STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

John Wren
JMW Planning Limited
578 Kedleston Road
Derby
DE22 2NH

Application no: SMD/2016/0430

Determined on: 15th September 2016

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:
Land Off Uttoxeter Road Lower Tean Staffordshire

Description of Development:
Outline planning application for up to seven dwellings on the frontage between Willowgate and Heybridge Cottage on Uttoxeter Road and a new accessfrom Heath House Lane, Lower Tean (Re submission of SMD/2015/0736)

In pursuance of their powers under the above mentioned Act, Staffordshire Moorlands District Council, **HEREBY REFUSE PERMISSION** for the development described in the above application, in accordance with plans ref: 15-474-02, 16-474-01, 16-474-03 for the reason(s) specified below:-

1. An outline scheme showing only access and illustrative layout detail is considered to be insufficient to positively determine the application. Concerns are raised as to the proposed housing development causing harm to the Grade II listed building settings including The Dovecote at Heybridge Farm and Willowgate (Yewtree). The proposal, therefore, would result in unknown harm within an area of high heritage value and a sensitive green area of land that serves to define the rural setting of the village of Lower Tean, which is identified as a landscape settlement setting of Upper Tean (Upper Tean Settlement Character Assessment). This is contrary to Policies SS1, SS1a, SS6c, H1, DC1, DC2 and DC3 of the Council's Core Strategy Development Plan Document (Adopted March 2014) which seeks to protect the historic environment, including designated and non-designated heritage assets and is also contrary to the National Planning Policy Framework (NPPF).

2. 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, H1, DC1, DC2 and DC3 of the

Adopted Core Strategy Development Plan Document, supporting documents and National Planning Policy Framework (NPPF).

Informatives

The applicant has been advised that there is insufficient detail within an outline scheme to demonstrate that there would not be substantial and demonstrable environmental harm arising from the proposal. The applicant has been advised to submit a full application.

X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council

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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.

3. 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.

4. 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.

5. 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

6. 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.

7. 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.
8.