Moor Staffordshire ST8 7NQ

Description of Development:
First floor side and rear single storey extension

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with the application plans for the reason(s) specified below:-

1. The site is in the Green Belt and there is a presumption against new development in order to protect the openness of the Green Belt as outlined in Section 13 of the government planning guidance in the National Planning Policy Framework (NPPF). Paras. 145 and 146 list the exceptional criteria of development which is not deemed to be inappropriate in the Green Belt. This allows the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. However, the proposed extensions would result in a 92% increase in the original floorspace of the dwelling and the proposal would therefore result in such a disproportionate enlargement. The proposal therefore amounts to inappropriate development in the Green Belt which by definition is harmful to its openness and should not be allowed unless there are very special circumstances considered to outweigh the harm to the Green Belt and operation of Green Belt policy. The Council considers that no such circumstances exist. Policy SS6c 'Other Rural Areas Strategy' of the Council's adopted Core Strategy Development Plan document also requires strict control over inappropriate development in the Green Belt and the proposal is therefore contrary to both the Core Strategy as well as Section 13 'Protecting Green Belt Land' of the NPPF.

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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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