STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Mr Seyes
5 Grange Park Drive
Biddulph
Staffordshire
ST8 7XU

Application no: SMD/2023/0466

Determined on: 15th November 2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
5 Grange Park Drive, Biddulph, Staffordshire, ST8 7XU

Description of Development:
Add 12 solar panels to southern facing roof with bird protection system

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: Location Plan, Proposed Site Plan, and Proposed Elevations, submitted with the application, for the reason(s) specified below:-

This proposal is situated within the setting of Grade II* Listed Biddulph Grange House, within Biddulph Conservation Area, and within Biddulph Grange Registered Park and Garden. The submitted Heritage Statement does not fully acknowledge the significance of these primary assets, and does not appear to reach a conclusion regarding the extent of harm that would arise, nor how it is justified. It is considered that the proposed installation would be prominent, intrusive and disrupt architectural continuity in a sensitive location, this would result in harm to the character and appearance of the area, the quality of the environment and the significance of the heritage assets identified. In these regards the proposal would fail to preserve the special interest of the listed building or to preserve or enhance the character and appearance of the Conservation Area. The harm to the significance of heritage assets by way of the development's siting and visual obtrusion would equate to less than substantial harm for the purposes of the NPPF. It is not considered that there are public benefits associated with the scheme that would outweigh the harm identified. There would be conflict with Staffordshire Moorlands Local Plan Policies SS10, DC1 and DC2; and the terms of the NPPF.

Informatives

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.

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X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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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.

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.