

Mr Ken Wainman
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Staffordshire
ST13 5DN

Mr Mrs Wagstaff

Application no: SMD/2017/0105

Determined on: 17th August 2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Cresswell Ford Farm Dilhorne Lane Dilhorne Staffordshire ST10 2PH

Description of Development:

Alterations and improvements to existing agricultural access and track to serve the site and an approved residential conversion

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: 614-1B
1564-100 PL53 for the reason(s) specified below:-

This site lies within the open countryside and within the Green Belt. Although reference is made to an existing access, there is no record of planning permission having been granted for this. As the submitted drawings show, the design of the proposed access is to residential standard. An access for agricultural use would not need to be to this standard. No justification is given for an access of this standard or of the need for a further access to serve this site given that there are already two existing accesses onto Caverswall Lane serving the site/land. The proposed access is shown linking to the barns for which prior approval has been given for conversion to two dwellings under DET/2016/0024. Notwithstanding that a further application would be required to use this access for the approved conversion, approval of this application would establish the principle of an encroachment of residential use into the Green Belt. By reason of paragraph 90 of the NPPF the proposal is inappropriate development in the Green

Belt which is harmful by definition and it would conflict with one of the main purposes of including land within the Green Belt. No very special circumstances have been advanced to clearly outweigh this harm. In addition the proposal would result in a proliferation of development in this countryside location. It would introduce an unwarranted form of development which fails to protect or enhance the character and quality of this rural countryside location. It is for these reasons that the proposal would conflict with Policies SS6C and DC3 of the adopted Staffordshire Moorlands Core Strategy DPD and the National Planning Policy Framework.

Informatives

1. It is considered that the principle of this development is unsustainable and does 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 have been requested.
2. The applicant was advised during the processing of the application that if he wished to deviate from the means of access which formed part of the consideration of the Class Q prior approval for the two barns, reference DET/2016/0024, then a further application would be required to secure this.

X *B.J. Haywood*

Signed by: Ben Haywood

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.
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