STAFFORDSHIRE moorlands DISTRICT COUNCIL
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Mr Rob Duncan
Rob Duncan Planning
70 Ferndale Road
Lichfield
Staffordshire
WS13 7DL

Mr J Stonier
C/o agent

Application no: SMD/2022/0627

Determined on: 02/06/2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Land East of Leek Road Wetley Rocks Staffordshire

Description of Development:
Erection of agricultural building for use for lambing, storage of feed, hay and implements and construction of new vehicular access

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:

JOST /PP/04/003 rev A Elevations and section
JOST /PP/04/005 Layout Plan [building floor plan]
JOST /PP/04/002 Site Layout
JOST /PP/04/001 Survey Plan and Location Plan
JOST /PP/04/005 Site Plan including Track Access Details

for the reason(s) specified below:-

1. With a proposed track length of in excess of 340m through open rural field land the application proposal is found to result in an unacceptably visually intrusive and disruption feature which would harm the character and appearance of the land. Notwithstanding that the application proposes a twin-trod construction with central grass strip to reduce the visible surfacing there is significant uncertainty about how this might be achieved in relation to this land including in relation to trees, hedgerows and ecology. Whilst over a much shorter distance such uncertainties might be tolerable and manageable with reliance placed possibly on the use of conditions, the adverse impacts and conflict with the character and appearance of this 'semi-improved' land over this extended distance are found unacceptable and at odds with its general character. Notwithstanding some separating features such as intermittent hedgerow and low wall, the visual impact of the track for use by vehicular traffic would have the potential to be very apparent serving to accentuate the overall character intrusion. The proposal is therefore found contrary to Staffordshire Moorlands Local Plan policies SS1, SS10, DC1 and DC3 and the NPPF.

Informatives

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The proposal would not overall 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 Paragraph 38 of the National Planning Policy Framework.

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.

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.