STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Malcolm Sales
Malcolm Sales
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Lulworth House
Cheadle
Staffordshire
ST10 1AR

Mr R Wheat
Godley Barn Cottage
Godley Lane
Dilhorne
Staffordshire Moorlands
ST10 2PY

Application no: SMD/2018/0099

Determined on: 10/04/2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Godley Barn Cottage Godley Lane Dilhorne Staffordshire Moorlands ST10 2PY

Description of Development:
Erection of detached building for storage, hatchery and the keeping of goats and pigs.

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: 1604 09 01 for the reason(s) specified below:-

1. It is considered that the development would encroach into open countryside and would be visually intrusive bringing a harmful landscape impact and thus failing to enhance and conserve the countryside. It would not be linked to the expansion or redevelopment of an existing business for employment uses or the diversification of an existing farm enterprise and is therefore contrary to Policy SS6c of the Staffordshire Moorlands Core Strategy.

2. As a development in the Green Belt the proposal is reliant on being for purposes of agriculture in order not to be considered inappropriate development yet the application is devoid of agricultural justification and reasoning and the building design does not obviously indicate an agricultural purpose or function. In the absence of any such detail accompanying the application it is considered that there is insufficient information to legitimately regard the proposal as not inappropriate in the Green Belt and therefore it must be considered contrary to Policy SS6c of the Staffordshire Moorlands Core Strategy and the NPPF.

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3. In design the building is found out of place in this rural location as not obviously of agricultural type or character but with metal sheet cladding to near ground level and a steel roller shutter door it has an urban and industrial appearance and is therefore found contrary to policies SS6c, DC1, DC3 and R1 of the Staffordshire Moorlands Core Strategy

4. Overall the proposal is found not to be sustainable within the meaning of the NPPF and therefore contrary to policies SS1 and SS1aof the Staffordshire Moorlands Core Strategy and the NPPF taken as a whole as the harms identified are found not to be outweighed by any economic or social benefits.

Informatives

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore it cannot be considered sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which would have made the development acceptable and there was therefore no basis to approve the application. It is considered that the applicant is 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.