STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Mr Alan Newby
PME Planning Services
Townend Townsend Lane
Waterhouses
Staffordshire Moorlands
ST10 3HZ

Mr Pennington
Lane EWnd Cottage Whirley Low
Foxt
ST10 2HR

Application no: SMD/2020/0367

Determined on: 11/11/2020

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Whirley Low Lane End Cottage Town End Road Foxt Staffordshire ST10 2HR

Description of Development:
Formation of an improved access, construction of a carport and store and change of use of the associated land to domestic use

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:
Access,
Access Elevations,
Existing Block Plan,
Garage,
Location Plan,
Proposed Block Plan for the reason(s) specified below:-

1. The site is located within the Open Countryside where Policy SS10 of the adopted Staffordshire Moorlands Local Plan states that permission will only be granted for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. Whilst the proposal would result in some highway safety benefits, the proposed carport and store and change of use of land would not accord with this policy. Furthermore, the proposal would result in a significant incursion of built development and domestic paraphernalia into hitherto undeveloped countryside to the detriment of its open rural character and appearance, contrary to Policies SS10, DC1 and DC3 of the adopted Staffordshire Moorlands Local Plan 2020.

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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. Amendments were suggested to overcome the concerns above but the applicant declined to change the submitted plans.

X

Signed by: Jane Colley Signature

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.

1. 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.

2. 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.

3. 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.

4. 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

5. 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.

6. 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.

1.