STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mrs Danielle Davies
M J Barrett (Construction) Staffs Ltd
Brookside Business Park
Brookside Road
Uttoxeter
Staffs
ST14 8AT

Mr C McGuiness
Ivy House Farm
Tomkin Road
Stanley
Stoke-on-Trent
Staffordshire Moorlands
ST9 9LX

Application no: DET/2018/0009

Determined on: 8th June 2018

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) (AS AMENDED) ORDER 2015

PRIOR APPROVAL REQUIRED AND DETAILS SUBMITTED REFUSED

Staffordshire Moorlands District Council hereby **REFUSE** approval for the siting and appearance of the development proposed for

Proposed new steel framed building general purpose building 33m long x 14m wide at Ivy House Farm Tompkin Road, Stanley

in accordance with the submitted application, details and accompanying plans
3997-01 rev A
3997-02 rev A
for the following reasons:-

1) The confirmed absence of an existing farm trade or business at these premises renders the application ineligible under the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 6 as the permitted development is specific to 'agricultural land' which is defined at D.1 of Part 6 (Interpretation of Classes A to C) as meaning "land which before development permitted by this part is carried out is land in use for agriculture and which is so used for the purposes of a trade or business".

2) The prominent location and siting in a high quality landscape remote from the farm's building core and un-related to any features sufficient to 'anchor' it to its setting and ameliorate its harmful impacts, make this an unacceptably harmful choice of siting contrary to Policy DC1 and DC3 of the Staffordshire Moorlands Core Strategy.

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3) The proposed siting would inevitably require a lengthy section of access which it would be impractical to use without surfacing which would bring further development harm to the landscape as a result of the siting contrary to Policy DC1 and DC3 of the Staffordshire Moorlands Core Strategy.

4) The proposal would rely for its access to the pubic highway on land not in the applicant's ownership but which has not been included in the submitted plans. Therefore the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, the conditions, limitations or restrictions specified in the Town and Country Planning (General Permitted Development) Order 2015 and Policy DC1 of the Staffordshire Moorlands Core Strategy.

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

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to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.