STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Robert Williams
Alder Mill Sheepy Road
Atherstone
CV9 3AH

Mr Barlow
Heritage Farm Froghall Road
Froghall
Stoke on Trent
ST10 2HQ

Application no: SMD/2019/0390

Determined on: 13/12/2019

Planning (Listed Buildings and Conservation Areas) Act 1990
The Planning (Listed Buildings and Conservation Areas) Regulations 1990

REFUSAL OF LISTED BUILDING CONSENT

Location of Development:
Hermitage Farm Holiday Cottage Froghall Road Froghall Staffordshire ST10 2HQ

Description of Development:
Listed building consent for the Insertion of six doorways on the rear (north) elevation, including reinstatement of three former (blocked up) openings; removal and/or re-positioning of internal partition walls on ground floor; removal of attached (unlisted) modern farm sheds to rear and 12 no. car parking bays; re-creation of stone retaining walls.

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **HEREBY REFUSE LISTED BUILDING CONSENT** for the works described above in accordance with plans ref: 440/219/01
440/219/02
440/219/03 for the reasons specified below:

1. The proposed works to the rear wall of the listed former barns and the subdivision of land to the rear of the listed building to form four private garden areas would harm the character and appearance of the listed building and would also harm the historic farmstead setting of the building. Whilst the harm would be “less than substantial”, this would not be outweighed by any public benefits of the scheme. The proposal would therefore be contrary to Policy DC2 of the Council's Core Strategy Development Plan Document (adopted 2014) and Section 16 of the government planning guidance contained in the National Planning Policy Framework (NPPF)

Informatives

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.

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X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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NOTES

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building consent for the proposed works, or to grant consent subject to conditions, he may appeal to the Secretary of State in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Planning Authority in regard to the proposed works are in progress.

2. If Listed Building consent is refused or granted subject to conditions whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the District Council in which the land is situated, a Listed Building purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

4. If you want to appeal against your local planning authority's decision listed building consent 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