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Mr Messenger
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Application no: SMD/2017/0613

Determined on: 16/03/2018

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:

Land South Of Hill Crest Sutherland Road Longsdon Staffordshire

Description of Development:

Outline planning application for up to three dwellings including approval sought for access.
All other matters reserved for future approval.

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: 1484-02 Rev A for the reason(s) specified below:-

1. The application site is located within a large open field in the dispersed linear settlement of Longsdon and forms part of the open countryside which spreads out to the west and south-west. Although Policy SS6b of the adopted Staffordshire Moorlands Core Strategy Development Plan Document allows for appropriate development which enhances community vitality or which meets a social or economic need of the settlement and its hinterland, the site lies also within the Staffordshire Green Belt where there is a presumption against inappropriate development. It is considered that the application proposal falls within the category of "inappropriate development" in Green Belt terms because it is not considered to amount to "limited infilling in villages" due to the significant distance between buildings in the gap where the application site lies. It would therefore result in encroachment into the openness of the Green Belt contrary to the provisions of Paragraphs 80 and 89 of the NPPF. The protection of the Green Belt is of paramount importance and is not outweighed in this case by any perceived benefits to the vitality, social or economic well-being of the community. Inappropriate development in the Green Belt is by definition harmful to its openness and should not be allowed unless very special circumstances, considered to outweigh the harm, have been demonstrated. The Council considers that no very special circumstances exist, contrary to paragraph 87 of the NPPF.

2. The NPPF, in paragraph 14 states that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Para 49 of the NPPF also gives a presumption in favour of sustainable new housing where a five-year housing land supply cannot be demonstrated. The identified harm to the openness of the Green Belt would not only be contrary to Section 9 of the NPPF but would amount to a significant and demonstrable adverse impact which are considered to outweigh the social and economic benefits of providing three dwellings in this location. The proposal is therefore not in accordance with para.14 of the NPPF.

Informative

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 such principle concerns and thus no amendments to the application were requested.

X 

Signed by: Jane Colley

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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