STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Malcolm Sales
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Application no: SMD/2021/0826

Determined on: 08/02/2022

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:
Redundant football pitch Holt Lane Kingsley Staffordshire ST10 2BA

Description of Development:
Outline application with all matters reserved for the erection of 7 2-bedroom bungalows

In pursuance of their powers under the above mentioned Act, Staffordshire Moorlands District Council, **HEREBY REFUSE PERMISSION** for the development described in the above application, in accordance with plans ref 2110 10 01C for the reason(s) specified below:-

1. The application site is in the Green Belt. Policy SS10 'Other Rural Area's Strategy' of the Council's Local Plan (adopted September 2020) requires strict control over inappropriate development in the Green Belt. The government planning guidance contained in the National Planning Policy Framework (NPPF) in paras 149 and 150 sets out the forms of development which are not inappropriate development in the Green Belt. It does not include new-build dwellings and the particular housing development applied for does not accord with any of the other exceptions listed in those paragraphs. The proposal is therefore deemed to be inappropriate development in the Green Belt and is therefore deemed to be harmful to its openness. Inappropriate development should only be allowed where very special circumstances, considered to outweigh the harm to the Green Belt, have been demonstrated. However, no such very special circumstances exist. The proposal is therefore contrary to Section 13 of the NPPF and Policy SS10 of the Council's adopted Local Plan which aslo resists ""non-affordable"" new-build housing in the countryside.

2. The development, by virtue of the location of the site, shape of the site and the number of dwellings proposed, would lead to a prominent intrusion into the open countryside which contributes positively to the rural setting of the village and which would harm the rual character and appearance of the surrounding area and would also harm the wider rural landscape within this part of the Churnet Valley. The proposal would therefore not comply with policies SS8 'Large Villages Strategy, SS10, SS11 'Churnet Valley Strategy', H1 'New Housing

Development' or DC3 'Landscape and Settlement Setting' of the Council's Local Plan (adopted September 2020).

3. The development would lead to the loss of a football pitch which despite being redundant could potentially be re-used and the application does not provide for a replacement pitch or a contribution towards a replacement pitch in local areas of need for such facilities. The proposal would therefore result in detriment to the outdoor recreational needs of local communities in conflict with Policy C2 'Sport Recreation and Open Space' of the adopted Local Plan and Section 8 of the NPPF.

4. The application has insufficient information to demonstrate that a safe vehicular access to the development is possible and is therefore considered to be detrimental to highway safety contrary to Policy T1 'Development and Sustainable Transport' of the Local Plan.

Informative

1. The proposed development is unsustainable due to the harm to the Green Belt and does 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

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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.

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