STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mrs Michelle Walker
Rose Cottage
Knypersley Hall
Stoke on Trent
United Kingdom
ST8 7AN

Application no: SMD/2023/0378

Determined on: 03/11/2023

Planning (Listed Buildings and Conservation Areas) Act 1990
The Planning (Listed Buildings and Conservation Areas) Regulations 1990

REFUSAL OF LISTED BUILDING CONSENT

Location of Development:
Rose Cottage, Knypersley Hall, Harlech Drive, Biddulph, Staffordshire ST8 7AN

Description of Development:
Application for Listed Building Consent for installation of replacement skylights x 9

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **HEREBY REFUSE LISTED BUILDING CONSENT** for the works described above in accordance with plans ref: location plan; site plan; elevations and product brochure KCV B901 DAKEA for the reasons specified below:

1. The proposed nine replacement skylights including increased sizing of at least three would be at odds with the heritage, character and appearance of Rose Cottage and being part of the Grade II Listed Stables, Coach Houses including Coachman's Cottage and Lodge north of Knypersley Hall would cause harm to the historic significance of the building. Owing to the incongruities of the proposal scheme in contrast to the existing skylight arrangement there would also be harm to the setting of the adjacent buildings of the group included under the same Grade II Listing. With no identified public benefit sufficient to offset the less than substantial harms identified the proposal is therefore found contrary to policies SS1, SS6, DC1 and DC2 and to the NPPF.

2. The application submissions are found to lack sufficient clarity and detail to provide certainty as to some aspects of the proposal in particular with regard to frame dimensions and precise external appearance and the application is also found to be contradictory and misleading in that the submitted drawings describe the elevations as existing and proposed specifically citing ‘no change’ and do not correctly or adequately represent the existing arrangement. The proposal is therefore found contrary to policies SS1, SS6, DC1 and DC2 and to the NPPF.

Informatives

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. Details of concern have been discussed with the applicant

with a view to seeking solutions, although such solutions have not been possible as ultimately the applicant has declined to amend the application.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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NOTES

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building consent for the proposed works, or to grant consent subject to conditions, he may appeal to the Secretary of State in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Planning Authority in regard to the proposed works are in progress.

2. If Listed Building consent is refused or granted subject to conditions whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the District Council in which the land is situated, a Listed Building purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

4. If you want to appeal against your local planning authority's decision listed building consent 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