STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Gez Willard
WW Planning
Paradise Farm Main Road
Hollington
ST10 4HX

Mr & Mrs Leverton
C/o Agent

Application no: SMD/2019/0581

Determined on: 10/12/2019

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:
Land adjacent to No.65 Cellarhead Road Cellarhead Staffordshire ST9 0HW

Description of Development:
Outline application with all matters reserved for proposed erection of bungalows

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: 01A for the reason(s) specified below:-

1. The application fails to accord with any of the exceptions set out at paragraphs 145 and 146 of the NPPF and as such constitues inappropriate development in the Green Belt. No valid and credible 'very special circumstances' have been submitted which outweighs the substantial harm to the Green Belt by reason of inappropriateness or the substantial harm to openness caused by the encroachment into the Green Belt, thus conflicting with one of the fundamental purposes of the Green Belt. The application is therefore in direct conflict with paragraphs 133-146 of the NPPF and comprises an unsustainable form of development, contrary to Policy SS1a of the Core Strategy and paragraph 11 of the NPPF

Informatives

1. The Local Planning Authority has worked with the applicant where possible to overcome outstanding planning issues to achieve a sustainable form of development. However on this occassion the principle of development was not found to be acceptable and as such no amount of revisions would have addressed this planning issue.

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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.