STAFFORDSHIRE moorlands DISTRICT COUNCIL
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Mr Peter Jackson
Design Construction Management Services Ltd
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597 Etruria Road
Basford
Stoke on Trent
ST4 6HP

Mrs Pauline Dishman
Avondale
Woodhouse Lane
Biddulph Moor
Staffordshire Moorlands
ST8 7RN

Application no: SMD/2020/0625

Determined on: 05/01/2021

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Land off Troughstones Road Biddulph Common Staffordshire Moorlands

Description of Development:
The erection of a steel framed agricultural building for the keeping of horses, farm machinery, hay, straw, feed and shavings. Change of use for the keeping of horses.

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:
Location and Site Plans shown on sheet 1,
Location, layout, elevations and plan shown on sheet 2

for the reason(s) specified below:-

1. The proposed development of a steel framed building for the keeping of horses along with the development of associated hard standing for the parking of vehicles would represent inappropriate development in the Green Belt. Owing to the dimensions, scale and prominence of the building and the extent of the parking the proposed development would not be covered by any of the exceptions by which new buildings or engineering operations may be permissible in the Green Belt as development on this scale in the Green Belt cannot preserve the openness of the Green Belt and would conflict with at least one of the purposes of including land in the Green Belt namely to assist in safeguarding the countryside from encroachment. There being no very special circumstances the proposals are therefore contrary to Staffordshire Moorlands Local Plan policies SS1 and SS10 and the NPPF.

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2. As a substantial new building in an open undeveloped area of rural countryside popular with recreational visitors the proposal would be harmful to the open rural character and appearance of the area and people's enjoyment of it. The development would conflict with noted positive characteristics of the Gritstone Uplands Landscape Character Type (LCT) including 'open upland plateau with extensive views' as referenced in the Staffordshire Moorlands Landscape Character Assessment 2008 and exacerbate some of its weaknesses. The development would thus be contrary to Staffordshire Moorlands Local Plan policies SS1, SS10, DC1 and DC3 and the Council's adopted design guidance and documents.

3. The absence of any accompanying ecological assessment of the development site and surroundings, such as a Preliminary Ecological Appraisal, means that the Local Planning Authority is unable to ascertain the potential adverse ecological impacts of the development which due to the adjacent fresh water pond and evident wetland nature of the development site could include harm to populations of Great Crested Newts a protected species along with potential other harms to biodiversity. The proposal is thus found contrary to Staffordshire Moorlands Local Plan policies SS1, SS10, DC1 and NE1 and the NPPF.

Informatives

1. The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and it therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable in total and it was therefore not possible to approve the application. The Local Planning Authority has nonetheless met the requirement in Paragraphs 38 of the National Planning Policy Framework.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

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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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