STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

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Chief Executive

Mr Robert Ford
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Park Road
Leek
ST13 8JT

Ms. Lancaster
2 Westwood Close
Cheddleton
SR13 7JW

Application no: SMD/2019/0519

Determined on: 06.12.2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Bramble Paddock, Land North Of Rockfields Farm, Cheadle Road, Wetley Rocks, Staffordshire

Description of Development:
Erection of an additional stable, extension of concrete yard, and associated excavations and ground works; and the provision of a competition standard manege

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in plans ref: BCW 01 Site Location, BCW 02A, BCW 03A, BCW 04A, BCW 05A for the reason(s) specified below:-

1. The proposed development would provide further facility that would not be 'appropriate' to the applicant's outdoor sport and recreation and would involve engineering works to excavate an unnatural space within the landscape and set out additional areas of hardstanding. None of these developments would preserve the openness of the Green Belt and they would also exacerbate countryide encroachment. This would be inappropriate development in the Green Belt because it is not provided for by one of the listed exceptions at either paragrpah 145 or 146 of the National Planning Policy Framework 2019 (NPPF). The NPPF confirms that such inappropriate development should be considered to be harmful by definition and makes it clear that substantial weight must be attributed to any Green Belt harm. Permission cannot be granted for the inappropriate development because there are no 'very special circumstances' that clearly outweigh the harm to the Green Belt and any other harm that results from the development.

2. The development has already caused harm and would be further harmful to the character and appearance of the area to the detriment of the countryside landscape. Excavations already carried out, scar the landscape and unsightly steel and concrete

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shuttering has been introduced, but still there is not enough space to extend the concrete yard and build the third stable building as proposed. Further excavation and land shaping would be required with additional harm to the landscape. Even if the structure of the building is largely obscured from the front, it is considered that the overall effect of a third building with additional excavation, yard area, and associated impedimenta would increase the site's harmful impact on the character and appearance of the area. As such the development would be contrary to Policies SS6c, DC1, DC3 and R1 of the Core Strategy, the National Planning Policy Framework 2019.

3. The provision and use of the manege would amount to an engineering operation and material change of use. Where such development preserves openness and does not conflict with the purposes of including land within the Green Belt, it need not be inappropriate. However, in this case the land is not uniformly flat and the application does not provide additional details that would confirm the extent to which cut or fill might be required, there is no cross section or levels detail. This type of work across the whole of the area could mean that the manege would have a considerable side profile, either raised or cut in, along its edges that might affect its 'built' presence, either as a structure that harms openness or impacts on the character and appearance of the area or affects ground water drainage. In the absence of these details it is considered that the development would be harmful to the Green Belt, the character and appearance of the area, and the way in which water might flow toward neighbour's land boundaries – As such the development would be contrary to Policies SS6c, DC1, DC3 and R1 of the Core Strategy, the National Planning Policy Framework 2019.

Informatives

It is considered that the proposals are unsustainable and do not conform to the provisions of the NPPF. The applicant declined the opportunity to provide additional information that might clarify matters and ultimately it is considered that the applicant is unable to overcome such principle concerns.

X

Signed by: JaneC

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.