



# South Staffordshire Council

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## Town and Country Planning Act 1990

## Town and Country Planning (General Development Procedure) Order 1995

### REFUSAL OF PLANNING PERMISSION

Application Number: 09/00448/FUL  
Proposed: Single-storey extension to provide improved toilet facilities, bar space and storage  
At: The Swan Whiston Road Whiston Stafford South Staffordshire ST19 5QH

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 GB1 of the adopted Local Plan.
2. The Local Planning Authority has considered the reasons advanced, but does not consider that these reasons constitute the very special circumstances required to justify inappropriate development in the Green Belt.
3. The proposed development would be an unnecessary visual intrusion into the Green Belt and would be prejudicial to the openness, character and amenity of this part of the Green Belt, contrary to the policies set out in PPG2 (Green Belts) and policy BE26 of the adopted Local Plan.
4. The proposed flat roofed extension, by reason of its size, form and general appearance would be out of character with the existing building and would have a detrimental effect on the vernacular character of the building in its rural setting, contrary to policy BE26 of the adopted Local Plan.

Signed

Dated: 12 August 2009

Sarah Poxon  
Development Control Manager

Mr James Davies  
C/O R Bonehill (Builders And Contractors) Ltd  
Otherton House  
Otherton  
Penkridge  
Stafford  
ST19 5NX

## 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.

\* As/If this is a decision to refuse planning permission for a householder application, if 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.

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, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6NP or online to [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)

### 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.

\*Householder development means development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse. It does not include a change of use or a change to the number of dwellings in a building.