

Mr Graeme Perry
G J Perry Planning Consultant
62 Carter Street
ST14 8EU

Mr Moss & Miss N Restrict
Holmwood
Ramshorn Road
Staffordshire
ST10 3BZ

Application no: SMD/2021/0200

Determined on: 27/05/2021

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Holmwood, Ramshorn Road, Oakamoor, Staffordshire, ST10 3BZ

Description of Development:

Proposed replacement agricultural 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: 001 PO, 002 P1 and 003 P2 for the reason(s) specified below:-

1. Although the development is described on the form as a replacement agricultural building, the building and area of hardstanding would be provided to store the applicant's plant and machinery for their contracting business. The site is in a part of the countryside that is identified, in the 'settlement hierarchy' at SS2 of the Staffordshire Moorlands Local Plan, as being within an 'other rural area'. There is a less than essential need for this development to be located in the countryside, it would not support the diversification of existing farm enterprise, and a rural location cannot be justified. As such, located in an 'other rural area', the development would be at odds with the spatial strategy at SS10 and Policy E1 of the Staffordshire Moorlands Local Plan, which provides 'only' for development that complies in those regards, and directs the provision of new business development to existing employment areas in or on the edge of town centres.

2. The immediate locality is in residential use, where there are neighbouring dwellings on three sides of the site. The development would be located directly behind the rear elevation and modest garden of the adjacent neighbour at 'Woodlands' where the imposing and overbearing side wall of the building, just 7m from their garden boundary, would completely obscure their outlook and adversely affect the character and appearance of the environment. The use of the unit and hardstanding, and activities associated with that use, are likely to cause noise that results in disturbance and nuisance for all those nearby neighbours that share a boundary with the applicant's property. As such, the development would not be compatible with the immediate residential environment and would have an unreasonable and harmful impact on the residential amenity of existing neighbours that would contravene policy DC1 of the Staffordshire Moorlands Local Plan and the terms of the NPPF.

Informatives

It is considered that the proposals are unsustainable and do 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 *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

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.