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

Mr Stuart Evans
Barrie Newcombe Associates Ltd
Winnington Hall
Winnington Lane
Winnington
Northwich
CW8 4DU

Mr Saywell
Charleston House
Cruckmoor Lane
Whitchurch
SY13 2BS

Application no: SMD/2016/0643

Determined on: 14/12/2016

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Slimma Fashion BARNGATE STREET LEEK STAFFORDSHIRE ST13 8AY

Description of Development:
Variation of Condition 2 (approved plans) attached to planning permission SMD/2014/0374 to replace approved site plan drawing 1600 -110c with drawing 1600-120D (changes to front boundary details)

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: 1600-120D for the reason(s) specified below:-

1. The proposed variation of condition would lead to the proposed front boundary walls for Plots 9-13 of the approved housing development (Planning Permission SMD/2014/0374) not being constructed and this omission from the approved plans would lead the layout of this part of the development to not harmonise with the character and appearance of the surrounding area. The application would therefore not comply with Policy DC1 (Design Considerations) of the Council's Core Strategy Development Plan Document (adopted March 2014) and would not be in line with government planning guidance contained in the National Planning Policy Framework (NPPF) - Section 7 (Requiring Good Design).

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Informative

1. Prior to the determination of the application the Council advised the applicant that the principle of such development is unsustainable and did 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

Signed by: Jane Curley

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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