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Application no: SMD/2024/0412

Determined on: 28.10.2024

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:

LAND SOUTH WEST OF 4 MOUNT PLEASANT Foxt Road Foxt Staffordshire

Description of Development:

Outline planning consent for self-build residential purposes with all matters reserved

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 plan ref:

Foxt Road site location and block plan RLM 1131/1 revision A

for the reason(s) specified below:-

1. The application site lies outside of a development boundary. It is an undeveloped greenfield site which lies within the Open countryside. In such locations Policy SS10 says that only development which has an essential need to be located in the countryside will be supported. Foxt itself is identified as a Smaller village in the Local Plan. In respect of Smaller villages, Policy H1 allows for 'limited infill' residential development to be supported provided the development is well related to the existing pattern of development of a smaller village and provided it does not create or extend ribbon development or lead to a sporadic pattern of development. In this case however the proposal does not constitute limited infilling. The site is not contained by existing buildings nor does it sit within a line of built up development. Furthermore the application site is some 300m from the village extremities of Foxt. It is consequently not well related to it and its development would create a sense of emerging ribbon development. In addition no evidence is put forward that the proposal would enhance community vitality or meet a social or economic need of the settlement and hinterland as required by Policy SS9 or that it has an essential need to be located in the countryside as per Policies H1 and SS10. For all of these reasons there is conflict with Policies SS10, SS9 and H1 of the Staffordshire Moorlands Local Plan and the NPPF
2. The site would occupy an important space between developments along Foxt Road undermining the valuable role and contribution of this land in keeping the road's

characteristic outlook open and rural. Furthermore an inevitable necessity for significant excavation and land engineering to establish a dwelling on this steeply sloping site which rises abruptly and directly from the road edge coupled with inevitable loss of a prominent rural native-species hedgerow which at this location makes a defining and high value contribution to the character and appearance of Foxt Road would result in a highly intrusive and prominent development in complete disharmony with the existing land and the character and appearance of the location. The proposal is thus found significantly at odds with the character and appearance of the area and therefore contrary to Local Plan policies DC1 and DC3 and to the NPPF.

3. The inability of this site to provide a suitable and safe vehicle connection with the public road in terms of visibility splays as advised by the Highways Authority from any point within the applicant's frontage as identified on their submitted drawing RLM 1131/1 revision A, notwithstanding that highways access is a reserved matter in this outline application, means the proposal must be found contrary to Local Plan Policies DC1 and T1 and to the NPPF.
4. The complete absence of any ecological survey information for this site which has obvious biodiverse qualities by way of the hedgerows; herb / shrub layer and other habitats it comprises means the Local Planning Authority is unable to fully and properly determine the wildlife impacts of the proposal contrary to Local Plan Policies NE1 and NE2 and to the NPPF.
5. Having regard to the singular steep slope of the site towards the public road and its relative remoteness the lack of information with regard to how sustainable drainage might be achieved creates significant uncertainty about this essential matter which is central to whether or not the development may be achievable and therefore in the absence of this information the proposal is found contrary to Local Plan Policy SS5 and to the NPPF.
6. By its remoteness from access to essential supplies and services this location is unsustainable for a proposed new-build dwelling in terms of travel distance to reach nearby service centres the nearest being 3km away and the local roads being narrow, generally un-lit and lacking in pedestrian refuge and occupiers would be highly reliant on private car borne trips making the development therefore contrary to Local Plan policies SS1 and T1 and to the NPPF.
7. Although the Council is currently unable to demonstrate a 5 year supply of housing land, the benefits of this application are confined to the provision of a single dwelling which in the context of the overall housing requirement of the Staffordshire Moorlands District would make a very small additional contribution and the benefits of the development are significantly and demonstrably outweighed by the harm of the development as outlined in the reasons above when assessed against the policies in the Framework taken as a whole. Accordingly, this refusal complies with NPPF paragraph 11 and specifically 11(d) (ii).

Informatives

1. As an outline application the proposal has been submitted without information relating to land stability, drainage and ecology. The LPA has not sought information from the applicant on these matters in this case as it would involve them in significant further

expense where, for the reasons above, it is already fully apparent without the additional information that the development cannot be supported.

2. The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has nonetheless met the requirement in Paragraphs 38 of the National Planning Policy Framework.

X

J Curley

Signed by: Jane Curley

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.
2. 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.
3. 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.
4. 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.
5. 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>
6. 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.
7. 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.