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Application no: SMD/2014/0652

Determined on: 06/01/2015

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

**REFUSAL OF PLANNING PERMISSION**

**Location of Development:**

The Crown Inn, Tean Road, Mobberley, Cheadle, Staffordshire ST10 1TW

**Description of Development:**

Outline planning permission with all matters reserved for demolition of building and development of the site for housing.

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: Location plan, site plan for the reason(s) specified below:-

1. The replacement of a public house building of traditional rural appearance with a proposed significantly greater intensive form of development on the site, comprising a housing development of up to eight new dwellings, would have an urbanising impact that would be harmful to the rural character and appearance of the surrounding countryside. For this reason, the proposal would not respect its surroundings and would therefore be contrary to policy DC1 of the Council's Core Strategy Development Plan Document (Adopted March 2014). The proposal would also therefore be harmful to the character of the local landscape within an "Ancient Slope and Valley Farmlands" landscape as defined in the Core Strategy and would therefore be contrary to policy DC3 of the Core Strategy.
2. The proposal would lead to the loss of a community facility and would not lead to a replacement community facility. It has not been demonstrated that there are no options for continued use of the site as a community facility which are financially viable. The proposal would therefore be contrary to policy SS6c 'Other Rural Areas Area Strategy' and C1 'Creating Sustainable Communities' of the Council's Core Strategy Development Plan Document (Adopted March 2014) and advice in the NPPF.
3. The submitted development necessitates the completion of a S106 Obligation in order to secure the delivery of education contributions towards schools in Cheadle. No such

agreement has been put in place by the applicant and accordingly there is no mechanism to ensure the delivery of the contribution towards the nearby provision of education. The application is accordingly considered to conflict with the requirements of policies H1 and C1 of the Council's adopted Core Strategy and national planning guidance contained in NPPF.

4. Overall, the benefits of the residential scheme when considered together would not be sufficient in this case to significantly and demonstrably outweigh the harm identified above contrary to Policies SS1, SS1a, SS6c, H1 and C1 of the Adopted Core Strategy Development Plan Document; Adopted Developer Contributions SPG and the NPPF (National Planning Policy Framework).

### **Informative**

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

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**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](http://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.