STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Andrew Palin
MAC Architectural Design Limited
Moorland House
123 Moorland Road
Stoke On Trent
Staffordshire
ST6 1JD

Mr & Mrs Jordan
Little Overton Farm
Congleton
CW12 3QW

Application no: SMD/2020/0587

Determined on: 16th December 2020

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Little Overton Farm, Overton Road, Congleton, Staffordshire, CW12 3QW

Description of Development:
Erection of Replacement Sun Lounge
(Development partially complete on date of application)

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 on the plan numbered 1704-AL01C, for the reason(s) specified below:-

1. The development is adding to existing enlargements and further extending the original building disproportionately with additions over and above the size of the original dwelling. Overall, the replacement and redevelopment results in a disproportionately larger property that has a greater impact on the Green Belt. The developent is therefore, inappropriate development in the Green Belt because it is not provided for by any of the listed exceptions at paragraph 145 of the National Planning Policy Framework 2019 (NPPF). The NPPF confirms that such inappropriate development should be considered to be harmful by definition and that substantial weight must be attributed to the 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. The proposal is therefore contrary to Policy SS10 of the Adopted Staffordshire Moorlands Local Plan and the provisions of the NPPF.

2. The development presents a building on high ground at first floor level to the rear where its design and form does not relate well to that of the original dwelling. The addition is prominent and intrusive within farmland landscape and a confused and bulky rear elevation is now presented to the exposed perimeter of the site. As such, the development causes conflict with policies DC1 and DC3 of the Adopted Staffordshire Moorlands Local Plan.

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Informatives

It is considered that the proposal is unsustainable and does 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.



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.

1. 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.

2. 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.

3. 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.

4. 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

5. 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.

6. 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.