STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Allen Newby
PME Planning Services
Townend
Waterfall
Waterhouses
Staffordshire Moorlands
ST10 3HZ

Mr Nicholas Bowcock
39 Brookfields Road
Ipstones
Staffordshire Moorlands
ST10 2LY

Application no: SMD/2019/0746

Determined on: 13/02/2020

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
39 Brookfields Road Ipstones Staffordshire ST10 2LY

Description of Development:
Erection of proposed dwelling, land to the east of 39 Brookfields Road.

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:

Plan 1 – Site Location – 1:1250
Plan 2 – Access – 1:200
Plan 3 – Existing Block – 1:500
Plan 4 – Proposed Block – 1:500
Plan 5 Rev A – Proposed Plans and Elevations

for the reason(s) specified below:-

1. The development does not meet any of the exceptions for housing outside of the Ipstones development boundary. The development is not put forward as affordable housing and does not meet affordable dwelling criteria; it does not adjoin the development boundary and is not in-fill development. Due to the extent of work to build up this sloping site and the consequent height and scale of the development it is not considered to be of appropriate scale and character or design nor is it well related to the existing settlement pattern and surrounding land uses and 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, DC3 and H1 and the NPPF.

2. As a result of the scale design and siting of the development in a rural countryside setting in a position at odds with the general layout and grain of existing and historic development at this point on Brookfields Road but in close proximity to the boundary of the

Conservation Area, and within a landscape identified in the Council's Landscape and Settlement Character Assessment as being important to the setting of the settlement the development would be harmful to the setting and character and appearance of the Conservation Area and, whilst this would bring less than substantial harm, any public benefit from the scheme – restricted in this case to the provision of a single additional dwelling – does not outweigh the harm to the setting of the Conservation Area in this location. 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. The proposed access route with its single track width constricted by boundary features, gated at two points, and visibility restricted by bends will not adequately cater for an additional dwelling without displacement of current parking to the public highway and is found likely to create conflicts of amenity for the several and various users of the access route and fail to meet standards consistent with Core Strategy Policy DC1 and emerging Local Plan Policy DC1 and the NPPF.

Informative

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.