STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr N J Forrester MCIOB
Ilett House
Smithy Bank
Stoke on Trent
Staffordshire
ST10 4AD

Mr and Mrs Kent
The Bungalow
Heath House Farm
Cheddleton
Leek

Application no: SMD/2019/0653

Determined on: 12/03/2020

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Heath House Farm The Bungalow Ostlers Lane Cheddleton Staffordshire ST13 7DQ

Description of Development:
Proposed single storey extension to provide cloaks lobby

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: 19/586/02/A & 19/586/03 for the reason(s) specified below:-

1. The proposed single storey extension to provide a cloaks lobby – in effect a porch – is found unacceptable for reasons of heritage and design as it would undermine the simplicity of form found critical to the approval of the dwelling as first constructed following its 2017 consents which sought and achieved a simple vernacular allowing the structure to appear in origin somewhat as an outbuilding in scale and form as opposed to a more obviously residential unit and this approach was found necessary and is considered to remain so in order for the original development to be kept in keeping with the open rural countryside location and surroundings and minimise conflicts with the character and appearance of the area and in order to safeguard the setting of the adjacent Grade II Listed Heath House farm. Whilst the harm to the setting of the Listed Building is found to be less than substantial harm in the meaning of the NPPF this harm should nevertheless be given great weight and in the absence of any clear and convincing justification for the development and with no identified public benefit the proposal is thus found contrary to policies SS1, SS1a, SS6c, DC1, R1 and R2 and emerging local plan policy DC2, the Council's Adopted Design Guide SPD 2018 and the NPPF.

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Informative

1. The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has nonetheless met the requirement in Paragraphs 38 of the National Planning Policy Framework.

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.