STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Mr Ethan Glover
Fisher German
The Estates Office Norman Court
Ashby-de-la-Zouch
LE65 2UZ

Mr & Mrs Rice
Harewood Park Farm
Leek Road
Cheadle
Staffordshire
ST10 2EF

Application no: SMD/2023/0274

Determined on: 03/08/2023

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

# REFUSAL OF PLANNING PERMISSION

**Location of Development:**
Harewood Park Farm, Leek Road, Cheadle, Staffordshire, ST10 2EF

**Description of Development:**
Erection of dwelling
(The development has already been carried out under permission SMD/1988/0163. This applicaton sought a differing permission so that the development would no longer be subject to an occupancy condition)

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 Block Plan, for the reason(s) specified below:-

1. The National Planning Policy Framework (NPPF) states in relation to planning conditions that they should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. The application does not provide the necessary evidence to demonstrate that there is no local need within the area for a workers dwelling of this type and location. In these respects it cannot be said with certainty that the condition no longer performs a useful and necessary purpose. Consequently the removal of the occupancy condition is not justified.

2. The development is inappropriate in the Green Belt and, by definition, harmful. Planning permission was granted only on the basis that very special circumstances had been demonstrated to outweigh the harm and the permission was subject to a condition that restricted occupancy in those terms. This application does not demonstrate circumstances justifying a permission without the occupancy condition.

**Informatives**
It is considered that the proposal is unsustainable and does not conform with the provisions of the NPPF. The applicant was provided with opportunity, but was unable to overcome such principle concerns.

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X 

Signed by: Jane Colley Signature

**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.