STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Jim Malkin
JMI Planning
62 Carter Street
Uttoxeter
ST14 8EU

Mr Jones
Leek Road
Kinglsey Moor
ST10 2EH

Application no: SMD/2020/0048

Determined on: 30th March 2020

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Jones And Shuffs K M Ltd, Leek Road, Kingsley Moor, Staffordshire, ST10 2EH

Description of Development:
Erection of a side extension to existing showroom / warehouse

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown above in plans numbered R0030 001 P1; R0030 002 P0; and R0030 003 P2 for the reason(s) specified below:-

1. The provision of the building would be inappropriate in the Green Belt and, by definition, harmful because it is not provided for by any of the exceptions listed at paragraph 145 of the National Planning Policy Framework (NPPF). It would be a disproportionate addition over and above the size of the original building and have greater impact on the openness of the Green Belt than the existing development. There are no other considerations that would amount to 'very special circumstances' that would clearly outweigh the harm to the Green Belt or any other harms resulting from the development. The development would conflict with the terms of the NPPF and policy SS6c (SS10 of the emerging Local Plan) of the Staffordshire Moorlands Core Strategy.

2. The development would result in significant harm to the character and appearance of the area because it would introduce a large, functional building in a very exposed and visually prominent location. Its design and appearance would not relate well to the existing development. The development would not comply with the Development Plan strategy or policy in these respects and would specifically contravene policies DC1 and DC3 of the Staffordshire Moorlands Core Strategy of the yet to be adopted Local Plan 2016-2031.

3. The building proposed will likely intensify commercial operations at the site and move these operations and associated impacts closer to a neighbouring property. There is a large shutter door proposed facing towards the neighbouring property which is likely to allow

significant noise breakout and generate delivery and loading/unloading activity within close proximity of that property. The effects of noise pollution in these respects are likely to have an unacceptable amenity impact on this 'pollution sensitive' residential property. The development would therefore, contravene policies DC1 and SD4 of the Core Strategy and emerging Local Plan and the terms of the NPPF.

Informatives

The development would be harmful to the Green Belt and would additionally cause other harms to the character and appearance of the area. The applicants did not advance any circumstances or considerations that clearly outweigh that harm. There are fundamental concerns over the proposal that could not have been addressed with revisions or amendments.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.