STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Martin Levie
Harrison Wood Consultancy Ltd
Studio 2 Silverdale Enterprise Centre
Kents Lane
Silverdale, Staffs
ST5 6SR

Mr Mitchell
The Old Coal Yard and Storage Land
Biddulph Road
Mow Cop
Staffordshire
ST7 3PU

Application no: SMD/2023/0111

Determined on: 28th July 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 At Biddulph Road Mow Cop Staffordshire

Description of Development:
Application for Outline Planning Permission with access and layout (all other matters reserved). Re: Proposed Development of the land with a Detached House and Garage

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in plans submitted with the application ref. Location Plan and HWA 1673-001 - Schematic Site Layout, for the reason(s) specified below:-

1. The development would be inappropriate and, by definition, harmful to the Green Belt because it would not be provided for by any of the exceptions listed at paras. 149 and 150 of the NPPF. Specifically, the development would involve the redevelopment of previously developed land, but would have a greater impact on the openness of the Green Belt than the existing development. There are no other considerations that amount to 'very special circumstances' and clearly outweigh the substantial weight that must be attributed to the harm to the Green Belt and the other harms resulting from the development.

2. The development would cause prominent intrusion into the countryside that would be apparent as a harmful introduction that would be at odds with the character and appearance of the area and the quality of the landscape. There would be conflict with policies SS10, DC1 and DC3 of the Staffordshire Moorlands Local Plan 2020 and the terms of the NPPF.

3. It is apparent that from certain positions and aspects that the development would appear adjacent to, and within, the setting of the Grade II listed Engine House, 50m to the south west. Originally associated with colliery workings its industrial character and lone setting contribute to the significance of the designated heritage asset. It is anticipated and assumed, particularly in the absence of a heritage statement, that the introduction of a prominent residential building would adversely affect the setting of the listed building causing 'less than substantial harm' to its significance. This would not be outweighed by the public benefits of the scheme. There

would be conflict with policy DC2 of the Staffordshire Moorlands Local Plan 2020 and the terms of the NPPF.

Informatives

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

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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.