STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
*Chief Executive*

Mr Ken Wainman
Ken Wainman Associates Ltd
31A St Edward Street
Leek
Staffordshire Moorlands
ST13 5DN

Mr L. Willis
MEB Power Ltd
Unit D1 Fenton Trade Park
Dewsbury Road
Stoke-on-Trent
ST4 2TE

Application no: SMD/2016/0547

Determined on: 08/12/2016

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

# REFUSAL OF PLANNING PERMISSION

**Location of Development:**
Cherry Barn, Cherry Lane, Cheadle, Staffordshire Moorlands ST10 4QS

**Description of Development:**
Proposed construction of an enclosure containing 5 No. 0.4 MW bio-fuelled electricity generators with 8 metre high vertical stacks, 1 No. spare generator and stack, a brick switch room building, the erection of a 3 metre high acoustic fence, a fuel tank and a separate power switch, the construction of a turning head and the installation of an underground electricity cable.

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: 101A, 102, 103A for the reason(s) specified below:-

1. The proposed six generators each with an 8m high flue pipe, the associated compound c.28m x 6.5m with 3m high wooden acoustic fence in which they would be contained along with an associated building and fuel store and the development of a turning head etc are found to comprise development inimical to the character and qualities of the rural area and undermining of its sense of place all contrary to policies SS6c, SS7, DC1 and DC3 of the Local Plan Core Strategy and also contrary to the principles and aims of the Churnet Valley Masterplan Supplementary Planning Document (SPD). The development would appear incongruous, cluttering and industrially urbanising. Notwithstanding the proposed hedge and tree planting mitigations of landscape impacts, the sense of the presence of the development, made most noticeable by the size of the compound and the number and height of the six 8m high flue pipes, and which would significantly extend the developed area at Cherry Barn into green field, would impact specifically on the enjoyment of the public footpath which passes between the housing areas of Cheadle c.330m to the west and Cherry Lane to the east, identified as a significant footpath in the Council's Landscape and Settlement Character Assessment supporting evidence document to the Local Plan. The impact on sense of place would also be in direct conflict with the support for tourism

Simon W. Baker B.Ed MBA MIMSPA
*Chief Executive*

development intended through the aims, principles and aspirations of the Churnet Valley Masterplan SPD of which the established five holiday lets at the adjacent Woodhead Hall Farm are clearly an example.

**Informatives**

Although discussion took place with the applicant / agent in the course of determining this application resulting in additional detail being received it is ultimately 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 further amendments to the application were requested.

X B.J. Haywood

Signed by: Haywood, Ben

**On behalf of Staffordshire Moorlands District Council**

STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
*Chief Executive*

# 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.