STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Nigel Forrester
Building Design Services
Ilett House Smithy Bank
Alton
Staffordshire
ST10 4AD

Mr Burns
Two Trees Macclesfield Road
Rudyard
Staffordshire
ST13 8PP

Application no: SMD/2017/0409

Determined on: 18/10/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Two Trees Macclesfield Road Rudyard Leek Staffordshire ST13 8PP

Description of Development:
Demolition of existing bungalow and construction of a new dormer bungalow including improvements to the existing vehicular access. Submission of alternative proposal following previous refusal (SMD/2016/0596)

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: 16-507-01, 16-507-02A, 16-507-03A, 16-507-04A, 16-507-05, 16-507-06A, 16-507-07A, 16-507-08A for the reason(s) specified below:-

1. The replacement dwelling would be materially larger than the one it is to replace and accordingly is regarded as inappropriate development in the Green Belt. It is not considered hat there are any very special circumstances that exist to outweigh harm to the openness of the Green Belt by virtue of inappropriateness; accordingly this application is considered contrary to policy R1 and R2 of the Staffordshire Moorlands Core Strategy and Chapter 9 of the National Planning Policy Framework.

2. This application fails to achieve a high standard of design as required under the terms of policy DC1 of the Staffordshire Moorlands Core Strategy and Chapter 7 of the National Planning Policy Framework.

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Informatives

1. The conclusions reached following the determination of this application are consistant with the advice provided prior to the submission of the application. The principle of development is unsustainable and does not conform with the provisions of the National Planning Policy Framework. It is considered that the applicant is unable to overcome the principle concerns and thus no amendments to the application were requested.

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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8.