STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Michael Cartwright
Cartwright_Mj
32 Well Lane
ST8 6QX

Latham
Stone Villas
4 Tower Hill Road
Mow Cop
ST7 3PS

Application no: SMD/2020/0090

Determined on: 29th April 2020

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Stone Villas, 4 Tower Hill Road, Mow Cop, Staffordshire, ST7 3PS

Description of Development:
Removal of Existing Rear Conservatory and Car Port. Erection of a Single Storey Rear and Side Extension

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in plans plans numbered MJC LAT 19 A100; MJC LAT 19 A101; and MJC LAT 19A 102 for the reason(s) specified below:-

1. The site is in the Green Belt. The proposed development would be inappropriate because it is not provided for by one of the listed exceptions at paragraphs 145 or 146 of the National Planning Policy Framework 2019 (NPPF). The proposal is to make a disproportionate addition with the introduction of additional footprint and mass. The NPPF confirms that such inappropriate development is harmful by definition and 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 the other harms that would result from the development. The proposal is therefore Strategy contrary to Policy SS6c of the Staffordshire Moorlands Core (SS10 of the emerging Local Plan) and the provisions of the NPPF.

2. The development would have a significantly detrimental impact on the character and appearance of the rural area. The extension would be of a scale, design and proportions that would not relate well to the original dwelling and reinforce local distinctiveness by positively contributing to and complementing the character of the area. The adverse impacts of the new extension would be particularly apparent because of its exposed and prominent location. As such the development would be contraty to Policies SS6c, R2 and DC1 of the Staffordshire Moorlands Core Strategy (SS10 and DC1 of the emerging Local Plan) and the provisions of the NPPF; the National Design Guide and the Staffordshire Moorlands Design Guide.

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3. The solid side wall of the development would extend 4m from the rear elevation of the cottages, flanking the boundary. The centre of the neighbour's adjacent window would be 3m from that wall and a glazed door, that must provide light to the interior, is much closer. Clearly, the solid wall would intersect the 45 degree sight line within close proximity, they are modest terraced cottages, and an additional 1 m of wall would extend beyond that intersection. The flanking wall by reason of its solid construction and extent of projection would be unreasonably harmful to the neighbour's amenity causing loss of outlook and light and a generally imposing impact within close proximity. In these respects the development would be contrary to policy DC1 of the Core Strategy and emerging Local Plan and the provisions of the NPPF.

Informatives

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.