STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Hewitt & Carr Architects
2 - 4 Cross Street
Cheadle
Staffordshire
ST10 1NP

Mrs C Wainscott
C/O Agent

Application no: SMD/2017/0148

Determined on: 24/07/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Land Between Brook Cottage And Sneyd Arms ASHBOURNE ROAD WHISTON STAFFORDSHIRE

Description of Development:
Proposed erection of detached dwelling (resubmission of SMD/2016/0493)

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 Revision C (received on 21.7.17), AL02, AL03 for the reason(s) specified below:-

1. The proposal is contrary to policies SS6c and R2 of the Council's Core Strategy Development Plan Document (Adopted March 2014) which seek to restrict development within and "Other Rural Areas" (as defined in the Core Strategy) other than the case of a number of specified exceptions, none of which apply to the proposal. The proposed development would undermine and conflict with these policies which set out the spatial strategy for housing development in the District. Furthermore, the site is not considered to be in a sustainable location and would therefore lead to a significant increase in car journeys and therefore emissions to the detriment of the environment. The proposal would therefore not be in line with para. 49 or Section 10 'Meeting the Challenge of Climate Change..' of the National Planning Policy Framework (NPPF).

2. Overall, the social and economic benefits of the residential scheme when considered together would not be sufficient in this case to significantly and demonstrably outweigh the environmental harm identified above contrary to Policies SS1, SS1a, SS6c and of the Adopted Core Strategy Development Plan Document and is not in line with para 14 of the NPPF.

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Informatives

1. 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 concerns relating to the principle of development although amendments were sought to the siting of the development.

X B.J. Haywood

Signed by: Ben Haywood

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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