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
Hermitage Farm Froghall Road
Froghall
Staffordshire
ST10 2HQ

Application no: SMD/2019/0394

Determined on: 13/12/2019

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

# REFUSAL OF PLANNING PERMISSION

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

**Description of Development:**
Demolition of three agricultural (storage/cattle) sheds and creation of enclosed garden areas to serve the cottages in the adjacent stone barn conversion, together with creation of a 12-bay car park with access track, manoeuvring area and stone retaining walls

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: 440 219 04 A for the reason(s) 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)

**Informative**

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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*Chief Executive*

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.

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