STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Robert Ford
Parkside Park Road
Leek
Staffordshire Moorlands
ST13 8JT

Mr M Banjo
Urban Nu Ltd
First Floor The Cube
Coe Street
Bolton
BL3 6BU

Application no: SMD/2018/0679

Determined on: 19/09/2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Land At Abbey View Fields Bridge End Macclesfield Road Leek Staffordshire

Description of Development:
Erection of five detached single storey five bedroomed dwelling houses

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: 240 170; 240 100; 240 101; 240 250 for the reason(s) specified below:-

1. The Council cannot demonstrate a five year supply of deliverable housing land and as at 31st March 2018 the figure was 1.8 years. In accordance with NPPF para 123, the scheme for 5 dwellings on a 1.48ha site would constitute homes being built at low densities and would not make the optimal use of the potential the site. Accordingly, the scheme for residential development fails to make an efficient use of land in a situation of a chronic housing undersupply and this has not been justified by the applicant. In these circumstances, the NPPF advises that the scheme should be refused. In addition, the residential scheme would introduce a suburban development with a uniform house type of large scale sprawling bungalows. These are scattered across a more extensive area that retains a more rural character and context to constitute significant layout and design concerns. Such factors of significant material weight would not be overcome by the provision of 5 dwellings with their associated economic and social benefits as well as the remediation of previously development land. Accordingly, the scheme would create conflict with CS Policies H1 'New Housing Development' and DC1 'Design Considerations' in particular and the relevant policies of the NPPF.

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Informatives

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. 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. However, despite advice to the applicant it has not been possible to negotiate a suitable form of 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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