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Application no: SMD/2016/0600

Determined on: 10th January 2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Land Off Blythe Bridge Road Caverswall Staffordshire

Description of Development:

Proposed erection of 12 dwellings and associated garages and car parking with new access road off Blythe Bridge Road

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: AL 01, 02, 03 J, 04, 05D, 06A, 07, 08D, 09A, 10, 11D, 12A, 13, 14D, 15A, 16, 17D, 18A, 19, 20D, 21A, 22, 23D, 24A, 25, 26D, 27A, 28, 29D, 30A, 31, 32D, 33 A, 34, 35, 36, 37, 38, 39, 40, 41A, 42A, 43A, 44A, 45A, 46A, 47A, 48A, 49A, 50A, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67.

M16 1246 PO1 -1, PO1-2, L01 and 16328 F01 Rev I

for the reason(s) specified below:-

1.The proposal represents inappropriate development in the Green Belt. Inappropriate development is harmful by definition. The development of the site for 12 dwellings would also significantly compromise openness, the essential characteristic of the Green Belt and would conflict with one of the main purposes of including land within the Green Belt namely that of safeguarding the countryside from encroachment. There would in addition be some harm to visual amenity. Local Planning Authorities are required to give substantial weight to any harm to the Green Belt. No case for very special circumstances has been put forward. As such the proposal is contrary to Policy SSC6 of the Staffordshire Moorlands Core Strategy Development Plan Document and the National Planning Policy Framework.

2.The site lies within the Conservation Area and also affects the setting of a number of Listed buildings, notably Dove House Farm, St Peters Church and Caverswall Castle. The application site provides an important open setting and definition to both the historic core and form of the village and to the historic agricultural setting of the Listed buildings. Its development with 12 houses would be harmful to the setting of the Listed buildings and would fail to protect or enhance the character and appearance of the Conservation Area. In terms of the National Planning Policy Framework the harm is substantial and is not outweighed by substantial public benefits. For these reasons there is conflict with Policy DC2 of the the Core Strategy Development Plan Document and the National Planning Policy Framework

3.The development of this open and well defined historic landscape, which the Landscape and Settlement Character Appraisal notes to be important to the setting of the settlement would be harmful to the character and appearance of the surrounding area. It would result in the removal of an element of historic fieldscape character and would fail to protect or enhance the local landscape contrary to Policy DC 3 of the Staffordshire Moorlands Core Strategy Development Plan Document and the National Planning Policy Framework.

4.Drawing AL067 shows the existing and proposed route of the footpath. It shows that the proposed route is awkward. It provides an inferior route which would not be attractive to walkers. It would neither facilitate nor encourage walking. As such there is conflict with Policies C1, T1 and SS1 of the the Core Strategy Development Plan Document and the National Planning Policy Framework.

5.Insufficient information has been submitted to demonstrate that the flood risk arising from the proposed development has been adequately assessed and addressed. As such it has not been demonstrated that the proposal will not increase flood risk contrary to Policy SD4 of the Core Strategy Development Plan Document and the National Planning Policy Framework.

6.Overall, the benefits of the residential scheme when considered together would not be sufficient to outweigh the harm identified above contrary to Policies SS1, SS6C, DC2, DC3, C1, T1 and SD 4 of the Core Strategy Development Plan Document and the National Planning Policy Framework wherein specific policies relating to Green Belt and Designated Heritage Assets indicate that development should be restricted.

Informatives

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.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

X *B.J. Haywood*

Signed by: Haywood, Ben

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.
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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