STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Sarah Evans
New House
Beat Lane
Rushton Spencer
SK11 0QY

Application no: SMD/2016/0746

Determined on: 20/01/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
New House, Beat Lane, Rushton Spencer, Staffordshire SK11 0QY.

Description of Development:
Formation of a new vehicle access and hard surfacing for the purposes of turning and parking vehicles at New House, Beat Lane, Rushton James, SK11 0QY

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: AL01 and AL03 for the reason(s) specified below:-

1. The proposal is for development in the Green Belt. The development would constitute an engineering operation that would not preserve the openness of the Green Belt because it would support the introduction of parked vehicles in an open area of land and would conflict with one of the purposes of including land in the Green Belt by causing encroachment into the countryside because an area of hard surface would spread into and across previously undeveloped land. The proposal therefore, is for a form of development that is not listed at paragraph 90 of the National Planning Policy Framework (NPPF) as being not inappropriate in the Green Belt. As such, the proposal is for inappropriate development in the Green Belt and by definition there would be harm to the Green Belt. It follows that in addition to harm by inappropriateness, the Green belt would be harmed in other ways because the development would be harmful to openness and cause encroachment into the countryside. Some of the limitations associated with the property's existing vehicular access arrangement is not, on balance and in full consideration of the comments from the Highway Authority, a consideration that would clearly outweigh this harm to the Green Belt. The proposed development would therefore, contravene the guidance and policy contained in the NPPF and Spatial Strategy Policy SS6c of the Staffordshire Moorlands Core Strategy Document.

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2. The proposed development would remove and open up a significant stretch of boundary hedgerow, a feature identified in the Landscape Character Assessment as a key characteristic of this area. Grass highway verge would be excavated and replaced with bound hardstanding, a significant expanse of which would be exposed and visible from the highway with gravel hard surfacing and parked cars beyond. In a quality landscape countryside setting this would be unduly intrusive and have a harmful urbanising impact. 'New House' presents a principle elevation of some heritage value to those approaching from the east with the dwelling apparently standing alone in a countryside setting with strong traditional architectural features appearing above, between and beyond hedgerow, trees and bushes. Removing hedgerow and locating hard surfaces and parked cars that would be in front of the dwelling and exposed to public view from the east of the property would disrupt and be harmful to the dwelling's setting and relationship with the surrounding landscape, and in turn harmful to the character and appearance of the landscape. As such, the proposal represents an unsustainable form of development that would be contrary to Spatial Strategy Policies SS1, SS1a & SS6c; and Design and Conservation Policies DC1, DC2 & DC3 of the Staffordshire Moorlands Core Strategy Document.

Informatives

1. It is considered that the proposal is unsustainable and would 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 Colley

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.