STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Ken Wainman
Ken Wainman Associates Ltd
31A St Edward Street
Leek
ST13 5DN

Mr Pearson
Ringe Hay Farm
Basford Green Road
Leek
ST13 7ET

Application no: SMD/2019/0352

Determined on: 16th June 2020

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:
Ringe Hay Farm Basford Green Road Basford Leek Staffordshire ST13 7ET

Description of Development:
Outline application, including access (all other matters reserved), for the erection of an environmentally sustainable, zero-carbon eco-home built into the hillside; landscape and nature conservation enhancement and improvement of the entire holding; PV panels, electric car charging facilities; and the deposit and re-use of excavated material.

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: AL01 C, MBS821, AL02 C, AL03 C, AL04 A, AL05 A, AL06 A, AL07 A, AL08, AL09, AL10, AL11, AW0033-PL-001, AW0033-PL-002 Sheet 1, AW0033-PL-002 Sheet 2, AW0033-PL-003, for the reason(s) specified below:-

1. The application site lies within a remote rural location which is designated as open countryside. It is not a location where new development is encouraged within the spatial strategy focusing most new development within the three main towns and larger villages of the District. Policy SS6c sets out the strategy for the rural areas of the District including the application site. It says that these areas will only provide for new housing development which meets an essential local need. There is no evidence that the proposal is meeting an essential local need. As a result, the proposal would conflict with Policy SS6C of the Staffordshire Moorlands Core Strategy DPD which forms part of the spatial strategy for the District and underpins the Core Strategy and the National Planning Policy Framework.

2. The site is not located in a sustainable location and is remote from Cheddleton and Leek which are the nearest settlements offering services and facilities. Basford Green Road does not benefit from footpaths or street lighting and the site is not on a bus route. The consequence is that walking, cycling and public transport do not offer realistic alternative modes of travel. Residents would be heavily reliant upon the car (notwithstanding the offer of electric cars and charging facilities) to access services and facilities. Policy SS1 (amongst

other things) expects new development to provide easy access to jobs, shops and transport services and to contribute towards a reduction in carbon emissions. Policy T1 similarly supports development which reduces reliance on the private car for travel journeys and reduces the need to travel generally. There is for these reasons conflict with Policies T1 and SS1 of the Staffordshire Moorlands Core Strategy DPD and the NPPF.

3. Notwithstanding the Council's current lack of a 5 year deliverable supply of housing land the adverse impacts in this particular case as set out in reasons 1 and 2 above are significant and demonstrable and outweigh the benefits of the proposal. In accordance with Policy SS1a the proposal would not deliver sustainable development.

Informatives

1. 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. Despite this, it has not been possible to identify a solution which overcomes the environmental harm referred to above.

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.