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Whiston Hall Golf Club
Black Lane
Whiston
Staffordshire
ST10 2HZ

Application no: SMD/2021/0653

Determined on: 06/12/2021

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Whiston Hall Golf Club Black Lane Whiston Staffordshire ST10 2HZ

Description of Development:

Proposed new Agricultural Storage Shed

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:

DR- A-0102 Rev B

DR-A-0103

DR-A-0105

DR-A-0104 Rev A

DR-A-0106 Rev A

for the reason(s) specified below:-

1. Fundamentally as a matter of principle this proposal is not a development that finds support under the Council's adopted Local Plan as it has not been established that there is an essential need for an agricultural storage shed in this open countryside rural location and it does not support diversification of an existing farm enterprise. It is therefore contrary to policies SS1 and SS10 of the adopted Staffordshire Moorlands Local Plan and the NPPF.

2. The development is harmful to the non-designated heritage asset of the 1805 Caldon tramway embankment being harmful by causing direct loss (drawings A 0103 and A 0105) and / or harmful to the setting (drawings A 0104 A and A 0106 A). By reference to policy DC2 the NPPF paragraph 203 requires the LPA to make a balanced judgement as to the impact having regard to the scale of any harm or loss and the significance of the heritage asset. With actual loss of physical heritage occurring, the scale of loss is at the higher end. There is no counterbalancing public benefit argument to weigh in support of the development against the

harms identified whether this harm is actual physical loss or restricted to harm to setting alone. The proposal is therefore found contrary to SS1, SS10, DC2 of the adopted Staffordshire Moorlands Local Plan and the NPPF.

3. In design the building proposed is large and industrial with its 10m height and sheet metal finish and would stand out of place and at odds with this otherwise verdant location in which there are no immediate other nearby buildings. The proposal is therefore found harmful to character and appearance of the area and contrary to Policies SS1, SS10, DC1, DC3 of the adopted Staffordshire Moorlands Local Plan and the NPPF.

4. In the absence of a noise assessment (as had previously been advised to the applicant was necessary) it is not possible to fully and properly consider the potential impacts for nearby dwellings but as they are in a rural location which is likely to have very quiet ambient background noise levels the risk of noise disturbance reaching unacceptable levels and / or time of day occurrence from activities associated with a development of this size could potentially be significant resulting in an adverse impact on residential amenity contrary to policies SS1, SS10, DC1 of the adopted Staffordshire Moorlands Local Plan and the NPPF.

Informatives

1. The proposal would not overall improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. Discussions took place with the agent and applicant but ultimately there were no amendments to the scheme that could be agreed nor conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has nonetheless met the requirement in Paragraph 38 of the National Planning Policy Framework.
2. The submitted plans are contradictory as there are drawings which show two different locations for the proposed building with drawings A 0104 A and A 0106 A showing the building differently positioned relative to its surroundings from that shown in drawings A 0103 and A 0105. Both alternative locations have been considered as part of this application and have both been deemed unacceptable for the reasons as set out above.
3. As a 'free-go' application only development within the red-edged site of the original submission can strictly be considered. The submission is therefore technically contrary to Regulation 9 of the 2012 Fees Regulations.

X *B.J. Haywood*

Signed by: Ben Haywood

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.
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.