

Mr Malcolm Sales
Malcolm Sales
Churchill Suite Lulworth House
Cheadle
Staffordshire
ST10 1AR

Mr Simms
19 Park Avenue
Cheadle
Stoke On Trent
ST10 1LZ

Application no: SMD/2021/0393

Determined on: 08/04/2022

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 Quarry Bank Hollington Staffordshire

Description of Development:

Outline application with details of access (all other matters reserved) for the erection of 2 detached houses

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: 2011 12 01 and 2011 12 02 B for the reason(s) specified below:-

1. Policy SS10 of the Council's Local Plan restricts new-build housing development in the countryside to that which has an essential need to be located in the countryside in order to protect the character and appearance of the countryside and ensure sustainable development. The Council considers that, in principle, the development fails to comply with Policies SS10 and H1 in there is no essential need for two dwellings to be located on this rural site. The proposed dwelling is therefore contrary to Policy SS10 'Other Rural Areas Strategy' and H1 'New Housing Development' of the Council's Local Plan (adopted September 2020). The NPPF gives significant weight to allowing new sustainable housing where there is a current shortfall of a five year housing land supply. However, in this respect, due to the unsustainable location of the site and a further harm caused to the character and appearance of this rural location by the proposed new dwellings, the environmental harms of the proposal would outweigh the social and economic benefits of providing two dwellings in this location, which are deemed to be limited. The proposal would therefore not comply with NPPF para. 11.

Informative

1. 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 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.
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