

Martin Levie  
Harrison Wood Architecture  
3, Studio 2,  
Silverdale Enterprise Park,  
Kents Lane,  
Silverdale,  
Staffs,  
ST5 6SR

Mr And Mrs M Frain  
St Annes Cottage,  
Church Road,  
Brown Edge,  
Staffordshire,  
ST6 8TB

Application no: SMD/2022/0379

Determined on: 29<sup>th</sup> September 2022

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

**REFUSAL OF PLANNING PERMISSION**

**Location of Development:**

St Annes Cottage, Church Road, Brown Edge, Staffordshire, ST6 8TB

**Description of Development:**

Proposed new vehicle access and car parking space in front garden area of the existing property.

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:

HWA 1658/012 Rev A Block Plan

HWA 1658/004 Rev A Ground Floor Plan and Proposed Car Parking Area

for the reason(s) specified below:-

1. By reason of the removal of a section of boundary wall to the front of the property to create a driveway access onto a parking area, the development would have an adverse, visually intrusive impact upon the street scene at this particular point. Furthermore, the proposal would be harmful to the setting of the Grade II Listed Building St Anne's Church. Whilst the degree of harm would be less than substantial there are no public benefits identified which would outweigh this harm. The proposal is therefore contrary to Policy DC1 and DC2 of the Staffordshire Moorlands Local Plan 2020 and the NPPF.
2. The proposal will not create safe and satisfactory access. The development will result in a substandard parking space causing vehicles to overhang onto the highway and does not meet the minimum dimensions for a parking space of as stated in the Staffordshire Moorlands Parking Standards. The development is in clear contradiction with Staffordshire

Moorlands Local Plan 2020 policies DC1 and T1 and advice within the 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.

X *B.J. Haywood*

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Signed by: Ben Haywood

**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.