STAFFORDSHIRE moorlands DISTRICT COUNCIL

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

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

Application no: SMD/2023/0307

Determined on: 01/09/2023

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

REFUSAL OF PLANNING PERMISSION

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

Description of Development:
New compacted hardcore service track to existing Biomass Boiler across existing private agricultural land (part retrospective)

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 A Drg Reg ctd 2023-06-27; 2259 AL01D Site Location Plan;2259 AL02B Site Plan as existing; 2259 AL03H Site Plan as proposed; 2259 AL04 Typical Section as existing; 2259 AL05 Typical Section as proposed, for the reason(s) specified below:-

1. The purpose and justification for the development that is presented with this application would not deliver obvious benefits that would demomstrate compliance with the Local Plan's 'other rural area' strategy policy SS10, which places restriction on development in the countryside. The approach of Local Plan strategy policy SS10 is to restrict development in the rural areas to that which would be sustainable and bring benefit to the rural economy whilst protecting the countryside from harm to its character and appearance. The development in those regards would not deliver benefits that clearly outweigh those harms to the countryside identified, rather it may lead to rapid deforestation and tree felling that would be unsustainable and harmful to the character and appearance of the landscape and the setting of heritage assets. The development would result in conflict with policy SS10 of the Staffordshire Moorlands Local Plan 2020.

2. The application planning statement does not discuss the significance of heritage assets within the locality or the extent to which they would be impacted by the development. The proposed development would not be respectful of its context, it would cause harm to the significance of the historic parkland and the setting of listed buildings, by passing listed buildings in close proximity through parts of the landscape where it would be most exposed and prominent. The development would be an unnatural and alien feature that would appear to physically and visually interrupt the landscape with urbanising form. There would be harm

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to landscape character and the setting of designated heritage assets. There would be less than substantial harm to the significance of the assets, but harm that would not be outweighed by any public benefit. In these regards there would be conflict with policies SS10, DC2 and DC3 of the Staffordshire Moorlands Local Plan 2020 and the terms of the NPPF.

3. The proposed development would cause encorachment on the roots of the mature sycamore tree identified in the submitted Arboricultrual Report as T9, an overmature sycamore tree with numerous veteran features, considered to be a veteran specimen. The mature tree contributes to and is important to the historic parkland setting of the listed buildings and the landscape character of the countryside. In these reagrds there would be conflict with policies SS10, DC2, DC3, NE1 and NE2 of the SMDC Local Plan and the terms of the NPPF.

Informatives

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 JColley

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.