STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Andrew Dukesell
DBD Architectural Consultancy Ltd
50 Broad Street
Leek
Staffordshire
ST13 5NS

Mr Brookes
Thorney Edge Thorneyedge Road
Bagnall
Staffordshire
ST9 9LD

Application no: SMD/2020/0023

Determined on: 11th 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:
Thorney Edge, Thornyedge Road, Bagnall, Staffordshire, ST9 9LD

Description of Development:
Demolition of existing single storey dwelling and replacement with new two storey dwelling

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: PL22A & PL20A 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 for a replacement building that would be materially larger than the one it replaces and with the introduction of additional mass and volume at first floor there would inevitable harm to openness. 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 contrary to Policy SS6c of the Staffordshire Moorlands Core Strategy (SS10 of the emerging Local Plan) and the provisions of the NPPF.

2. The proposed development would not result from good quality design and it would have a significantly detrimental impact on the character and appearance of the rural area. The replacement building would be of a scale, design and proportions that would not reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the rural area. Parts of the replacement building would be particularly apparent through the mature tree cover, in a way that the existing dwelling is not, because of its first floor height and mass over and above that of the existing single storey bungalow. As such the development would be contrary 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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Informatives

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF with particular conflict with the Green Belt policy. It is considered that the applicant is unable to overcome such principle concerns by revising this proposal 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.