STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Rob Duncan
Rob Duncan Planning
70 Ferndale Road
Lichfield
Staffordshire
WS13 7DL

Mr Bailey
C/O Agent

Application no: SMD/2016/0668

Determined on: 02/02/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
2 Potters End Biddulph Staffordshire ST8 6SX

Description of Development:
Erection of detached dwelling and new vehicular/pedestrian access

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: 1451-02 for the reason(s) specified below:-

1. It is considered that the proposed development would represent an overdevelopment of the site. The estate in which the application site is sited is characterised by areas of open grassland at corner plots and other prominent locations. The application site forms part of a strip of open land that runs alongside both No 2 Potters End and no 19 Sawyer Drive, which sits to the rear of No 2. Together this land provides a natural green buffer which softens the edges of the properties, and thus contributes positively to the spacious, leafy character of the surroundings. The provision of a dwelling on the plot would bring built form significantly closer to the road and substantially reduce the more open character around the junction. It would also erode the contribution of the existing soft landscaping to the pleasant ambiance of the area and result in the loss of open views across the application site and the neighbouring plot especially when viewed on the approach from Sawyer Drive from Dorset Drive, thus unacceptably harming its character and appearance. It is therefore considered that the proposal would therefore conflict with Policy DC1 of the Staffordshire Moorlands Local Development Framework Core Strategy Development Plan Document (CS, March 2014), which requires that all development should be well designed and should reinforce local distinctiveness and guidance contained in the National Planning Policy Framework.

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Informatives

The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, no pre-application advice was sought before the application was submitted. Further discussions have taken place regarding the application, but no solution was possible. It was therefore considered that the most effective way to determine the application would be to issue a refusal notice which would then provide the applicant with a right of appeal should they so wish.

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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