STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Sammons Architectural
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr Jones
Micklea Farm Micklea Lane
Longsdon
ST9 9QA

Application no: SMD/2020/0538

Determined on: 26th February 2021

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Micklea Farm, Micklea Lane, Longsdon, Staffordshire, ST9 9QA

Description of Development:
Retrospective application for the retention of replacement stables.

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:

- 2019-2468-01A,
- 2019-2468-02A
- 2019-2468-04D
- 2019-2468-05

or the reason(s) specified below:-

1. This application represents an inappropriate form of development within the Green Belt for which no very special circumstances have been presented, contrary to policy SS10 of the Staffordshire Moorlands Local Plan (2020) and chapter 13 of the NPPF (2019).

2. Policy SS10 of the Staffordshire Moorlands Local Plan requires developments within the countryside to have an 'essential need' to be located in these rural areas. No evidence has been provided that demonstrates that the applicant owns any horses, donkeys or ponies and the building, both as constructed and as proposed to be amended, has a domestic appearance that is not designed for its intended use. No 'essential need' has therefore been demonstrated for the siting of this building within the countryside, contrary to policy SS10 of the Staffordshire Moorlands Local Plan (2020).

3. Policy C2 of the Staffordshire Moorlands Local Plan (2020) requires recreation facilities

to be of an appropriate quality, scale and form that is compatible with the local area, especially if its located outside the settlement boundary in the open countryside and they should be designed so that they are fit for purpose. The replacement building, both as constructed and as proposed to be amended, does not comply with these criteria and therefore the development is contrary to policy C2 of the Staffordshire Moorlands Local Plan (2020).

4. The development represents a building of a domestic form and nature which is considered detrimental to the character and appearance of the local area and setting of the street scene, contrary to policies DC1 and DC3 of the Staffordshire Moorlands Local Plan (2020).

Informatives

Prior to the determination of the application the Council advised the applicant that the principle of such development is unsustainable and did not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

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.

1. 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.

2. 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.

3. 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.

4. 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

5. 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.

6. 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.