STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Dean Deakin
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Stoke on Trent
Staffordshire
ST8 6AB

Mr & Mrs Walley
Fairview 40 Grange Road
Staffordshire
ST8 7RY

Application no: SMD/2017/0710

Determined on: 25/01/2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
40 Fairview, Grange Road, Biddulph, Staffordshire ST8 7RY

Description of Development:
Construction of a lean to tractor and trailer shed.

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development that has already been carried out which is described above and shown and detailed with plans ref: 17-081-AS(0)03-Rev A & 17-081-AS(0)05, for the reason(s) specified below:-

1. The development is inappropriate in the Green Belt. It is not a form of development that is listed as one of the exceptions at paragraph 89 or 90 of the National Planning Policy Framework (NPPF). Specifically, the development is not the extension or alteration of a building that does not result in disproportionate additions over and above the size of the original building because the development has more than doubled the foot print of the adjoining building. Neither is the development a building for agriculture, a matter which has been decided with consideration of the submitted evidence, the character and appearance of the development and its current purpose. Inappropriate development is by definition harmful to the Green Belt and any harm to the Green Belt should be attributed substantial weight according to the terms of the NPPF.

2. The development has created a new building with significant footprint when considered in its context between the residential properties on Grange Road and Hurst Road to the north- west and the buildings at Mill Cottage and Hurst Road Garage to the east. The development therefore, begins a notable merging effect between these built forms that were prior-to separated by a significant span of essentially open undeveloped land that maintained a loose and open rural density between existing buildings. To this extent the development causes conflict with the aims and purposes of the Green Belt set out in the NPPF by harming openness and resulting in countryside encroachment.

3. While simple openfronted pole barns may have their place providing functtional facility for agrciulture within the rural areas, the development in this case appears rather awkwardly arranged and bolted onto an existing modestly sized and simply proportioned shed. The new mono-pitched roofs have head heights and design that differ from each other and that of the existing shed creating a conglomoration of poorly related and awkward shapes. Where previously a relatively incocuously sized building once stood within the field a large and awkwardly shaped builidng stands in what appears as a rather exposed location in full sight of the dwellings that have outlook across the land and users of the public footpath Biddulph Town No. 89. To this extent the development harms the character and appearance of the area and the applicant's requirements for this development do not appear to relate to an agricultrual need or any other justification that would clearly outweigh that harm. The development therefore, contravenes policy SS6c, DC1 and DC3 of the Staffordshire Moorland's Core Strategy.

Informatives

The development causes conlict with the aims and puposes of the Green Belt as set out in the NPPF. The applicant was provided opportunity to demonstrate circumstances that might, on balance, justify an exception in the Green Belt but they were ultimately unable to meet that test. Because the applicant was unable to overcome such principle concerns no amendments to the application were requested particularly as the development has already been carried out and an amendment to address issues with character and design would in any event have resulted in a fundamentally different design approach.

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.