

Mr Phil Plant
Mid West Planning Ltd
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Mr Gellatly
Bird Grove Farm
Sandon Road
Stone
Staffordshire
ST15 8SL

Application no: SMD/2022/0040

Determined on: 23rd March 2022

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Bird Grove Farm Sandon Road Hilderstone Staffordshire ST15 8SL

Description of Development:

Install eight biomass boilers and associated equipment and the erection of a monopitch biomass. Boiler/forestry machinery storage shed, associated wood fuel stores, alterations to hay barn, surface water management scheme, alterations to the access and formation of permeable enhancement measures

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:

- GELLATLY PL-01-Rev 2
- GELLATLY PL-02-Rev 4
- GELLATLY PL-03-Rev 4
- GELLATLY PL-04-Rev 1
- GELLATLY PL-06-Rev 0
- GELLATLY PL-07-Rev 1

for the reason(s) specified below:-

1. Policy SS10 of the Staffordshire Moorlands Local Plan (2020) seeks to sustain the rural economy by enabling the limited expansion or development of business for employment uses where a rural location can be justified and supporting the diversification of existing farm enterprises.

The proposed development involves an industrial use. The business could be operated successfully from an industrial estate and therefore a rural location cannot be justified for the proposed development. The business will also not support the diversification of an existing farm enterprise, instead it will prevent an existing

agricultural farm from being operated from Bird Grove Farm. The development is unacceptable in principle and contrary to policy SS10 of the Staffordshire Moorlands Local Plan (2020) and the NPPF (2021).

2. The application site is elevated above the surrounding road and adjacent fields and is visually in both short and long distant views. Public Rights of Way traverse the adjacent fields. The design and siting of the proposed extension with the appearance of a flat roof from Sandon Road and extending 17 metres from the side of the existing agricultural buildings will be visually prominent and intrusive to the rural character of the area. Likewise, the siting of 7no. shipping containers, sporadically arranged on the existing hardcore will introduce incongruous features within the rural landscape that are more akin to an industrial estate. The existing hardcore has extended into a former area of grazing land and therefore the area of hardstanding and siting of the shipping containers will lead to a prominent intrusion into the Open Countryside. Although a hedge is proposed to be planted, this would take many years to become established and be of a height and density to be able to screen the development. In addition, landscaping should not be used to hide unacceptable development in the Open Countryside. The development is therefore contrary to policies SS10, DC1 and DC3 of the Staffordshire Moorlands Local Plan (2020) and the NPPF (2021).
3. Insufficient information has been provided to determine whether the development will have an acceptable impact on air quality, contrary to policy SD4 of the Staffordshire Moorlands Local Plan (2020) and the NPPF (2021).

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

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.