

Teresa Critchlow
Sammons Architectural
10 Cawdry Buildings
Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr Bull
C/o Agent

Application no: SMD/2021/0284

Determined on: 14/06/2021

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Land Off Black Lane Whiston Staffordshire

Description of Development:

Full application for the erection of a single dwelling and amendments to parking provision for end terrace approved under planning application SMD/2019/0005

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: 2020-2573-01,
2020-2573-02A,
2020-2573-03B,
2020-2573-04A for the reason(s) specified below:-

1. The proposed development cannot be supported in principle because in the context of the recently approved site for 4 dwellings within which it falls, it is not limited infill residential development of an appropriate scale and character and it does not relate well to the existing pattern of development of the village. The proposal would in effect create or extend ribbon development and in doing so would urbanise this hitherto rural 'backwater' of the village undermining its sense of rural fringe and closing off its openings and links with the countryside. It therefore does not relate well to the existing pattern of development and cumulatively with the recently approved adjacent terrace development (2019) would result in a prominent intrusion into the countryside and thereby have significant adverse impact on its character and appearance, contrary to policies SS1, SS9, SS10 and H1 of the Staffordshire Moorlands Local Plan 2020, the Staffordshire Moorlands Design Guide and the NPPF.

2. As a consequence of its siting, design and layout the proposed development, would result a cramped form of development, eliminating a valuable and important landscaping backdrop to the adjacent development which is important to the wider setting of the village character. In addition, the development would have a visually significant adverse impact on the character and appearance of the area which would be emphasised by the urbanising effects of the increased prominence given over to car parking on the frontages making the scheme contrary to policies SS1; SS9; SS10; H1; DC1; DC2 and DC3 of the Staffordshire Moorlands Local Plan 2020 and the NPPF.
3. The adjacent embanked former early nineteenth century Froghall to Cauldon tramway is considered to be a non-designated heritage asset and the proposed development as consequence of its scale and close proximity and the necessary physical excavation of the bedrock base required would directly interfere with the physical setting as well as more generally undermine the heritage significance conveyed by the sense of its setting. Accordingly, the development fails to comply with policy DC2 of the Staffordshire Moorlands Local Plan 2020 and the NPPF.

Informative

The proposal would not overall improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. 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 met the requirement in Paragraphs 38 of the National Planning Policy Framework.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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.