STAFFORDSHIRE
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DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Rob Duncan Planning Consultancy Ltd
70 Ferndale Road
Lichfield
WS13 7DL

Mr & Mrs Smith
C/O Agent

Application no: SMD/2019/0705

Determined on: 15/01/2020

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

# REFUSAL OF PLANNING PERMISSION

**Location of Development:**
Land at Baileys Bank Biddulph Staffordshire

**Description of Development:**
Erection of replacement equestrian building

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: 1583-AL03C, 1583-AL04C and 1583-AL05F, for the reason(s) specified below:-

1. The proposed building would be materially larger than the stables which it would replace and by virtue of it's form, height and massing, would therefore have a harmful impact on the openness of the Green Belt. As such it is considered to be inappropriate development and in the absence of any other very special circumstances is contrary to the provisions of the NPPF and policy SS6c 'Other Rural Areas Strategy' of the Council's adopted Core Strategy Development Plan

2. The stables building, by virtue of its form, design and tall, large garage-type doors, does not harmonise with the character of the surrounding rural area and would appear as an incongruous form of development. The proposed development is therefore not sympathetic to the traditional rural character and appearance of the surrounding countryside and therefore does not comply with policies SS6c 'Other Rural Areas Strategy' and D1 'Design Considerations' of the Council's adopted Core Strategy Development Plan Document. It is also therefore not in line with the government planning guidance contained in Section 12 of the National Planning Policy Framework (NPPF).

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**Informative**

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. The scheme is a resubmission of a previous application which was also deemed to be unacceptable in terms of design, form and massing. Amendments were sought previously which resulted in an approval. However, this application seeks to revert to the previous proposal as submitted which was deemed unacceptable. No amendments were requested to this scheme given that there is an extant permission in place for a previously negotiated acceptable scheme which could be implemented.

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.

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