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Application no: SMD/2022/0662

Determined on: 10th March 2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Crossways Farm, Morridge Top Road, Onecote, Staffordshire, ST13 7SF

Description of Development:

Construction of a portal frame agricultural style building and change of use to B2 general industrial, B8 Storage and Distribution/ Sui Generis to use the proposed buildings for handling and storage plant of animal by-products and derived products.

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 referenced: PL01C Site Plan, PL03E Proposed Site Plan, and PL04E Proposed Plans, for the reason(s) specified below:-

1. The application has not justified the provision of the development in this isolated 'other rural' countryside location within the 'Peak District Fringe' of the Churnet Valley. The development would provide a sizeable new building and associated lorry park that would have: adverse impacts on the landscape; involve multiple long journeys to and from the site by heavy vehicles which are dependent upon, but remote from, the motorway network; and the potential to release unpleasant odours, both from the site and vehicles as they pass through towns and villages. For all of these reasons the development would be incompatible with the adopted tourism strategy for the area and principles of sustainability enshrined in the rural strategy. The development would contravene SMDC Local Plan Policies SS1, SS10, SS11, SD4, E1, DC3, and T1; and the terms of the National Planning Policy Framework (NPPF). The application has not demonstrated that benefits or other considerations would outweigh, or justify the development against, those harms.

2. The development would involve the construction of a sizeable portal frame building and the introduction of parked haulage vehicles in an exposed, open and prominent hillside location. The development would be intrusive, prominent and conspicuous from the vantage of public highway. It would appear in a landscape character type identified in the assessment as 'Gritstone Highland Fringe', a landscape of the highest sensitivities where busy roads are listed as an incongruous landscape feature. The development would lead to prominent

intrusion into the countryside and fail to enhance and conserve the quality of the countryside and the landscape character. In these regard the development would be contrary to SMDC Local Plan Policies SS10, SS11 and DC3 and the terms of the NPPF.

3. Although odours may be manageable to some degree, the site is located in a particularly sensitive area of the Churnet Valley 'Peak District Fringe' where the promotion of tourism is a strategy priority. Due to the nature of the development, noticeably unpleasant odours, carried on the wind or passing transport, are inevitable and this would adversely affect the experience and perception of visitors to the area and the tourism businesses that rely on their patronage. In these regards the development would be contrary to SMDC Local Plan Policies SS10, SS11 and SD4 and the terms of the NPPF.

Informative

On the assessment of evidence and statement submitted with the application, 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 *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.
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