Mr I Wooliscroft

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Sammons Architectural
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr I Wooliscroft
c/o agent

Application no: SMD/2016/0186

Determined on: 12/05/2016

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
1 Villa Road Cheddleton Staffordshire ST13 7EA

Description of Development:
Erection of new 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: 2015-2060-03, 2015-2060-04, 2015-2060-05 and 2015-2060-06 for the reason(s) specified below:-

1. The proposal for a single dwelling is considered to constitute inappropriate development in the Green Belt. The proposal would not preserve the openness of the Green Belt and would conflict with the purposes of including land in the Green Belt, particularly in respect of Green Belt encroachment in relation to the significant red edge site area. The Local Planning Authority does not consider the case put forward by the applicant to constitute very special circumstances sufficient to outweigh the harm by inappropriateness and other harm to the Green Belt. Furthermore, it would unacceptably impact upon the character and appearance of the local context characterised by a row of semi-detached Victorian Villas with a rural landscape backdrop. The proposal therefore would conflict with CS Policies SS1, SS6c, SS7, H1, DC1 and DC3 and is further contrary to the National Planning Policy Framework (NPPF).

2. Insufficient investigation of the significance of the likely nature conservation interests on the site and potential impacts to a local wildlife site as the proposal requires the submission of a preliminary ecological survey in view of its designated nature conservation status forming semi-ancient woodland. This is contrary to Policies SS7, DC1 and NE1 of the Council's Core Strategy Development Plan Document (Adopted March 2014) and is further contrary to the National Planning Policy Framework (NPPF).

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3. Overall, the benefits of the residential scheme when considered together would not be sufficient in this case to significantly and demonstrably outweigh the harm identified above contrary to Policies SS1, SS1a, SS6c, SS7, H1, DC1, DC3 and NE1 of the Adopted Core Strategy Development Plan Document, supporting documents and National Planning Policy Framework (NPPF).

Informatives

1.It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF.

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Signed 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.

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.

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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.