

Mr Martin Edge MIET
30 Hartland Avenue
Stoke on Trent
Staffordshire
ST6 7NF

Application no: SMD/2021/0099

Determined on: 11/11/2021

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Land Cornering Rudyard Road and Gun Hill Road Meerbrook Staffordshire

Description of Development:

Erect a stilted timber framed dwelling

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:

Location Plan 1:1250

Location Map 1:2500

NE Elevation 1:50

NW Elevation 1:50

SE Elevation 1:50

SW Elevation 1:50

Plan 1 Helical screw pile layout GFL 1:100 28th March 2020

Plan View layout 1:100 26th April 2020

The Barque House annotation removed plan 24th April 2021

for the reason(s) specified below:-

1. There is no support in principle for this development under the Council's adopted Local Plan 2020 nor is it found to qualify under any of the Government's exceptions that might support an isolated home in the countryside such as in particular NPPF paragraph 80(e). This is not a sustainable location for the development of a new dwelling. The proposal is therefore contrary as a matter of planning principle to policies SS1, SS10, H1 of the Staffordshire Moorlands Local Plan and to the NPPF.

2. The design by virtue of its form and materials is not found to reinforce local distinctiveness or contribute positively to the character of the area and does not include detailing and materials

appropriate to the character of the area. It therefore fails to accord with the Council's adopted design guidance and is therefore contrary to policies SS1, SS10, DC1 and DC3 of the Staffordshire Moorlands Local Plan and to the NPPF.

3. The applicant's submitted assessment of impact on trees does not conclusively establish that the development could take place without significant adverse impact on trees, not least because the assessment itself says a further more detailed study would be required. In any event, NPPF section 15 sets out policy for conserving and enhancing the natural environment in which it is established that decisions should recognise the intrinsic character and beauty of the countryside. The installation of a dwelling as a contrived structure amongst and partly around trees is not compatible with or complementary to the intrinsic character and beauty of the countryside and is thus contrary to policies SS1, SS10, DC1, DC3, and NE2 of the Staffordshire Moorlands Local Plan and to the NPPF.

4. In the absence of any ecology assessment the Local Planning Authority is unable to fully and properly weigh the implications for wildlife and biodiversity including in relation to specially protected species and species groups such as bats and it has thus not been adequately demonstrated that the proposal would not have an adverse effect on ecology. The proposal is therefore found in conflict with the requirements to protect the natural environment and to conserve and enhance biodiversity as set out in Policies SS1, SS10, DC1 and NE1 of the Staffordshire Moorlands Local Plan and the NPPF.

Informatives

1. The applicant as landowner is requested to cease the use of the land for parking and storage as currently evident with for example the presence of a mini-digger. Failure to remove this and the other items currently kept on the land may result in the Local Planning Authority commencing enforcement investigation and action.
2. Prior to the determination of the application the Council has advised the applicant that the principle of this development is unsustainable and does not conform with the provisions of the NPPF. It is considered that the applicant cannot overcome these matters of principle and therefore no amendments to the application have been 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.
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.