STAFFORDSHIRE
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DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mrs Livingstone
67 Tape Street
Cheadle
Staffordshire
ST10 1ET

Application no: SMD/2016/0219

Determined on: 07/10/2016

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
67 Tape Street Cheadle Staffordshire ST10 1ET

Description of Development:
Proposed block paved drive and garden, partial demolition of boundary wall together with associated landscaping

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: DL-01-01, DL01-02 for the reason(s) specified below:-

1. The proposed new vehicular access, by virtue of its location, siting and design and lack of a vehicular turning area would be detrimental to highway safety on the A522 classified road and therefore would not comply with Policy DC1 (Design Considerations) of the Council's Core Strategy Development Plan Document (adopted March 2014) which states that all development should, amongst other things, provide for safe and satisfactory access. It would also therefore be contrary to Section 4 (Promoting Sustainable Transport) of the National Planning Policy Framework (NPPF).

2. The proposed new vehicular access, by virtue of its form and design and removal of most of a front boundary wall which forms part of the listing of a Grade II listed building, would be harmful to the special historical character, appearance and setting of that listed building and therefore would not comply with policies DC1 (Design Considerations) or DC2 (The Historic Environment) of the Council's Core Strategy which states that all development should, amongst other things, respect the character and appearance of the site and also that the historic environment, including significant historical buildings will be safeguarded and where possible be enhanced by resisting development which would harm the special character and historic heritage of those interests of acknowledged importance. The proposal therefore would also be contrary to Section 12 (Conserving and enhancing the historic

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environment) of the NPPF.

Informative

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

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.

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