

Mrs Teresa Critchlow
Sammons Architectural Limited
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr & Mrs Tyler
C/O Agent

Application no: SMD/2023/0570

Determined on: 8th January 2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Gratton Haye Farm Dams Lane Gratton Staffordshire ST9 9AJ

Description of Development:

Replacement dwelling

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: 2023-2824-02 EXISTING CONDITIONS - PLANS AND ELEVATIONS

2023-2824-03D PLANNING PROPOSAL - PLANS AND ELEVATIONS

2023-2824-04A PLANNING PROPOSAL - LOCATION AND BLOCK PLAN

2023-2824-05A EXISTING CONDITIONS - SITE PLAN

2023-2824-06A PLANNING PROPOSAL - SITE PLAN

2023-2824-07 PLANNING PROPOSAL - STORE AND WORKSHOP PLAN AND ELEVATIONS

for the reason(s) specified below:-

1. The applicant has failed to establish the current lawful use of the site and building described as "workshop / store" and has failed to demonstrate that the proposal benefits from one of the exceptions at paragraph 154 of the NPPF, including d) "the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces"; or g) "the partial or complete redevelopment of previously developed land". Consequently, the proposal is regarded as "inappropriate development" in the Green Belt. No very special circumstances have been demonstrated to outweigh the harm by way of inappropriateness and other harm and the proposal is therefore considered to be contrary to Policy SS10 of the adopted Staffordshire Moorlands Local Plan 2020 and the provisions of the NPPF

Informatives

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. However, it was not possible to overcome the harm in principle identified above through alterations or amendments.

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.
- 1.