STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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

Mr & Mrs Caswell
Cornerstones Leek Road
Wetley Rocks
Staffordshire
ST9 0AP

Application no: SMD/2018/0362

Determined on: 27th September 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:
5 Draycott Old Road Forsbrook Staffordshire ST11 9AL

Description of Development:
Outline permission with details of access, appearance, landscaping & layout (all other matters reserved) for the erection of a detached dwelling

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: 00526_AL(0)06D, 00526_AL(0)10 for the reason(s) specified below:-

The proposed development fails to make adequate provision for the parking and turning of vehicles within the site curtilage resulting in an increase in the likelihood of highway danger due to drivers having to manoeuvre into the A521 Cheadle Road. Planning appeal (ref APP/B3438/W/18/3195307 was dismissed. Having inspected the site, the inspector did not consider that the proposed parking and turning area was of sufficient size to adequately serve the proposed dwelling. The proposal has not addressed this fundamental matter. The parking and turning area has not materially changed and as such a safe and suitable access is not acheieved with consequential risk of harm to highway and pedestrain safety, contrary to Policy DC1 of the Staffordshire Moorlands Core Strategy and national policy in the NPPF.

Informatives

It is considered that the proposal is unsustainable and does not conform to the provisions of the NPPF. Such matters have been discussed with the applicant with a view to seeking a solution, although such a solution has not been possible.

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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.
8.