

Mr James Bell
James Bell Architecture Ltd
Lightfoot Green Farm
School Lane
Brereton
CW11 1RT

Mr Roberts
Mainwaring Farm
Congleton Road
Mow Cop
Staffordshire
ST7 3PJ

Application no: SMD/2024/0156

Determined on: 21st June 2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Mainwaring Farm, Congleton Road, Mow Cop, Staffordshire, ST7 3PJ

Description of Development:

Proposed demolition of existing domestic store buildings and erection of new attached garage, home workshop, utility and rear entrance with store come gym with ensuite annexed above, replacement of existing porch with new bay window. Extension of hardstanding to existing drive to existing vehicular entrance gate

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 submitted with the application ref: 21061 1, 21061 2, 21061 3, 21061 4, 21061 5, 21061 6, and 21061 7, for the reason(s) specified below:-

1. The development would be inappropriate and, by definition, harmful to the Green Belt, and it would not be provided for by any of the exceptions that appear at paragraph 154 of the NPPF. The development would result in the disproportionate size increase of the original building and result in redevelopment or replacement of existing buildings that would have greater impact on the openness of the Green Belt than the existing development. Substantial weight is attributed to the significant harm that would occur to the Green Belt and there are no other considerations that would amount to 'very special circumstances' and clearly outweigh the harm to the Green Belt and the other harms that would result from the Green Belt. The development would conflict with policy SS10 of the SMDC Local Plan 2020 and the terms of the NPPF.
2. The proposals do not represent good design that would be respectful of the original dwelling's size, form, character, shape, and its relationship with the local landscape. The proposed additions would introduce shape, confused architectural detailing, use of materials, and mass that would be at odds with the original dwelling and be overly dominant on exposed and prominent elevations. The harmful development would detract from the positive quality contribution that the dwelling currently makes to the character and appearance of the local landscape. This would fail to reinforce local distinctiveness and be harmful to the character

and appearance of the area. In these respects the development would be contrary to policies SS10, DC1, and DC3 of the Adopted Staffordshire Moorlands Local Plan 2020, the Design Guide 2018 for the area, and the terms of the NPPF.

3. The application has not been provided with a bat activity survey as recommended by the qualified ecologist that carried out a preliminary bat survey on behalf of the applicant. In the absence of such evidence there is assumed harm to existing bat species and habitat and conflict with policy NE1 of the Adopted Staffordshire Moorlands Local Plan 2020 and the terms of the NPPF in those regards.

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.

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.
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