STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Mr Bruce Johnson
Smytheman Architectural Services
12 High Street
Tean
Stoke-on-Trent
Staffs
ST10 4DZ

Mr and Mrs A Lyttleton
Rock Cottage
Bagnall Road
Bagnall
ST9 9JY

Application no: SMD/2020/0638

Determined on: 12/01/2021

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Rock Cottage Bagnall Road Bagnall Staffordshire ST9 9JY

Description of Development:
Single Storey rear extension to form 'Sun Room' / Study

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:
RCAL-SA-XX-ZZ-DR-A-0201 Rev PO1
RCAL-SA-XX-ZZ-VS-A-0001
RCAL-SA-XX-XX-VS-A-0002
RCAL-SA-XX-ZZ-DR-A-0202 Rev PO1 for the reason(s) specified below:-

1. The proposed single storey rear extension, in consequence 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 the closed lists of paragraphs 145 or 146 of the National Planning Policy Framework (NPPF). The proposal is therefore by definition harmful to the Green Belt and it would also bring some harm to Green Belt openness by tending to in-fill the open yard area to the rear of the property. There are not found to be any very special circumstances with this proposal that can be considered to outweigh this harm. The proposal is therefore contrary to policies SS1 and SS10 and specifically SS10(6) of the adopted Staffordshire Moorlands Local Plan and to the NPPF.

2. The extension design is found overly dominant in relation to the existing building and makes an awkward addition especially in relation to the rear two storey elevation. The proposal does not harmonise with the parent building or respect the dominance of the original building

and be subordinate to it in terms of its size and massing. is therefore contrary to policies SS1, SS10, DC1 of the adopted Staffordshire Moorlands Local Plan and to the NPPF as well as the Council's adopted Design Guide SPD.

Informative

Prior to the determination of the application the Council advised the agent for the applicant that the development could not be supported in principle in terms of planning policy and whilst the possibility of amendment was discussed with a view to seeking solutions, no such solutions have been found. 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. With no amendments to the scheme being agreed, and no conditions which could reasonably have been imposed, which could have made the development acceptable it was therefore not possible to approve the application. The Local Planning Authority has nonetheless met the requirement in Paragraphs 38 of the National Planning Policy Framework.

X B.J. Haywood

Signed by: Ben Haywood

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.