STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Rob Duncan
Rob Duncan Planning Consultancy Ltd
28 Ferndale Road
Lichfield
Staffordshire
WS13 7DJ

Mr Allen
Highfield Highfiled
Leek
Staffordshire
ST13 8SG

Application no: SMD/2023/0242

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:
Highfield Highfield Leek Staffordshire ST13 8SG

Description of Development:
Erection of outbuilding for use as residential annex

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:
HML A2 01 Location and Site Plan
HML A2 02 Floor Plan
HML A2 03 v2 Front and Rear Elevations Plan
HML A2 04 v2 Side Elevation Plan
HML A2 05 v2 Site Location/ Block Plan
HML A2 06 Section Plan

for the reason(s) specified below:-

1. The proposed outbuilding due to its siting, scale and level of accommodation is divorced from and disproportionate to the existing dwelling. It would be capable of separate occupancy without reliance upon facilities in the main house and would be tantamount to a new dwelling in the open countryside. As a result it would have a detrimental impact on the character of the rural area. Furthermore the building and its associated hardstanding would create a loss of open garden space located to the north of the site adding to the spread of domestic outbuildings and paraphernalia which would be of further detriment to the character of the rural area. As such, the proposal would be contrary to Policy SS10 and Policy DC1 of the adopted Staffordshire Moorlands Local Plan.

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2. The red outline includes the agricultural land to the east to the domestic curtilage. The Council considers the application to be construed as a change of use of the agricultural land to domestic curtilage for which there is no essential need and which would be detrimental to the character of the rural area and would be contrary to Policy SS10 and Policy DC1 of the adopted Staffordshire Moorlands Local Plan.

Informatives

The application has been assessed against adopted Development Plan policies (including paragraph 38 of the National Planning Policy Framework – September 2023) and any other material considerations.

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. The applicant was offered the opportunity to revise the scheme but declined. It is not considered that the in principle harm identified above can be overcome.

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.

1.