STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Gez Willard
W W Planning
Paradise Farm Main Road
Hollington
ST10 4HX

Mrs Wright
The Moorings Birchall Lane
ST13 5RA

Application no: SMD/2017/0028

Determined on: 19/07/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
The Moorings Birchall Lane Leek Staffordshire ST13 5RA

Description of Development:
Outline planning permission with all matters reserved for erection of 4 houses

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: for the reason(s) specified below:-

1. Due to the topography of the site The Moorings occupies a prominent position within the Rivendell Lane and Birchall Lane setting. Development of any kind to the south-west of the dwellinghouse would appear visually intrusive and interrupt views of the existing dwellinghouse from prominent public vantage points. In turn, signficantly altering the intrinsic character and appearance of the application site and wider Birchall locality. For this reason, it is considered that this application fails to respect the layout, siting, character and appearance of the application site and wider area, contrary to the aims and objectives of policies DC1 and DC3 of the Staffordshire Moorlands Core Strategy and Chapter 7 of the National Planning Policy Framework.

Informatives

1. This application was determined at Planning Applications Committee on 13th July 2017, where it was resolved to refuse the application in accordance with officer advice. During the course of the application the planning officer invited amendments to the application, however no amendments were submitted. The Local Planning Authority has therefore accorded to paragraph 187 of the NPPF.

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2. It is advised that any future application on this site should be accompanied, as a minimum, by level and section information to enable informed deciion making.

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.

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