STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Miss Billie Chell
Hewitt & Carr Architects
17-19 Leek Road
Cheadle
Staffordshire
ST10 1JE

Est Of Beardmore Alcock
c/o Nicholas John of The Eric Whitehead Partnership
14 Chapel Street
Cheadle
Stoke on Trent
ST10 1DY

Application no: SMD/2023/0116

Determined on: 29/09/2023

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 RAKEWAY FARM Rakeway Road Cheadle Staffordshire

Description of Development:
Erection of 5no. dwellings and formation of vehicular access

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: 1247 PL(0)01 Rev E and PL(0)02B, for the reason(s) specified below:-

1. The site is outside of the development boundaries of the District as defined in the Council's Local Plan (adopted Sep 2020) and is therefore defined by the Local Plan as being in the countryside. The site is also a greenfield site. The proposed development of new-build market-value dwellings would be contrary to policies SS10 'Other Rural Areas Strategy' and H1 'New Housing Development'. However, the Council cannot demonstrate a five year housing land supply. The Local Plan is deemed to not be up-to-date and in these circumstances, the proposed development is determined against para 11 of the National Planning Policy Framework (NPPF) which states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless, inter alia, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. It is considered that due to the location of the site, detached from the development boundary of Cheadle and separated from it by other green gaps, the proposed development of five dwellings on an open field would have an urbanising impact significantly harming the rural character and appearance of the area and that this would amount to a significant and demonstrable environmental harm which would outweigh the limited social and economic benefits of providing five new 2-bedroom bungalows in this

location. The proposed development is therefore contrary to policies H1 and SS10 of the adopted Staffordshire Moorlands Local Plan and para 11 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

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

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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.

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