STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Robert Berry
10 Truro Close
CW12 3BD

Mr Matner
41 Churnet Valley Road
Kingsley Holt
ST10 2BQ

Application no: SMD/2018/0718

Determined on: 8th February 2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
41 Churnet Valley Road, Kingsley Holt, Staffordshire, ST10 2BQ

Description of Development:
Construction of a detached dwelling and new vehicular access

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development that is described above and shown on the drawing sheet numbered 1835/02 Rev A for the reason(s) specified below:-

1. The proposed dwelling, because of the plots siting, dimension, position, height, and awkward arrangement would appear as an over intensive, cramped or squeezed in form of development, that would appear odd and prominent in the street scene. The development would be inconsistent with the spacing and rhythm of the other dwellings in the street scene and harmful to the character and appearance of the area. The proposed development therefore would conflict with Policy DC1 and DC3 of the Staffordshire Moorlands Core Strategy Development Plan Document (26th March 2014) (the Core Strategy)which state amongst other things that new development should be of high quality, add value to the local area, be designed to respect the site and its surroundings, and respect and enhance local landscape character and settlement setting. It would also conflict with the principles of chapter 12 "Achieving well-designed places" and Chapter 15 "Conserving and enhancing the natural environment" of the National Planning Policy Framework (the NPPF) as well as the provisions of the Staffordshire Moorlands Design Guide.

2. 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 while retaining the existing boundary treatment. 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 A521 Churnet Valley Road. The proposal as submitted therefore fails to achieve a safe and suitable access contrary to Policy

T1 of the Staffordshire Moorlands Core Strategy Development Plan Document and the provisions of the NPPF.

3. The NPPF states that good design is a key aspect of sustainable development. The development would cause harm to the character and appearance of the area, and highway safety contrary to Core Strategy Policies T1, DC1 and DC3 and the NPPF. There would be a small social benefit in the provision of a housing unit and economic advantages would arise from the construction and occupation of a new house and the proposal would make a very modest contribution towards housing numbers. However, the harm that the proposed development would cause to the character and appearance of the area would be both significant and lasting. This adverse impact significantly and demonstrably outweighs the very modest benefits that would be derived from the development.

Informatives

The development would be harmful because of the plots limited dimensions, awkward arrangement and positioning. The scheme could not be revised to mitigate or resolve those effects and constraints in this location. As such, a 'problem solving' approach, that is promoted at paragraph 38 of the NPPF, could not in this case help to achieve acceptbale development and the possibilty of amending the proposal was not discussed with the applicant.

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.