STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Adam Gregory
Forefront Development Consulting Ltd
4 Ridge House Ridge House Drive
Stoke-on-Trent
Staffordshire
ST1 5SJ

Mr & Mrs Bailey
Grange View
Tomkin Road
Stanley
ST9 9NA

Application no: SMD/2020/0541

Determined on: 25/11/2020

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Grange View, Tompkin Road, Stanley, Staffordshire Moorlands ST9 9NA

Description of Development:
Proposed two storey side extension

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: 20-134-01; 20-134-02; 20-134-03 and 20-134-04 for the reason(s) specified below:-

1. The proposed scheme for a two-storey side extension, by virtue of its scale and design, together with previous extensions to the dwelling, would lead to a disproportionate increase in the size of the original dwelling and is therefore deemed to be inappropriate development in the Green Belt as it does not fall under any of the exceptions provided for as listed in paragraphs 145 or 146 of the NPPF (National Planning Policy Framework). The proposal is therefore by definition harmful to the Green Belt and it would also be harmful to Green Belt openness particularly by the inclusion of a first storey in the side extension. In the absence of any recessing or subordination in the scheme design in relation to the main dwelling as prominently viewed from the public road and in particular in approaches towards the property along the public footpath opposite from the south west; the proposal would also be contrary to Adopted Local Plan policy DC1 and the adopted Design Guidance, in particular, to constitute further Green Belt harm in these regards. Fundamentally, there do not appear to be any very special circumstances demonstrated by the scheme that could be considered to outweigh such significant Green Belt harm. The proposal would therefore not comply with Adopted Local Plan policy SS10 'Other Rural Areas Area Strategy' and specifically SS10(6) nor with H1 'New Housing Development' and specifically H1(6) of the Council's Adopted Local Plan as well as those design considerations detailed above and the NPPF.

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Informatives

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 overall 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 NPPF (National Planning Policy Framework).

Rachael Simpkin

X

On behalf of Staffordshire Moorlands District Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

disability confident EMPLOYER

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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.