STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mrs Natalie Hewitt
Hewitt & Carr Architects
2 - 4 Cross Street
Cheadle
Staffordshire
ST10 1NP

Mrs Cooke
Whirley Low Land End Cottage
Foxt
ST10 2HR

Application no: SMD/2018/0328

Determined on: 2nd August 2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
WHIRLEY LOW, LANE END COTTAGE, TOWN END ROAD, FOXT, STAFFORDSHIRE ST10 2HR

Description of Development:
Outline permission for erection of 5 no.dwellings with details of access and scale (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: 00782_AL(0)01 for the reason(s) specified below:-

1. The proposal is located in the Open Countryside outside the logical limits of the village boundary where there is a presumption against new residential development and is therefore contrary to policy SS6 of the Staffordshire Moorlands Core Strategy which seeks to focus development in the Towns (and 'larger villages'). Notwithstanding the lack of a 5 year supply of housing within the District the proposal is not considered to be sustainable development as sporadic development of the type proposed would be detrimental to the character and appearance of the area. As a result, it would conflict with Core Strategy policies SS1, SS6, SS6b, H1, DC1 and DC3, the SPD Design Principles for Development, the SPG Planning for Landscape Change and section 12 of the NPPF. In addition, the proposal would fail to add to the overall quality of the area; respond to local character; or reflect the identity of local surroundings (as required by the National Planning Policy Framework).

2. Due to it's location outside the established village of Foxt, the poor pedestrian and cycle connectivity and lack of services within the village, the proposal would be heavily reliant on the use of the private car. Consequently the proposed development is considered not to

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comply with Core Strategy policies SS1, T1, SS6, SS6b, H1, DC1 and DC3, the SPD Design Principles for Development, the SPG Planning for Landscape Change and section 9 & 12 of the NPPF. As such, the proposed development would not constitute a sustainable form of development and therefore does not accord with CS policy SS1a (sustainability) or the concept of sustainability at the heart of the NPPF.

Informatives

1. The LPA has liaised with the applicant (in accordance with para 38 of the NPPF). However, the proposal is unacceptable in principle and as such issues identified have been been insurmountable.

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.

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