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

Mr Ken Wainman
Ken Wainman Associates Ltd
St. Edwards Street
Leek
Staffordshire
ST13 5DN

Mrs Capewell
C/o Agent

Application no: SMD/2018/0566

Determined on: 9th November 2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Cuckoo-Well-Hollow Bradley Lane Threapwood Alton Staffordshire ST10 4DG

Description of Development:
Removal of condition 7 relating to SMD/2002/1130

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: relating to SMD/2002/1130:

- Location Plan dated 21/11/2002
- Site Plan previously approved (03/10/1997)

for the reason(s) specified below:-

1. The buildings to which the application relates are not considered to be suitable for permanent residential accommodation, as they fail to provide an adequate standard of residential amenity in accordance with Policy DC1 of the Core Strategy, and the Council's adopted Space About Dwellings Supplementary Planning Document and the National Planning Policy Framework. Furthermore, they are not suitable and worthy in physical, architectural and character terms for use as permanent dwellings and would not would enable a building of particular merit to be safeguarded contrary to Policy R2 of the Core Strategy.

2. The proposal would result in isolated homes in the countryside and although it would result in the re-use of redundant and disused buildings it would not enhance its immediate setting. The proposal is therefore contrary to policy R1 of the Core Strategy and paragraph 79 of the National Planning Policy Framework.

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3. The site is in an unsustainable location with poor access to public transport and few opportunities for walking and cycling to work, school, shops and other services. As such the permanent occupants of the dwellings would be heavily dependent on the private car contrary to policy SSC6 and Policy R1 of the Core Strategy and the National Planning Policy Framework.

4. The harm arising from the poor standard of residential amenity for future occupiers, unsuitable nature of the buildings, isolated nature of the dwellings and unsustainable location is considered to substantially and demonstrably outweigh the benefits, including the provision of two dwellings at a time when the Council cannot demonstrate a five year supply of housing and therefore represents an unsustainable form of development contrary to the provisions of the National Planning Policy Framework.

Informatives

1.The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. It has not been possible to suggest amendments which would overcome the harm arising from the principle of this development.

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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