



South Staffordshire Council

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

REFUSAL OF PLANNING PERMISSION

Application Number: 08/01224/FUL
Proposed: Demolition of existing building and erection of new dwelling
At: Pinetrees Keepers Lane Codsall South Staffordshire WV8 1QJ

In pursuance of their powers under the above mentioned Act, South Staffordshire Council, hereby **REFUSE** permission for the development described in the above application.

Reasons for refusal:

1. The site is within the Green Belt and the proposed development is not considered to be appropriate development as set out in Planning Policy Guidance Note 2 and the adopted Local Plan. The development is therefore harmful to the Green Belt, contrary to policy guidance PPS1 and policies GB1, C4 and C8 of the adopted Local Plan.
2. The proposed development, by reason of its scale, massing, design and the materials proposed, would be unsympathetic to its immediate woodland surroundings set within the Green Belt and as such would be prejudicial to the openness, character and amenity of this part of the Green Belt, contrary to the policies set out in PPS1 (Delivering Sustainable Development), PPG2 (Green Belts) and saved policies D1, D2 and D5B of the Staffordshire and Stoke on Trent Structure Plan, and GB1 and BE26 of the adopted Local Plan.
3. No special reasons have been advanced on agricultural or other grounds to justify a departure from the normal policy of restricting development in this Green Belt area.

Signed

Dated: 12 March 2009

Sarah Poxon
Development Control Manager

Mr W Fellows
C/O Kevin Twigger & Associates
Rushall House
School Road
Brewood
Nr Stafford
South Staffordshire
ST19 9DS

NOTES

1) APPEALS

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission subject to conditions, she/he may appeal to the Secretary of State for Communities and Local Government in accordance with Section 78(I) of the Town and Country Planning Act 1990. Any appeal must be made within **6 months** of the date of the decision. The Secretary of State has power to allow a longer period for giving of a notice of appeal, but she/he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to her/him that permission for the proposed development could not have been so granted otherwise then subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development order and to any directions given under the order.

Appeal forms are obtained from The Planning Inspectorate, 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6NP or online to www.planningportal.gov.uk

2) PURCHASE NOTICE

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, she/he may serve on the Borough Council or District Council or County Council in which the land is situated, as the case may be, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3) COMPENSATION

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.