STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Anthony Atkinson
Acorus Rural Property Services Ltd
Oak House
KIngswood Business Park
Albrighton
Wolverhampton
WV7 3AU

Mr Heath
Lee Farm
Mill Lane
Rushton Spencer
SK11 0RS

Application no: SMD/2017/0462

Determined on: 29/09/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Lee Farm Mill Lane Rushton Spencer Staffordshire SK11 0RS

Description of Development:
Removal of condition 3 of SMD/2017/0221

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: PL-01 for the reason(s) specified below:-

1. The condition was added in the interests of the visual amenities of the area as it would remove existing development which is harmful to the appearance of the area and the openness of the Green Belt and replace it with agricultural land which would improve the appearance of the area and would constitute very special circumstances to outweigh that harm. The removal of the condition would allow the retention of the harmful existing development and result in a significant increase in the amount of development at the farm, cumulative to the recently approved new proposed farm buildings, harming the openness of the Green Belt, contrary to, and undermining the aims of Section 9 'Protecting Green Belt Land' of the National Planning Policy Framework (NPPF) and would also be contrary to Policy SS6c 'Other Rural Areas Area Strategy' of the Council's Core Strategy Development Plan Document (adopted March 2014) which amongst other things seeks to protect the appearance of the countryside.

Informatives

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

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concerns and thus no amendments to the application were requested.

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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