STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Sammons Architectural Limited
10 Cawdry Buildings
Leek
Staffordshire
ST13 6JP

Mr Klucznik
C/O Agent

Application no: SMD/2017/0496

Determined on: 28/02/2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Land Off Shawe Park Road, Shawe Park Road, Kingsley Holt Staffordshire

Description of Development:
Erection of 4no. 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:

2017-2219-03 Rev A;
2017-2219-04 Rev 4B;
2017-2219-05 Rev B;
2017-2219-06 Rev A;
2017-2219-07 Rev A;
2017-2219-08 Rev A;
2017-2219-09 Rev A;
2017-2219-10 Rev A;
2017-2219-11 Rev A for the reason(s) specified below:-

1. This is a visually prominent edge of settlement location, currently free from any built development and which is visually prominent from the public domain. By reason of their heights and overall bulk, the excessively large proposed dwellings would be seen in the context of smaller surrounding properties and would be visually intrusive in what is otherwise a gradual transition between the residential area and the open countryside. The proposed scheme would constitute overdevelopment of the site as is evidenced by the inability of the scheme to comply with the Supplementary Planning Guidance 'Space About Dwellings' standards. Residential development on the site would significantly and unacceptably change the character of this open and undeveloped area into an extension of ribbon development along the road. The proposed development is therefore contrary to the National Planning

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Policy Framework including section 7, policies DC1, DC3 and R1 of the Core Strategy Development Plan Document (Adopted March 2014) and adopted Supplementary Planning Guidance entitled Space About Dwellings.

2. It is impracticable to construct accesses in the positions indicated on the submitted plan that would allow the requisite visibility splays to be provided within land under the applicant's control. This would be to the detriment of highway safety. The application is therefore contrary to the National Planning Policy Framework including Section 4 and policies DC1, T1 and T2 of the Core Strategy Development Plan Document (Adopted March 2014).

3. The proposed development fails to provide facilities for pedestrians requiring pedestrians to walk in the carriageway to reach the existing footway network with a consequent increase in the likelihood of highway danger. The application is therefore contrary to the National Planning Policy Framework including Section 4 and policies DC1, T1 and T2 of the Core Strategy Development Plan Document (Adopted March 2014).

4. The proposed garages are not large enough to provide a parking space which would result in an increase in on-street parking which would be detrimental to highway safety. The application is therefore contrary to National Planning Policy Framework including sections 4 and 7 and policies DC1, T1 and T2 of the Core Strategy Development Plan Document (Adopted March 2014) which aim to secure well designed and suitably functioning developments whilst meeting parking requirements.

5. Flower rich grassland, scrub, woodland and hedgerows may all have value for invertebrates. However there is no assessment to demonstrate to what extent the proposed development may impact upon these species. Further surveys are required in accordance with best practice guidelines. The application is therefore contrary to the National Planning Policy Framework including section 11 and policies DC1, R1 and NE1 of the Core Strategy Development Plan Document (Adopted March 2014).

Informatives

1. The applicant/agent is advised that drawings 2017-2219-05 Rev B; 2017-2219-07 Rev A and 2017-229-09 Rev A do not correspond with drawing number 2017-2219-04 Rev B in respect of the roof shapes of plots 1 and 4 and the roof ridge orientation of the garages.
2. 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 environmental conditions of the area. However, it has not been possible to negotiate improvements to overcome the above concerns relating to the principle of development.

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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.