

Renew Land Developments Ltd
C/O Agent

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Application no: SMD/2013/1007

Determined on: 09/06/2014

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)(England) Order 2010**

REFUSAL OF PLANNING PERMISSION

Location of Development:

Land At Cheadle Road, Cheadle Road, Upper Tean, Staffordshire

Description of Development:

Outline planning application for development of up to 70no. dwellings, public open space and ecological area.

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: Site Location Plan:1886-101A; 188-106B; SCP/12252/FO1B; SE612-01B; UPP1208-LS001B; 2035-03E; CW/6685/P/TC/4 for the reason(s) specified below:-

1. The proposed development is situated outside of a settlement boundary on a greenfield site and in open countryside. Policies in the adopted Core Strategy set out the spatial strategy for new development in the District with policies SS6 and SS6a in particular defining areas suitable for development in the rural areas. The site has the character and appearance of being very much part of the open countryside, whilst forming a distinct and important setting to the settlement. The Landscape and Settlement Character Appraisal (Dissected sandstone cloughs and valleys) confirms one of the key characteristics of this landscape type to be its dominant views to higher ground. The application site is an integral part of this landscape, where this landscape is identified as very sensitive to the impacts of development and land use change. It is considered that, having regard to the above, the development of the application site for residential use would have a very harmful impact on the character and appearance of this rural area, including the setting of the nearby Listed Building The Anchor Public House. It is considered that the number of dwellings proposed as shown on the indicative layout submitted with the application appears too cramped and results in a very urban form that would be out of character in this particular location. Although the Council is currently unable to demonstrate a five year housing land supply, it is considered that the proposal will create adverse impacts that would significantly and demonstrably outweigh the

benefit of providing the additional housing. For these reasons the proposal is considered to be contrary to SS1, SS6a, DC2, DC3, SD1 and SD2 of the adopted Core Strategy Development Plan Document and national planning guidance in the form of the National Planning Policy Framework.

2. The proposed development necessitates the provision of planning obligations in order to secure the delivery of affordable housing and the contribution towards monitoring of the travel plan in relation to this site. No such obligations have been put in place by the applicant and accordingly there is no mechanism to ensure the delivery of affordable housing on this site. The application is accordingly considered to conflict with the requirements of policy H2 and T1 of the Staffordshire Moorlands Core Strategy Development Plan Document, Developer / Landowner Contributions SPG and national planning guidance contained in NPPF.

Informatives

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF.

Signed 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. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

3. 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.