STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Bruce Johnson
Smytheman Architectural Services
12 High Street
Tean
Stoke-on-Trent
Staffs
ST10 4DZ

Mr and Mrs Mobbs
6 Hollinscroft Court
Lower Tean
ST10 4SD

Application no: SMD/2019/0496

Determined on: 5th November 2019

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:
6 Hollinscroft Court Lower Tean Staffordshire ST10 4SD

Description of Development:
Outline permission with all matters reserved for 1 No. new dwelling with separate garden space to front and rear and 2 No. Parking spaces on land adjacent to existing house.

In pursuance of their powers under the above mentioned Act, Staffordshire Moorlands District Council, **HEREBY REFUSE PERMISSION** for the development described in the above application, in accordance with plans ref: MOBB-SA-XX-XX-DR-A-0101 and MOBB-SA-XX-XX-DR-A-0102 Rev P0.5 for the reason(s) specified below:-

1. The application constitutes an unacceptable and uncharacteristic form of development, which by virtue of its indicative siting and layout, would have a cramped appearance which fails to reflect the spatial characteristics and pattern of development in the surrounding area. The proposed development would cause unacceptable harm to the character of the area and is thereby contrary to Staffordshire Moorlands Core Strategy Policy DC1, the Staffordshire Moorlands Design Guide 2018 and Section 12 of the National Planning Policy Framework.

2. The development would result in the loss of a Lime tree protected as part of a Group Tree Preservation Order reflecting its contribution to the character and visual amenity of the area generally. In this regard the application is contrary to Policies DC1 and DC3 of the Staffordshire Moorlands Core Strategy, the provisions of the NPPF and Section 2.2.6 of the Council's adopted Tree Strategy.

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Informatives

Prior to the determination of the application the Council advised the applicant that the principle of such development is unsustainable and did not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

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.
8.