STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Philip Andrew Taylor
P A Taylor Plans
The Sand Quarry Hougher Wall Road
Stoke On Trent
ST7 8JA

Mr Beaumont
Clewlow Bank House Hill Top
Brown Edge
Staffordshire
ST6 8TY

Application no: SMD/2018/0623

Determined on: 31st December 2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Clewlow Bank House, Hill Top, Brown Edge, Staffordshire, ST6 8TY.

Description of Development:
Constrcution and formation of a new access with driveway and parking hardstanding

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown and detailed on submitted drawing numbered 6699.10 Rev A for the reason(s) specified below:-

1. The proposed development fails to make adequate provision for the 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 C173 Hough Hill. It is impracticable to construct an access in the position indicated on the submitted plan that would allow the requisite visibility splays to be provided within land under the applicant's control. The proposal conflicts with NPPF paragraph 108; and SMDC Core Strategy Policy DC1.

2. The construction and formation of an access with driveway and parking hardstanding would be inappropriate development in the Green Belt because it would be an engineering operation and material change of use that would harm openness rather than preserve it. The operations and the change of use would introduce hardstanding and parked cars in an area of land that is currently free from development, with some encroachment into the countryside to the north beyond the existing and established built form. All of this harm to the Green Belt must be attributed substantial weight and there are no considerations or circumstances that clearly outweigh that harm. The proposal conflicts with NPPF paragraphs 133, 134, 143, 144 & 146; and SMDC Core Strategy Policy SS6c.

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3. There would be harm to the character and appearance of the area becuase a significant portion of traditional hedgerow, verge side and dry stone wall, important features that make significant contribution to the quality of the locality, would be removed to reveal hardstanding and parked cars. This would be damaging to the rural and countryside character, appearance and amenity that are enjoyed by nearby residents and users of the highway. This would be an adverse impact of some significance and as such, the development would be contrary to policy DC3 of both the SMDC Core Strategy and that of the emerging submission version of the Local Plan. Moreover if the dimension of the proposed development were increased, to improve visibility and provide turning space, this would only serve to exacerbate these harms and there are no considerations or circumstances that weigh in favour of the proposal. The proposal conflicts with NPPF paragraph 170; and SMDC Core Strategy Policy SS6c and DC3.

Informatives

The proposal could not be appropriately amended to address the harms identified above, and so the applicant was not asked to make revised submissions. This is particulalry because any amendment to improve highway safety would casue further harm to the Green Belt and the character and appearance of the area.

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.