

Mr Mike Cheadle
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Eccleshall
Staffordshire
ST21 6AY

Mr & Mrs Duffield
2 East View
Cauldon Low
Staffordshire
ST10 3EU

Application no: SMD/2022/0285

Determined on: 21/07/2022

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:

East View 2 Main Road Cauldon Low Staffordshire ST10 3EU

Description of Development:

Outline application with details of access, appearance, layout & scale (all other matters reserved) for the erection of a 3 bedroom detached house on land/garden adjacent to 2 Eastview

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: Location Plan, Block Plan, Elevations, Floor Plan, Roof and Drainage Plan for the reason(s) specified below:-

1. This site is situated outside of a settlement boundary and in open countryside. Policies in the adopted Local Plan set out the spatial strategy for new development in the District, defining areas suitable for development in the rural areas. Cauldon is not identified in the Local Plan as a location where new housing should be located unless a particular need has been demonstrated. In this instance the proposal does not meet an identified need. The site is also considered to be located in an unsustainable location, where special circumstances do not exist.

Paragraph 12 of the Framework makes it clear that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing are not considered to be up-to-date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites. The Council is currently unable to demonstrate a five year housing land supply. In such circumstances, paragraph 11 of the Framework advises that applications should be approved without delay, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefit, when assessed against the Framework as a whole.

For the reasons above, the proposal is considered to be contrary to the spatial strategy of the

Local Plan. It is considered that the totality of the harm is significant and demonstrably outweighs the benefit of delivering an additional dwelling. The proposal is therefore contrary to Policies SS10 and H1 of the Staffordshire Moorlands Local Plan (2020) and NPPF (2021), in particular Chapter 6 'Delivering a wide choice of high quality homes'.

Informative

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 

Signed by: Jane Colley Signature

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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