STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Mr Andrew Dukesell
DBD Architectural Consultancy Ltd
50 Broad Street
Leek
Staffordshire
ST13 5NS

Mr M Flanders
Crossways Farm
Morridge Top Road
Onecote
Staffordshire
ST13 7SF

Application no: DET/2023/0009

Determined on: 23/05/2023

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) (AS AMENDED) ORDER 2015

PRIOR APPROVAL REQUIRED AND DETAILS SUBMITTED REFUSED

Staffordshire Moorlands District Council hereby **REFUSE** approval for the siting and appearance of the development proposed for

Application to determine if prior approval is required for a proposed erection of a Portal frame agricultural building for livestock and feed storage at Crossways Farm Morridge Top Road Onecote

in accordance with the submitted application, details and accompanying plans listed as follows

PL 11 (site)
PL 14C (elevations)

for the following reasons:

1. The siting and design size of the building in this visually prominent location would intrude conspicuously on the wider landscape and add cumulatively to the adverse visual impacts of two existing adjacent storage buildings. The visual harm to the landscape has heightened importance in this location due to its proximity to the Peak District National Park boundary and due to the Morridge Ridge being a landmark topographic feature of the district and of the National Park boundary and found at this location in the Council's Landscape Assessment to have the highest sensitivities to development. 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 meaning its siting and design is

therefore contrary to SMDC Local Plan Policies SS1, SS2, SS10, DC1 and DC3 and to the NPPF.

2. Due to its proposed capacity to house up to 105 head of cattle on this modest 38 hectare holding the building considerably exceeds the size reasonably necessary for the purposes of agriculture within this unit and is therefore not compliant with GPDO(2015) Schedule 2 Part 6 and assessed against Local Plan Policy SS10 does not serve an essential need at this location contrary to Policy SS10 and in turn the NPPF.

3. Due to its siting at this location remote from any nearby stockperson accommodation the proposed siting would lead to the keeping of a large number (up to 105 head) of livestock enclosed over winter in a building sited remotely from anyone in nearby sight and hearing nor potentially with ready access and therefore no one readily available to care for and attend to the animals and in the absence of satisfactory or sufficient assurance to the contrary this is found a wholly inappropriate arrangement consequent on the remote siting proposed and unsafe contrary to policies SS10 and DC1 and to the NPPF.

4. The identified presence of an apparent “protected building” found at OS Grid Reference SK 044 538 some 330m north east from the proposal building must be interpreted by the LPA as meaning the prior approval process under GPDO(2015) Schedule 2 Part 6 is void given that paragraph A.1 (i) lists as ‘not permitted’ the erection of a building to be used for the accommodation of livestock within 400m of the curtilage of a protected building as defined at D.1(1).

X JColley

Signed by: Jane Colley Signature

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.