

Mr Kirkham
Greenfields Dingle Lane
Rushton Spencer
Staffordshire
SK11 0RX

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Alan Yarwood
Roger Yarwood Planning Consultant
Wheatley Barn Wheatley Road
Matlock
DE4 2FF

Mr Kirkham
Greenfields Dingle Lane
Rushton Spencer
Staffordshire
SK11 0RX

Application no: SMD/2014/0811

Determined on: 17/03/2015

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)(England) Order 2010**

REFUSAL OF REMOVAL OF CONDITION

Location of Development:

GREENFIELDS DINGLE LANE RUSHTON SPENCER STAFFORDSHIRE SK11 0RX

Description of Development:

REMOVAL OF CONDITION 9 (REMOVAL OF HOUSEHOLDER PERMITTED
DEVELOPMENTS RIGHTS A, B, C, D & E) ON PLANNING PERMISSION 07/00604/FUL

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: Location plan for the reason(s) specified below:-

1. The proposed removal of condition 9 (removal of Householder Permitted Development Rights A, B, C, D & E) on planning permission 07/00604/FUL (SMD/2007/0296) would result in potentially disproportion additions to the property which would constitute inappropriate development within the Green Belt and significantly affect the character of the property, site and landscape. Moreover, the removal of LPA involvement may lead to inappropriate and unsympathetic designs of said potential extensions which would be unacceptable in this location. In this respect, the proposed extension is contrary to the aims of the NPPF and Staffordshire Moorlands District Council Local Plan Policies R2, DC1, DC2, DC3, SD1 and SS6c.

Signed on behalf of Staffordshire Moorlands District Council

Informatives

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. The applicants were made aware of the issues surrounding the application but no amendments were possible.

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.
2. 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. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
3. 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.