

Mr Ian Hunter
Hunter Architects & Planners
C/o Applicant

Mr Holden
The Unit
1 Willow Row
Longton
Staffordshire
ST3 2PU

Application no: SMD/2021/0454

Determined on: 1st October 2021

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:

Land off Clewloes Bank, Bagnall, Staffordshire

Description of Development:

Erection of up to 4 single-storey dwellinghouses
Outline application with details of access included (all other matters reserved)

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in plans numbered 1924_P01D for the reason(s) specified below:-

1. The development would amount to inappropriate and harmful development in the Green Belt. It would conflict with the aims and purposes of including land in the Green Belt by eroding openness between settlements and causing encroachment into the countryside. The proposal is not for affordable housing that would be provided under, or in accordance with, the policies set out in the development plan and there are no considerations that outweigh the harm. The development would be contrary to policies SS1, SS10, H1 and H3 of the Local Plan Development Plan Document (Adopted September 2020) and the National Planning Policy Framework, including section 9: Protecting Green Belt Land.
2. The development would result in a prominent intrusion into the countryside that would be harmful to the rural character of the area and landscape. The development would therefore be contrary to policies SS1, SS10, H1, DC1, DC3 of the Local Plan Development Document (Adopted September 2020) and the National Planning Policy Framework.
3. The evidence and reports submitted with the application lack the information and detail required to determine the extent to which the development would impact on ecology and biodiversity. Clarification is required to show which part of the site was surveyed for reptiles, and the consequent recommendations and suggested mitigation need to be specifically relevant to the site and proposed development. Necessary level changes and spoil movements have not been detailed; there are no drainage details; and a biodiversity impact assessment has not been provided. Protection method statements have not been provided

for reptiles and amphibians, nesting birds, and hedgehogs. It is not clear that the development would not have disproportionate impacts on ecology and biodiversity and whether any harms can be appropriately mitigated. In these regards there is conflict with policy NE1 of the Staffordshire Moorlands Local Plan.

Informatives

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such concerns relating to an objection in principle and thus no amendments to the application were requested.

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.
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.