STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Miss Joanne Stanley
A & H Structures
Narlow Works
Narlow Lane
Ashbourne
DE6 2AT

Mr Stonier
Bryn Helyg
Kiln Lane
Leek
ST13 8LJ

Application no: SMD/2019/0197

Determined on: 05/07/2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Land East Of Leek Road Wetley Rocks Staffordshire

Description of Development:
Proposed agricultural building to house, feed and lamb sheep and to store fodder and implements and new access track

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 referenced:

Location rev B
1312-002 rev A
1312-003 rev A
Gateway dwg 1312-006

for the reason(s) specified below:-

1) Due to the size and prominence of the proposed building as a wholly new and stand-alone development in open countryside it is found to bring significant harm to the landscape character and appearance and finding only limited agricultural justification to underlie the scheme on this scale it is thus found contrary to policies SS6c, DC1, DC3 and R1 of the Staffordshire Moorlands Core Strategy and to the NPPF.

2) Due to the impacts of the necessary removal of a substantial length of mature and well formed hedgerow to achieve required highway visibility standards and the significant change in character and loss of biodiversity which would arise and finding only limited agricultural justification to underlie the scheme on this scale it is thus found contrary to policies SS6c, DC1, DC3 and R1 of the Staffordshire Moorlands Core Strategy and to the NPPF.

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Informatives

It is considered that the proposals do not conform with the provisions of the NPPF as they fail to improve the economic, social and environmental conditions of the area, nor do they comply with the development plan and therefore they do not comprise sustainable development. Although some amendments were submitted in response to discussion with the LPA ultimately these were not found sufficient and there were no further amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning authority has nonetheless reached this decision in accordance with the requirement in Paragraph 38 of the National Planning Policy Framework.

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.