STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Patrick Redmond
CTD Architects
Clerk Bank House Clerk Bank
Leek
Staffordshire Moorlands
ST13 5HE

Application no: SMD/2019/0166

Determined on: 29th December 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 At Hillside Road Cheddleton Staffordshire

Description of Development:
Outline application with all matters reserved (except access) for a residential development comprising 3 x 3 bedroom, 2 storey dwellings with some matters reseved.

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: AL01, AL03 Rev B,AL06 Rev B , AL10 for the reason(s) specified below:-

1.The proposal would adversely affect the existing protected trees by direct tree loss and by expected future tree loss by virtue of the unsatisfactory relationship with the trees within the site and the proposed dwellings. This loss would be contrary to Policy NE2 of the Staffordshire Moorlands Local Plan, Section 15 of the National Planning Policy Framework and the Tree Strategy for Staffordshire Moorlands.

2.Insufficient information has been submitted to demonstrate the ecological impact of the scheme failing to demonstrate that the proposal would protect and enhance ecology, contrary to Policy NE1 of the Staffordshire Moorlands Local Plan, Section 15 of the National Planning Policy Framework and the Tree Strategy for Staffordshire Moorlands.

3. The proposed development would represent a poor standard of accommodation for future occupiers of the dwellings due to the immediate living environment such as significant shading, restricted outlook, overbearing impact, perception of danger from falling trees/branches. The proposal is thereby contrary to guidance in the National Planning Policy Framework and Policy DC1 of the Staffordshire Moorlands Local Plan.

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Informatives

The Local Planning Authority has acted positively and proactively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework, by assessing the proposal against relevant planning policies and all material considerations and identifying matters of concern with the application. In this instance, the nature of the planning issues were considered to be so fundamental that no further negotiation was sought with the applicant.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

disability confident EMPLOYER

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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.

1.