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Mr Dawson
c/o agent

Application no: SMD/2021/0479

Determined on: 10th January 2022

**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 Stanley Road Stockton Brook Staffordshire

Description of Development:

Application for Outline Planning Permission with details of access (all other matters reserved)
for a proposed detached 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: 2

- 1-120-01
- 21-120-03

for the reason(s) specified below:-

1. The proposed development does not comply with any of the types of housing developments listed within part (5) of policy H1 of the Local Plan (2020). The proposed development is therefore unacceptable in principle and contrary to policies SS10 and H1 of the Local Plan (2020).
2. The construction of 1no. dwellinghouse in an agricultural field devoid of development located in the North Staffordshire Green Belt comprises inappropriate development. Paragraph 147 of the NPPF (2021) states that '*inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*'. The Very Special Circumstance provided within the submitted Design and Access Statement does not hold any weight, as the application does not comply with part (4)(b) of policy H1 of the Local Plan (2020). No Very Special Circumstances therefore exist. The proposal is therefore contrary to policy SS10 of the Local Plan (2020) and chapter 13 of the NPPF (2021).

3. The application fails to demonstrate that it is possible to construct an access in the position indicated on the submitted plan that would allow the requisite visibility splays to be provided within land under the applicant's control. The development is therefore contrary to paragraph 110 of the NPPF (2021) and SMDC Local Plan Policy DC1.
4. The submitted drawing (21-120-03) only details the proposed access into the site, no details are provided as to the access route within the site. Insufficient information has therefore been provided in order to fully assess the application in terms of 'access', contrary to Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
5. Insufficient information has been submitted to assess the impact of the proposed development on habitats and species, and to determine whether the development will achieve a net gain in biodiversity. The proposed development is therefore contrary to policy NE1 of the Local Plan (2020) and chapter 15 of the NPPF (2021).
6. The removal of the mature roadside hedgerow is not required to facilitate the provision of a safe access, as even with its removal, the proposed access would be substandard. The removal of the existing hedgerow is therefore contrary to policy NE2 of the Local Plan (2020), as a need for the loss of the existing hedgerow has not been demonstrated.
7. The revisions to the northern boundary of the site (namely the replanting of the hedgerow back from the highway, the creation of a wide verge and the construction of an isolated strip of pavement) are out of character with the rural character of this part of Stanley Road, resulting in a suburban appearance. The provision of the proposed access will open up views into the field behind on an otherwise enclosed section of road. The construction of a dwellinghouse within this field will erode the openness of the site and create a ribbon of development by infilling an existing gap. The proposed dwellinghouse will be visible from long-distant views from across the valley to the north, eroding the rural character of the countryside. The proposed development will therefore have an adverse impact on the rural character of the surrounding area, contrary to policy DC3 of the Local Plan (2020).
8. Insufficient information has been submitted to ascertain whether the proposal will exacerbate the existing surface water flooding issues, contrary to policy SD5 of the Local Plan (2020).

Informatives

Prior to the determination of the application the Council advised the applicant that the principle of such development is unsustainable and did not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns 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.