

Mr Michael Askew
Knight 1759
The Brampton
Newcastle-under-Lyme
ST5 0QW

Mr Howle
Brook Works Brook Street
Staffordshire
ST8 6PF

Application no: SMD/2017/0766

Determined on: 2nd March 2018

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:

Brook Works Brook Street Brown Lees Biddulph Staffordshire ST8 6PF

Description of Development:

MAJOR - Outline planning application for Residential Development comprising of the erection of 10no. new build 4 bedroom dwelling (Re-submission of SMD/2016/0649)

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: 3735 02 15B, 3735 02 13A, 420 01/GA 01A and 3735-02-14 for the reason(s) specified below:-

1.The proposal represents inappropriate development in the Green Belt. Inappropriate development is harmful by definition. The development of the site for ten dwellings would also significantly compromise openness, the essential characteristic of the Green Belt and would conflict with one of the main purposes of including land within the Green Belt namely that of safeguarding the countryside from encroachment. There would in addition be some harm to visual amenity. Local Planning Authorities are required to give substantial weight to any harm to the Green Belt. It is not considered that the other considerations put forward by the applicant amount to the very special circumstances to clearly outweigh the harm to the Green Belt. It is for these reasons that the proposal is contrary to Policy SSC6 of the Staffordshire Moorlands Core Strategy Development Plan Document and national advice in the National Planning Policy Framework.

2.The development of agricultural land on the edge of the settlement of Brown Lees

for 10 four bedroomed detached houses and the creation of a new access from Tower Hill Road to serve the site would be harmful to the character and appearance of the surrounding area. It would fail to protect or enhance the local landscape contrary to Policy DC 3 of the Staffordshire Moorlands Core Strategy Development Plan Document and national policy in the National Planning Policy Framework.

3. It is impractical to construct an access in the position indicated on the submitted plan that would allow the requisite visibility splays to be provided within land under the applicant's control. Without adequate visibility the proposal would be harmful to highway safety and would conflict with Policy Df of the Staffordshire Moorlands Core Strategy Development Plan Document C1 and national policy in the National Planning Policy Framework.

Informatives

The principle of such development is unsustainable and does not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such 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

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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