STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

GDA Associates
4 Oak Leigh Court
Congleton
Cheshire
CW12 4NP

Mr Sheard
Smithy Farm
Dial Lane
Congleton
CW12 3QN

Application no: SMD/2020/0100

Determined on: 7th May 2020

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Smithy Farm, Dial Lane, Congleton, Staffordshire, CW12 3QN

Description of Development:
Enlargement of the dwellinghouse consisiting of a two storey and single storey rear elevation extension and replacement front elevation porch.

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown and detailed in revsied plans numbered 20 01 02 'B' and 20 01 04 'A' for the reason(s) specified below:-

1. The provision of the building would be inappropriate in the Green Belt and, by definition, harmful because it is not provided for by any of the exceptions listed at paragraph 145 of the National Planning Policy Framework (NPPF). It would be a disproportionate addition over and above the size of the original building and have greater impact on the openness of the Green Belt than the existing development. There are no other considerations that would amount to 'very special circumstances' that would clearly outweigh the harm to the Green Belt or any other harms resulting from the development. The development would conflict with the terms of the NPPF and policy SS6c (SS10 of the emerging Local Plan) of the Staffordshire Moorlands Core Strategy.

2. The development would result in harm to the character, appearance and heritage of the rural area because it would conceal the original rear elevation of an 18th Century Moorlands cottage with a large gable end that presents contemporary fenestration to the countryside beyond. The development would be very exposed to and apparent from the public footpath numbered Biddulph Town 93. Its design and appearance would not relate well to the existing dwelling in a way that would respect its form, scale and character in a subordinate complimentary manner . The development would not comply with the adopted Design Guide, Development Plan strategy or policy in these respects and would specifically contravene policies DC1 and DC3 of the Staffordshire Moorlands Core Strategy of the yet to be adopted Local Plan 2016-2031.

STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Informatives

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. The applicant was provided opportunity to address concerns. However, ultimately, he was unable to overcome such principle concerns and thus no further amendments to the application were requested.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

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.