

Mr Dan Pennington
Outwards and Upwards
Sutton Cottage
Brook Lane
Endon
Staffordshire
ST9 9EZ

Mr Craig White
Foxearth Bungalow
Leek Road
Moorville
Cellarhead
Staffordshire
ST9 0DG

Application no: SMD/2022/0411

Determined on: 23/11/2022

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Foxearth Bungalow, Leek Road, Moorville, Cellarhead, Staffordshire, ST9 0DG

Description of Development:

Proposed side and rear 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:

Buy a Plan - Location Plan
Buy a Plan – Block Plan
DR101 R3 – Proposed Side and Rear Extension

for the reason(s) specified below:-

1. The application site is located within the Green Belt where development is strictly controlled. The proposed extensions, by reason of their scale and siting would amount to a disproportionate addition to the original building and as such would represent inappropriate development within the Green Belt. The development would result in a loss of the openness of the Green Belt and result in an encroachment into the countryside, conflicting with the purposes of including the land in the Green Belt. Harm to the Green Belt attracts substantial weight against the development and should not be approved except in very special circumstances. Furthermore, the extensions by virtue of their scale, siting and design would overwhelm the original building and are not subservient to it. The

additions would result in a loss of the dwellings original character and appearance thereby causing additional harm which weights against the development. In the opinion of the Local Planning Authority, there are no considerations which weigh in favour of the development to clearly outweigh the harm identified. The proposal is therefore contrary to policies SS1, SS10 and DC1 of the Staffordshire Moorlands Local Plan, the Design Principles for Development in the Staffordshire Moorlands SPG, the Staffordshire Moorlands Design Guide SPD, and the National Planning Policy Framework including sections 12 'Achieving well-designed places' and 13 'Protecting Green Belt land'.

Informative

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. In this instance, given the extent of harm arising, it was not possible to suggest reasonable minor amendments to overcome the harm identified above.

X *B.J. Haywood*

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.