STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Richard James
137 Stallington Road
Stoke On Trent
ST11 9PB

Mr & Mrs Bailey
69 Cellarhead Road
Cellarhead
ST9 0HW

Application no: SMD/2019/0625

Determined on: 4th December 2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
69, Cellarhead Road, Cellarhead, Staffordshire, ST9 0HW

Description of Development:
Extension to the front bedroom to facilitate both an en-suite and level access requirements to allow full acess to the property for the applicant

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in drawings ref: A101, A102, and A104 for the reason(s) specified below:-

1. The proposal would add to existing additions and further extend the original dwelling disproportionately with additions over and above the size of the original dwelling. This would be inappropriate development in the Green Belt because it is not provided for by one of the listed exceptions at paragrpah 145 of the National Planning Policy Framework 2019(NPPF). The NPPF confirms that such inappropriate development should be considered to be harmful by definition and makes it clear that substantial weight must be attributed to any Green Belt harm. Permission cannot be granted for the inappropriate development because there are no 'very special circumstances' that clearly outweigh the harm to the Green Belt and any other harm that results from the development.

2. The development would be harmful to the character and appearance of the area to the detriment of local distinctiveness. To the front of a relatively uniform pair of flat fronted modest semi detached bungalows, the addition to the front would predtrude forward with detriment to their symetrical simple flat fronted character. The addition to the front would overly dominate the character and appearance of the bungalows front elevation. This would appear incongruous and relate poorly to the streetscene. As such the development would be contrary to Policies SS6c, DC1 and R2 of the Core Strategy and the National Planning Policy Framework 2019.

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Informatives

It is considered that the proposals are unsustainable and do not conform to 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.