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

Mr Beswick
Reacliffe Farm
Leek
ST13 8RS

Application no: SMD/2016/0717

Determined on: 10/04/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Reacliffe Farm Reacliffe Road Rudyard Staffordshire ST13 8RS

Description of Development:
Agricultural Building for Livestock, calves and calving cows

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: for the reason(s) specified below:-

1. The development has occurred in the Green Belt and is not a building that has been built for agriculture or any other form of development that is listed at paragraph 89 or 90 of the National Planning Policy Framework (NPPF) as being not inappropriate. As such, the development is inappropriate in the Green Belt which paragraph 87 of the NPPF confirms is by definition harmful.

2. Paragraph 79 of the NPPF states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open and at paragraph 80 that one of the five purposes of the Green Belt is to assist in safeguarding the countryside from encroachment. The development has harmed the openness of the Green Belt by introducing a substantial building that in terms of its design, appearance, construction and use of materials has a very significant degree of permanence in an open, relatively isolated and exposed area of agricultural land. The building in turn also encroaches on the countryside particularly because it is on the outskirts of the other farm buildings and relatively remote from the more robust buildings of the original farm. The development is at odds with a fundamental aim and a purpose of the Green Belt identified in the NPPF.

3. The NPPF makes it clear that substantial weight should be given to any harm to the Green Belt and that planning permission should only be granted if there are other considerations that would amount to 'Very Special Circumstances' and clearly outweigh the

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harm. The applicant says that the building is capable of being used for some agricultural purposes. However, this is not a consideration that amounts to 'very special circumstances' because, it does not on balance, clearly outweigh the substantial weight that must be attributed to the harm to the Green Belt. The proposed development therefore, contravenes the policy guidance contained at section 9 of the NPPF and the other rural areas strategy SS6c of the Staffordshire Moorlands Core Strategy.

Informatives

1. No amendments were sought in respect of the development as none could be suggested which woud address the in principle objection.

X B.J. Haywood

Signed by: Ben Haywood

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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