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Mr Mark Bullock
C/O agent

Application no: SMD/2024/0459

Determined on: 30th January 2025

**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 at Park Lane, Cheadle, Staffordshire

Description of Development:

Outline application for erection of a self build single dwelling
including details of means of access

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: 2023-157-001 revision P8 for the reason(s) specified below:-

1. This site comprises agricultural land. It is greenfield and lies within the Green Belt. The Council's Green Belt Review (2015 to 2018), an evidence document in support of the Council's Local Plan (2020), ranked the site location as making a significant contribution to purpose (d) of the Green Belt as listed at NPPF paragraph 143 namely "to preserve the setting and special character of historic towns" and on this basis the site is found to contribute strongly. Thereby it is concluded that the site is not grey belt and represents inappropriate development in the Green Belt which is, by definition, harmful. The development would, in addition, compromise openness by replacing open field land with a housing development which would be urban in character. Openness and permanence are, the NPPF confirms, the essential characteristics of the Green Belt. The fundamental aim of Green belt policy is to prevent urban sprawl by keeping land permanently open. Furthermore there would be significant conflict with at least two of the main purposes of including land within the Green Belt namely that of safeguarding the countryside from encroachment and preserving the setting and special character of historic towns. The totality of the Green Belt harm is significant and Local Planning Authorities are required to give substantial weight to any harm to the Green Belt. It is not considered that the personal circumstances of the applicant in so far as they have been put forward, amount to the very special circumstances to clearly outweigh the harm to the Green Belt and other harm. It is for these reasons that the proposal is contrary to Policies SS1; SS2; SS10 and H1 of the Staffordshire Moorlands Local Plan and advice in the National Planning Policy Framework.

2. The proposal is found harmful to the character and appearance of the area and harmful to the visual amenity the location currently provides to recreational users of the public footpaths along Park Lane, footpath 46, and along footpath 47 which enjoys an elevated view from a short distance to the north east. The proposal is therefore found contrary to Staffordshire Moorlands Local Plan policies SS1; SS2; SS10, H1, DC1 and DC3 and to the NPPF.

3. The proposal risks an unacceptable impact on the living conditions for existing residential neighbours including those of Nursery Close towards whom the proposal site is appreciably elevated relative to the Nursery Close bungalows presenting a significant risk that the development could be overbearing towards these existing bungalow dwellings. The proposal is therefore found contrary to Staffordshire Moorlands Local Plan policies SS1; SS2; SS10; H1 and DC1 and to the NPPF.

4. A submitted preliminary ecological survey has identified a range of ecological benefits in the site and its component habitats for wildlife including amphibians, reptiles, birds and mammals including protected species and priority species and that the field vegetation is species diverse and even so is likely to have been under-recorded due to the out-of-season survey timing. The proposed development would result in a diminution of ecological value and wildlife benefits inherent on the land and in the absence of any indication of how this could be avoided let alone made to result in a net gain to biodiversity the development is found contrary to Staffordshire Moorlands Local Plan policies SS1; SS2; SS10; H1; DC1; NE1 and NE2 and to the NPPF.

Informatives

This decision recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 39 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

X 

Signed by: Jane Colley Signature

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.