STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Craig Barks
Bagshaws
Vine House
Church Street
Ashbourne
DE6 1AE

Mr Campbell
Mount Pleasant Farm
Windycote Lane
Dilhorne
Stoke-on-Trent
ST10 2PP

Application no: SMD/2018/0722

Determined on: 25th January 2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Mount Pleasant Farm, Windycote Lane, Dilhorne Staffordshire ST10 2PP

Description of Development:
Proposed livestock building and new access

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:

13863-001A;
13863-002A;
13863-003B;
13863-004A;
13863-005 for the reason(s) specified below:-

1. The application site is located within the Green Belt where there is a presumption against inappropriate development. The proposals represent a significant material change of use of the site to a haulage use and the erection of a building in connection with a haulage operation which is not considered to constitute agriculture. Notwithstanding the additional information submitted (following on from refusal of application reference SMD/2017/0534) to justify the development the proposal does not fall within the exceptions criteria as set out within paragraphs 145 and 146 of the National Planning Policy Framework (2018) and is therefore inappropriate development within the Green Belt and substantial weight is given to this harm. The erection of a building, the parking of HGV's at the site together with the significantly sized hardstanding/yard area and the new access track would result in harm to the openness, rural character and appearance of the Green Belt (of which this site forms a part). Harm would also arise from the intensified use of the site, (including increased noise, disturbance and vehicle movements) to the detriment of the residential amenity of the

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occupants of the dwelling to the south as well as the rural character of the countryside. It is recognised that the proposal would produce economic benefits but this does not constitute a very special circumstance to outweigh all of the harm identified by the proposal. The application is therefore contrary to policies SS1, SS1a, SS6c, SD1, DC1, DC3 and R1 of the Core Strategy Development Plan Document (2014) and the National Planning Policy Framework including sections 12 and 13.

Informative

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the National Planning Policy Framework. 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.