

Mrs Beech  
Fairview Cottage 76 Leek Road  
Stockton Brook  
Staffordshire  
ST9 9NH

Application no: SMD/2021/0224

Determined on: 18/01/2024

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

## **REFUSAL OF OUTLINE PLANNING PERMISSION**

**Location of Development:**

Fairview Cottage 76 Leek Road Stockton Brook Staffordshire ST9 9NH

**Description of Development:**

Outline application with details of access (all other matters reserved) for a proposed detached dwelling on land adjacent to 76 Leek Road, retaining and using existing access to 76 Leek Road

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

1. The traffic generated by the proposed development would be likely to result in an increase in highway danger owing to increased use of the existing access which affords restricted visibility for drivers emerging from the access. The proposal therefore fails to achieve safe and suitable access. The application is therefore contrary to Policy T1 of the Council's Local Plan (adopted September 2020).
2. The proposed development fails to demonstrate adequate provision for the turning of vehicles within the site curtilage resulting in an increase in the likelihood of highway danger due to drivers having to manoeuvre into the A53 Leek Road. The proposal therefore fails to achieve safe and suitable access. The application is therefore contrary to Policy T1 of the Council's Local Plan (adopted September 2020).
3. The proposed development fails to demonstrate adequate provision for the parking of vehicles within the site curtilage resulting in an increase in the likelihood of highway danger due to the likelihood of vehicles being parked on the public highway. The application is therefore contrary to Policy T1 of the Council's Local Plan (adopted September 2020).

4. The proposed development would exacerbate the risk of pedestrian/vehicle conflict by reason of the narrow footway on the frontage of the site leading to an increase in the likelihood of danger to highway users. The proposal therefore fails to achieve safe and suitable access. The application is therefore contrary to Policy T1 of the Council's Local Plan (adopted September 2020).
5. The development represents inappropriate development in the Green Belt, and there are no very special circumstances that would outweigh the harm caused by virtue of the development's inappropriateness and associated harm to the openness of the Green Belt. The development is therefore contrary to Policy SS10 of the Staffordshire Moorland Local Plan and the NPPF.

### **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. However, it was not possible to suggest amendments to overcome the harm in principle described above.

X *B.J. Haywood*

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Signed by: Ben Haywood

**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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