STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Miss Kari Bradbury
Mode Architects
Pennant House
Salem Street
Stoke on Trent
ST1 5PR

Mr & Mrs Daniels
Freshwater House
Macclesfield Road
Leek
ST13 8PW

Application no: SMD/2018/0622

Determined on: 14/12/2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Freshwater House Macclesfield Road Rudyard Leek Staffordshire ST13 8PW

Description of Development:
Demolition of exisiting bungalow and erection of replacement dwelling

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:

17-026 AL(0)01;
17-026 AL(0)02
17-026 AL(0)05 Rev C;
17-026 AL(0)06 Rev B

for the reason(s) specified below:-

1. The principle of a replacement dwelling within the open countryside can be supported provided that there is no significantly greater impact upon the existing character of the rural area than the original dwelling. This is a visually prominent roadside site within the open countryside; the landscape is classed as high quality and very sensitive to the impacts of development. The Landscape Character Assessment identifies the suburbanisation of isolated dwellings as a weakness to the countryside as well as a threat. By reason of its bulk (including extended first floor accommodation and projecting gables) and executive urban design and form, the proposal results in a development which would not maintain the open character of the landscape and will have a significantly greater and harmful visual impact upon the open countryside at this point, introducing a suburban feature to a landscape which is vulnerable to the effects of suburbanisation. The application is therefore contrary to the NPPF including sections 12 and 15, Core Strategy policies SS1, SS1a, SS6c, DC1, DC3 and

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R2 of the Core Strategy Development Plan Document (2014), Supplementary Planning Guidance in the form of 'Design Principles for Development in the Staffordshire Moorlands: New Dwellings and Extensions to Dwellings' and 'Planning for Landscape Change' as well as the Staffordshire Moorlands Design Guide (Supplementary Planning Document).

Informatives

1. During the course of consideration of the application the Council advised the applicant of design concerns. Amended plans have been submitted in an attempt to overcome these concerns but it has not been possible to find a solution thereby resulting in the application being refused.

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.