STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Robert Ford
Parkside Park
Road
Leek
ST13 8JT

Messrs Pickford
Churnet Grange and Kniveden Farms
Cheddleton
Staffordshire Moorlands
ST13 7EP

Application no: SMD/2017/0561

Determined on: 27th December 2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Churnet Grange Farm, Station Road, Cheddleton, Staffordshire Moorlands ST13 7EP

Description of Development:
Erection of an open span general purpose agricultural building and yard primarily

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: Location Plan; Site Plan; CBC 03; and CBC 04 for the reasons specified below:-

1. The proposal by virtue of its scale and siting in a prominent location, which is highly visible from the public domain would be unduly harmful to landscape contrary to policies DC1, DC3, R1, SS6c and SS7 against which no clear and substantiated farm business need is established to set in support and the development is therefore also contrary to the principles of the NPPF.

2. The proposal would harm the setting of the non-designated heritage asset comprised in numbers 1 and 2 Basford Hurst Lodge and not being balanced by an established need is contrary therefore to Policies DC2, R1 and SS6c and to the NPPF in particular section 12 and paragraph 135.

3. The proposal by virtue of its overbearing scale, siting and proximity to the residential properties of numbers 1 and 2 Basford Hurst Lodge and would be detrimental to the residential amenity of those properties in terms of outlook and would additionally have the potential to cause significant noise and other nuisance to the occupiers all contrary to policies DC1, R1 and SS6c and to the NPPF in particular paragraph 17 and section 7.

4. The development would take place over a water course and due to the absence of a flood risk assessment to accompany the application unknown exacerbation to risks of flooding may be caused contrary to the precautionary approach to the control of flooding as set out in the NPPF and contrary to DC1.

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5. Contrary to policies DC1, NE1 R1 and SS6c and contrary to the principles of sustainability set out in the NPPF the culverting of a brook course necessitated by this proposal would amount to poor design, loss of biodiversity and exacerbated flood risk.

6. The proposed building design involving drawn wind blinds to all four sides in place of fixed ventilated walls to any part is considered likely to result in an unattractive and untidy visual appearance prone to early dilapidation and is therefore found not good design contrary to policies DC1, R1 and SS6c and contrary to the NPPF.

Informatives

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. Notwithstanding that a design change may have been possible in respect of refusal reason 6 it is considered overall that the applicant would be unable to overcome such principle 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.
8.