STAFFORDSHIRE moorlands DISTRICT COUNCIL

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CTD Architects
Clerk Bank House
Clerk Bank
Leek
Staffordshire Moorlands
ST13 5HE

Mr Scott-Moncreiff
Basford Hall
Basford Green Road
Cheddleton
Staffordshire
ST13 7ER

Application no: SMD/2022/0654

Determined on: 01/03/2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Land at Basford Hall, Basford Green Road, Cheddleton, Staffordshire, ST13 7ER

Description of Development:
New hardcore service pathway/track to existing biomass boiler across existing private agricultural land
(part of the development has already been carried out)

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in plans submitted with the application ref: 2259 AL01A 'Site Location Plan' and 2259 AL03A 'Site Plan as proposed', for the reason(s) specified below:-

1. Insufficent informtaion and detail has been submitted with this application to establish a purpose and justification for the development to be carried out in an 'other rural area' of countryside where development is otherwise normally restricted. The approach of Local Plan strategy policy SS10 is to restrict development in the rural areas to that would be sustainable and bring benefit to the rural economy whilst protecting the countryside from harm to its character and appearance. In the absence of such information and detail there is an assumed conflict with policy SS10 of the Local Plan in these regards.

2. Insufficient information and detail has been submitted with this application to determine the extent to which the devlopment would, and has already, impacted upon or caused:

- Risk to human health through the importaion of material of unknown source and potential contamination;
- An unsustainable use of imported aggragate resources;
- The health and condition of existing mature trees adjacent to the development that contribute and are important to the historic parkland character of the area;
- The ecology and biodiversity of the area; and
- Flood risk and flow/drainage of the nearby watercourse.

In the absence of such information and detail there are assumed harms and adverse impacts

in all of these regards and probable conflict with policies SS1, SS10, SD1, SD4, SD5, DC2, DC3, NE1 and NE2 of the SMDC Local Plan and the terms of the NPPF.

Informatives

All of these points were raised with the applicant's agent midway into the application process, to accord with the spirit and guidance of paragraph 38 of the NPPF. However, no further submission or clarification has been made to assist consideration and a determination within the statutory time frame.

X

Signed by: Jane Colley Signature

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.