STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Sammons Architectural
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr & Mrs Ibbs
Bark House Farm Hulme Lane
Werrington
ST3 5BH

Application no: SMD/2016/0288

Determined on: 22nd September 2016

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Bark House Farm Hulme Lane Werrington Staffordshire ST3 5BH

Description of Development:
Change of use of Farm Yard and buildings to Livestock Haulage Base. (Re-submission of SMD/2015/0462)

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: 01-0156, G1 15C for the reason(s) specified below:-

1.This site is located within the Green Belt where there is a presumption against inappropriate development. The application proposals represent a significant material change of use from farm yard land to a haulage base for seven HGV's which does not satisfy the exception criteria set out in paragraphs 89 and 90 of the National Planning Policy Framework and is therefore considered to be inappropriate development. Harm to the Green Belt would also be caused through a loss of openness, the essential characteristic of the Green belt resulting from the siting of HGV's at the site. Substantial weight is given to this harm. Whilst the contribution of the proposed facility to the rural economy and the provision of jobs carry significant weight, it is not considered that together these matters are sufficient to clearly outweigh the harm to the Green Belt and harm to residential amenity described below. Very special circumstances do not therefore exist. As such the proposal is not sustainable development and is contrary to Policies SS1, SS1a, SS6c, DC1, DC3 and R1 of the Adopted Core Strategy Development Plan Document and national policy in the National Planning Policy Framework

2.Bark Cottage sits adjacent to the site access and close to its junction with Hulme Lane. Its garden area directly adjoins the access track and it has windows which face onto the track. The proposal would give rise to more intensive use of the site and a consequential increase

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in noise and disturbance from the comings and goings of seven Heavy Goods Vehicles, particularly at unsocial hours leading to a harmful impact on the living conditions of the occupiers of this property. The proposal could not be said to protect the residential amenity of this property and there is thus conflict with Policy DC1 of the Staffordshire Moorlands Core Strategy and the National Planning Policy Framework which also seeks to protect residential amenity.

Informatives

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council

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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.

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