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Mr Anthony Wheat
C/o Agent

Application no: SMD/2021/0688

Determined on: 23rd February 2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Land Between Ash Cottage and Willan Rose, Godley Lane, Dilhorne, Staffordshire, ST10 2PF

Description of Development:

Outline permission with some matters reserved for Erection of a single 2 - Storey, 3 - Bedroom dwelling

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:

Site, Location and Access Plans Drawing Ref: NR.2109/17/01 dated October 2021

for the reason(s) specified below: -

1. The site lies within an area designated as Green Belt. The proposed development is inappropriate development in the Green Belt, and causes harm to the openness of the Green Belt. As no special circumstances exist to clearly outweigh the resulting substantial harm, the proposal is contrary to SS1, SS2, SS9 and H1 of the Staffordshire Moorlands Local Plan and the provisions of the National Planning Policy Framework.
2. The proposal would represent new residential development in the Green Belt which does not require a countryside location. The proposed dwelling would urbanise an area of open land which contributes to the rural character of the locality, and which would fail to protect the intrinsic character and beauty of this part of the countryside. The development would not be readily accessible to services and facilities, employment and would not have good connections to public transport and would be primarily reliant on the use of private motor vehicles. Consequently, the proposed development would fail to promote sustainable communities and would represent an unsustainable form of development having regard to the location of the site. As such, the development would be contrary to the provisions of Policies

SS1, SS2, SS9 and H1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework.

3. Policy NE1 states that development should not result in any net loss of natural assets, and should seek to provide net gains. Developments likely to have an impact on protected sites, protected/priority species, priority habitats or geological sites must be accompanied by an Ecological Assessment that complies with industry best practice and guidance. It is considered that further information would be required including mitigation plans and method statements of works to ensure that the development is acceptable in terms of its impact. On the basis of insufficient information the proposal is considered to be contrary to H1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework.
4. Policy SD4 (Pollution and Water Quality) and SD5 states that development should protect people and the environment from unsafe, unhealthy and polluted environments by ensuring proposals avoid potential adverse effects and development be designed to be flood resilient and resistant and safe for its users for the lifetime of the development. On the basis of insufficient drainage or coal risk information the proposal is considered to be contrary to SD4 and SD5 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework.

Informative(s)

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.