STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Chris Papagrigoriou
Indigo Architecture
Abbey Yard Stable Abbey Yard
DE22 1DS

Mr Farooq

Application no: SMD/2021/0547

Determined on: 21/06/2022

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:
Land Off Rue Hill Road Cauldon Low Staffordshire

Description of Development:
Outline Permission for the erection of a farmhouse dwelling with all matters reserved

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: 0342-1-01-00_Location Plan
0342-1-02-00_Site Plan
0342-1-05-00_Indicative Site Section
0342-1-91-00_Site Analysis for the reason(s) specified below:-

1. The proposed development, in principle, due to its isolated and unsustainable location in the open countryside, would only be supported by adopted Local Plan Policy and by the NPPF if it could be demonstrated that the development was required in order to meet an essential need to accommodate a rural worker at or near their place of work in the countryside. No such need has been demonstrated in the application. Moreover, it is judged by the Local Planning Authority extremely unlikely that this modest area of farmland meadow / pasture could viably sustain the living of a rural worker, as their place of work. The application is thus found contrary to Policies SS1, SS2, SS10 and H1 of the Staffordshire Moorlands Local Plan 2020 and contrary to the National Planning Policy Framework.

2. Due to the prominence of the development when viewed both from the public road and from the rural footpath network, the development would bring significant harm to landscape character and appearance of the area undermining how it is enjoyed for recreation including by tourist visitors. The harm to the character and appearance is further exacerbated by the significant length of the new vehicular access route required and the cut-and-fill earth movements which would inevitably be required to achieve the access and the dwelling. In this exposed and prominent location the inevitable

significant ground works would bring significant harm to the character and appearance of the locally distinctive landscape. The application is thus found contrary to Policies SS1, SS2, SS10, DC1 and DC3 of the Staffordshire Moorlands Local Plan 2020 and National Planning Policy Framework.

3. In the absence of an ecological survey, the Local Planning Authority are unable to assess the impact of the development on the biodiversity interests of the site, particularly as the site is within land designated as a County Site of Biological Importance. The application is therefore contrary to Policies SS1, SS10 and NE1 of the Staffordshire Moorlands Local Plan 2020 and the National Planning Policy Framework.

4. Insufficient visibility splays would be provided to achieve a safe means of access to the public highway from the application site, to the detriment of highway safety. Accordingly, the application is found contrary to Local Plan Policies SS1 and T1 of the Staffordshire Moorlands Local Plan 2020 and the National Planning Policy Framework.

5. Insufficient information has been submitted to demonstrate that the proposed development would not suffer from noise disturbance from the camping and quarrying activities, which are located in close proximity. As such the Local Planning Authority is unable to assess the impact on the amenity of future occupiers of the proposal dwelling. The application is thus found contrary to Policies SS1 and DC1 of the Staffordshire Moorlands Local Plan 2020 and the National Planning Policy Framework.

6. Although the Council are unable to demonstrate a 5 year supply of housing land, the benefits of this application are confined to the provision of a single dwelling which in the context of the overall housing requirement of the Staffordshire Moorlands District would make a very small additional contribution. The benefits of the development are significantly and demonstrably outweighed by the harm of the development, when assessed against the policies in the Framework taken as a whole. Accordingly, this refusal complies with NPPF paragraph 11 and specifically 11(d) (ii).

Informative

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has nonetheless met the requirement in Paragraphs 38 of the National Planning Policy Framework.

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

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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