STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Nick Smith
Emery Planning Partnership Ltd
Units 2-4 South Park Court Hobson Street
Macclesfield
SK11 8BS

Mr Shaw
C/o Agent

Application no: SMD/2020/0544

Determined on: 5th March 2021

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Greenacres Stables Farm Akesmore Lane Biddulph Staffordshire ST8 6RT

Description of Development:
Demolition of existing stable buildings and the construction of one detached bungalow

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 Plan
- 191103(EX)001A
- 191103(EX)002A
- 191103(EX)003A
- 191103(PR)002
- 191103(PR)001

for the reason(s) specified below:-

The application site is located immediately adjacent to an agricultural/skip storage yard. The submitted Noise Assessment indicates that the existing use operates at significantly high noise levels and even with the proposed mitigation measures, the noise impacts generated would have a significantly unacceptable effect on the amenity of the occupiers of the proposed dwellinghouse, making the application site unsuitable for residential use. In addition, complaints by any future residents could compromise the use of the existing yard. The proposed mitigation through the provision of a 2.5 metre high acoustic fence extending 28 metres in length along the northern boundary of the proposed garden area and adjoining the Public Right of Way, Biddulph Town 16, as recommended by the Noise Assessment, would result in a visually prominent and alien feature within the open countryside and would not be supported on visual amenity grounds. The proposed development is therefore considered to be contrary to policies DC1, DC3 and SD4 of the Staffordshire Moorlands Local Plan (2020) and paragraphs

127 and 184 of the NPPF (2019).

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 (2019). 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.