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c/o Agent
B75 5SH

Application no: SMD/2021/0829

Determined on: 12/04/2022

**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 At Blythe Park Sandon Road Cresswell Staffordshire

Description of Development:

Application for Variation of condition 4 in regards to outline application SMD/2014/0576

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: for the reason(s) specified below:-

A-004-APP-001 Rev A and 003 Rev A;
IPD-21-555-114, 150 and 151

1. The proposed revised junction arrangements at the site access and at the Uttoxeter Road / Cresswell Road would be detrimental to highway safety and would fail to achieve a safe and suitable access to the new development. The proposal is therefore contrary to Policy DC1 and Policy T1 of the adopted Staffordshire Moorlands Local Plan and the provisions of the National Planning Policy Framework.

2. The proposed revised junction arrangements would be detrimental to the residential amenity of neighbouring occupiers as a result of difficulty in accessing properties, increased noise and pollution, relative to the previously approved roundabout scheme. The proposal would therefore be contrary to Policy DC1 and of the adopted Staffordshire Moorlands Local Plan and the provisions of the National Planning Policy Framework.

Informatives

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. It is considered that a suitable alternative scheme which would overcome the harm identified above has already been approved.

X *J Colley*

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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