STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Miss Alice Keyse
Hewitt & Carr Architects
17-19 Leek Road
Cheadle
Staffordshire
ST10 1JE

Mr Cunningham
c/o agent

Application no: SMD/2022/0658

Determined on: 19/05/2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Land Rear Of The Royal Oak High Street Dilhorne Staffordshire

Description of Development:
Outline appliaction with some matters reserved for Erection of a detached dwelling house

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: 01250 AL(0)01D for the reason(s) specified below:-

1. The site is in the Green Belt and under Section 13 of the National Planning Policy Framework (NPPF), new dwellings are considered to be inappropriate development unless they fall within one of a number of categories of development listed in paras 149 and 150. The proposal does not fall within any of those categories including "limited village infill" and is therefore inappropriate development in the Green Belt and harmful to its openness and should not be allowed unless very special circumstances, considered to outweigh the harm, have been demonstrated. The Council considers that no very special circumstances exist. The proposal therefore also does not comply with policy SS10 'Other Rural Areas Strategy' of the Staffordshire Moorlands Local Plan (adopted September 2020) which requires strict control over inappropriate development in the countryside.

2. The proposal, due to the site location and layout of development, would lead to a significant encroachment into the open countryside and also exacerbate the sporadic form of development in this part of the small village of Dilhorne, harming the character and appearance of the surrounding area and setting of the small village and adjacent to the open countryside. It would therefore be contrary to policies SS9, 'Small Villages Strategy', H1 'New Housing Development' and DC1 'Design Considerations' of the Staffordshire Moorlands Local Plan and Sections 5 and 12 of the NPPF.

3. The proposed development, due to the siting and layout of development and the form and height of the proposed dwelling would lead to an intrusive and overbearing form of development which would harm the residential amenities of a neighbouring residential property, Briardale, to the east of the site. The proposal would therefore be contrary to policies DC1 'Design Considerations' of the Staffordshire Moorlands Local Plan and Section 12 of the NPPF.

Informative

1. 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

STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

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.