STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Joseph Jones
BFSGC
Saga Ct Unit 3
Great Missenden
HP16 9QQ

Mr William Ball
Balls Padock
Ashbourne Road
Staffordshire
ST13 7QJ

Application no: SMD/2018/0504

Determined on: 21/11/2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Balls Paddock, Ashbourne Road, Bottomhouse, Leek, Staffordshire, ST13 7QJ.

Description of Development:
Material Change of Use to provide a home in a caravan (in connection with the agricultural use of the land) together with ancillary storage in a moveable container and parking for vehicles. Operational Development to erect a 'workshop' and 'barn'.

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above that is shown in the drawings numbered: BP-02-2018, LP-01-2018, LUA-02-2018, LUA-01-2018, SC-01-2018, WS-01-2018 for the reason(s) specified below:-

1. The proposal to site and occupy a caravan as the applicant's sole residence would provide an isolated home in the countryside and an unsustainable form of development. Paragraph 79 of the National Planning Policy Framework (NPPF) specifically protects an area such as this from this type of development, making it clear that such development should be avoided. The development can not be provided as an exception because it has not been demonstrated that: the site can be identified as a 'place of work'; the applicant is a 'rural worker' ; and that ultimately there is an essential need for the applicant or anybody else to live permanently on the site. A large isolated caravan together with the ancillary storage, the impedimenta of residential use and parking of vehicles in an exposed and isolated countryside location would appear as an alien and incongurous feature and a rather untidy and unsightly form of development that woud significantly harm the character and appearance of the quality landscape and be detrimental to the countryside amenity enjoyed by users of Ipstones Footpath Nos 80 & 58 in particular. The development would thus conravene Policy DC3 of the Staffs Moorlands Core Strategy and yet to be adopted emerging Local Plan; and paragraphs 7 and 170 of the NPPF. The caravan would be a small, single, low quality residential unit that would make a negligible contribution to the planning authority's housing supply and the rural economy. There are no other circumstances or justification that would outweigh the identified harms.

2. The proposal is to regularise an existing 'workshop' and to additionally provide a very large concrete 'barn'. It is apparent that both buildings are required for 'mixed use' purposes which do not justify the use of the open farm land in this isolated rural location and represent an unsustainable form of development. Both buildings would be harmful to the character and appearance of the landscape and would be very prominant and significantly harmful by reason of its their size, siting, design and use of materials, in turn the development would be detrimental to the countryside, be visible to users of Ipstones Footpath Nos 80 & 58 in particular. The proposal contravenes the 'Other Rural Area' strategy at SS6C of the Staffs Moorlands Core Strategy and SS10 of the emerging Local Plan; 'Landscape Character' Policy DC3 of both the Staffs Moorlands Core Strategy and the emerging Local Plan; and paragraphs 7 and 170 of the National Planning Policy Framework. The development would make a negligible contribution to the rural economy and employent provision and as such there are no circumstances or justification that would outweigh the identified harms.

Informatives

In line with the spirit and intent of paragraph 38 and 43 of the NPPF, which advocates a positive and creative approach and the provision of crucial information at an early stage of the process, the applicant was given opportunity to supply any information that might justify his case. Despite there being additional time allowed and agreed upon, no further information or communication was received.

X

Signed by: Jane Colley

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.