

Mr Rob Ford
Parkside
Park Road
Leek
Staffordshire Moorlands
ST13 8JT

High View Farm
Holt Lane
Kingsley
Staffordshire
ST10 2BA

Application no: SMD/2022/0148

Determined on: 20/12/2022

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

High View Farm Holt Lane Kingsley Staffordshire ST10 2BA

Description of Development:

Infilling of steep sided linear depression on grassland with clean construction waste to provide a level safe surface for farm vehicles

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:

HHKE 01A v2

HHKE 02A

HHKE 02A v3 for the reason(s) specified below:-

- 1) There is insufficient accompanying information for the Local Planning Authority (LPA) to properly determine the impacts of this proposed importation of 4,000m³ of brick and concrete waste to infill a valley-side field land hollow over an area of c.0.2 hectares to a depth of up to 5.0m. In particular no information is provided to assess the impacts on trees and hedgerows, field flora or protected species such as potential Great Crested Newts. The application is unclear as to the intended finished site appearance with potential adverse effects on the Green Belt and unclear as to the timescales within which it is intended that the work would be completed both of which matters are or may be found adverse to landscape character and appearance. From the information submitted the LPA is also unable to satisfactorily resolve the potential consequences for land drainage and land stability. The application is therefore found contrary overall to policies SS1, SS2, SS10, SS11, SD4, DC1, DC3, NE1 and NE2 and to the NPPF.

Informatives

- 1) The proposal would not 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. There were no amendments to the scheme, or 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 Paragraphs 38 of the National Planning Policy Framework.

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.