

Mr Rob Duncan
70 Ferndale Road
Lichfield
Staffordshire
WS13 7DL

M & S Hill & Hodge
Lower Overton Farm
Overton Road
Congleton
CW12 3QW

Application no: SMD/2021/0726

Determined on: 24th June 2022

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Lower Overton Farm, Overton Road, Congleton, Staffordshire, CW12 3QW

Description of Development:

Erection of single storey side extension and replacement porch

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in plans ref: 210214(OS)001, 210214_PR_002, 210214_PR_004, and 210214_PR_005, that were submitted with the application; or, 210214_PR_002_REV A, 210214_PR_004_REV A and 210214_PR_005_REV A, that were submitted on the 26th April 2022, for the reason(s) specified below:-

1. The development would be inappropriate in the Green Belt and, by definition, harmful because it is not provided for by any of the exceptions listed at paragraph 149 or 150 of the National Planning Policy Framework (NPPF). Specifically, it would result in disproportionate additions over and above the size of the original building and have greater impact on the openness of the Green Belt than the existing development. There are no other considerations that would amount to 'very special circumstances' that would clearly outweigh the harm to the Green Belt or any other harms resulting from the development. The development would conflict with the terms of the NPPF and policy SS10 of the Adopted Staffordshire Moorlands Local Plan 2020.

2. The proposal does not represent good design that would be respectful of the subordinate, simple form and character of the dwelling's rear wing, that is identifiable as a converted farm shippon. The proposed additions would introduce shape, form and architectural detailing that would detract from its origins as a functional farm building and a subservient element of the dwelling and, as a result, the rear wing would compete with and detract from the dominance of the original dwellinghouse relative to the other buildings within the 19th Century farmstead. Moreover, the overwindowed, poorly proportioned addition to the side elevation would be prominent, imposing and exposed to Tunstall Road to the north west. This would fail to reinforce local distinctiveness and be harmful to the character and appearance of the area when viewed from the rear. In these respects the development would be contrary to

policies SS10 and DC1 of the Adopted Staffordshire Moorlands Local Plan 2020 and the Design Guide 2018 for the area.

Informatives

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. Despite being afforded an opportunity to address stated objections, it is considered that the applicant was unable to overcome such principle concerns with the submitted revisions.
2. The area of land shown edged red on submitted location and site plans is considered to be extensive and not specific to the development proposed. The validation of this application shall not be taken as any acceptance or implication that the red edge defines either the curtilage of the dwellinghouse or the planning unit.



On behalf of Staffordshire Moorlands District Council

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.