STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Ken Wainman
31a St Edward Street
Leek
Staffordshire
ST13 5DN

Mr R Bailey
C/O Ken Wainman Associates Ltd

Application no: SMD/2018/0570

Determined on: 12/02/2020

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Land Adj Knott Inn Station Lane Rushton Spencer Staffordshire Moorlands

Description of Development:
Outline planning application for residential development of up to 3 houses with all matters apart from access reserved

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:

location plan 1-1250 A4 landscape
3605-01 site and location plans (1)
3601-05A
3601-06

for the reason(s) specified below:-

1. Due to the extent of the proposal site and its orientation in relation to existing development the proposal is found not to meet any of the exceptions for development in the Green Belt as it is not found to equate to “limited infilling within a village” nor are there very special circumstances and the proposal is therefore contrary to Core Strategy policies SS1, SS1a, SS6c and the NPPF and contrary to emerging Local Plan policies SS1, SS1a, SS10 and the NPPF.

2. The proximity of the development to the Grade II Listed Knot Inn and the Grade II Listed former Rushton Station and the loss of rural character in their setting and the undermining of their separation from the 20thC development of Station Lane which would arise would be harmful to the heritage significance of the setting. Whilst this would bring less than substantial harm, any public benefit from the scheme – restricted in this case to the provision of a single or up to three additional dwellings – does not outweigh the harm to the setting of the two Listed Buildings identified. The proposal is therefore contrary to Core Strategy policies SS1, SS1a, SS6c, DC1, DC3 and R1 and emerging Local Plan policies

SS1, SS1a, SS10, DC1, DC2, DC3 and H1 and the NPPF.

3. In this rural location the proposed outline development for up to three dwellings would be out of character with the grain of existing development and harmful to landscape and settlement character and therefore contrary to Core Strategy policies SS1, SS1a, SS6c, DC1, DC3 and R1 and emerging Local Plan policies SS1, SS1a, SS10, DC1, DC3 and H1 and the NPPF.

Informatives

1. This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants including provision of additional information. In accordance with Paragraph 38 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area. Ultimately it was concluded that there were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning authority has nonetheless reached this decision in accordance with the requirement in Paragraph 38 of the National Planning Policy Framework.

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.