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

Mr Hodgkins
168 Ostlers Lane
Cheddleton
Stffordshire
ST13 7DQ

Application no: SMD/2016/0530

Determined on: 27/03/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
168 Ostlers Lane Cheddleton Staffordshire ST13 7DQ

Description of Development:
Change of land usage from green belt to parking

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: 1:1250 Location Plan and 1:200 Block Plan for the reason(s) specified below:-

1. The application is for development within the North Staffordshire Green Belt. The development constitutes material change of use of the land which fails to preserve the openness of the Green Belt because it introduces parked vehicles into an open and undeveloped area of land and as such would conflict with one of the purposes of including land in the Green Belt by causing encroachment. The application therefore seeks retrospective consent for a form of development which is not listed within the exceptions contained in paragraphs 89 and 90 of the National Planning Policy Framework (NPPF) as being not inappropriate in the Green Belt. As such the application is for inappropriate development within the Green Belt and by definition would be harmful to its openness. In addition the area of hard standing and associated vehicle parking, would introduce a form of development which harms the visual amenity of the Green Belt and detracts from the character and appearance of the wider surrounding landscape as it appears as an incongruous and urban encroachment which is divorced from the main dwelling and its curtilage and fails to relate to any other physical landscape features. Whilst the lack of off road parking for the dwelling is acknowledged it is not considered that the highway benefits advanced in support of the application represent very special circumstances which would outweigh this harm to the Green Belt. The proposed development would therefore, contravene the guidance and policy contained in the NPPF and Spatial Strategy Polices SS6c, D1 and D3 of the Staffordshire Moorlands Core Strategy Document.

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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. 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 preapplication advice was sought and advice was given regarding the proposal being unacceptable. No discussions took place during the consideration of the application as it was considered that further discussions would be unnecessary for all parties.

X J Curley

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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