STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Ken Wainman
31a St Edward Street
Leek
ST13 5DN

Mr Friesener

Application no: SMD/2018/0291

Determined on: 12/07/2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Little Ash Farm Ash Bank Road Werrington Staffordshire ST2 9EB

Description of Development:
Outline planning application for residential development including access with all other matters reserved.

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: Location Plan
1544 01A for the reason(s) specified below:-

1. The application site is in the Green Belt and the site is not considered to be previously-developed land. It is therefore considered that the proposed dwellings would fall within the category of ""inappropriate development"" in the Green Belt. It would therefore result in harm to the openness of the Green Belt contrary to the provisions of Paragraphs 80 and 89 of the National Planning Policy Framework (NPPF). The Inappropriate development in the Green Belt is by definition in the NPPF, 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. The site is also outside of the development boundary for Werrington village and is deemed to be in the countryside. Policy SS6c ""Other Rural Areas Area Strategy"" of the Council's Core Strategy Development Plan document (adopted March 2014) does not allow new dwellings in the countryside (unless they are deemed to be local needs or affordable housing) in order to protect the character and appearance of the countryside and the policy also states that strict control will continue to be exercised over inappropriate development within the Green Belt.

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 The NPPF, in paragraph 14 states that where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless specific policies in the NPPF indicate development should be restricted. The proposal is contrary to Section 9 of

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the NPPF relating to the protection of the Green Belt and therefore 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 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