STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

P A Taylor Plans
The Sand Quarry Hougher Wall Road
Stoke On Trent
ST7 8JA

Mr Evans
85 Back Lane

Application no: SMD/2016/0523

Determined on: 30th November 2017

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:
Land Adjacent SYTCH ROAD BROWN EDGE STAFFORDSHIRE

Description of Development:
Outline planning application with all matters reserved for the development of 3No. detached and 22No. semi- detached houses including the infrastructure

In pursuance of their powers under the above mentioned Act, Staffordshire Moorlands District Council, **HEREBY REFUSE PERMISSION** for the development described in the above application, in accordance with plans ref: 5589.01 RevA
BS-16/0699/001 for the reason(s) specified below:-

1. The proposal is designated as Visual Open Space on the Saved Proposals map for Brown Edge. Policy DC3 seeks to protect such areas from inappropriate development where the intention will be to retain the land's open and undeveloped appearance. The development of the site with 25 houses will result in the total loss of this open land contrary to Policy DC3

2. Insufficient survey information has been submitted to demonstrate that the proposed development woud not result in adverse harm to protected species. Furthermore it has not been demonstrated that 25 houses can be accommodated on this site whilst respecting the site's topography and result in a net gain in biodiveristy and a scheme that responds to the character and appearance of the area and provides for adequate amenity for future residents. As such the proposal conflicts with Polices NE1 and DC1 of the Staffordshire Moorlands Core Strategy DPD and the NPPF

Informatives

The proposal is not a sustainable form of development. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

environmental conditions of the area. It has not been possible to identify a solution which overcomes the in-principle environmental harm which has been identified above

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.
8.