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Mr Clement
Ball Green Farm
Gorsey Bank
Stoke-on-Trent
ST6 8AR

Application no: SMD/2024/0028

Determined on: 3rd April 2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Ball Green Farm, Woodhouse Lane, Brown Edge, Staffordshire

Description of Development:

Retention of excavation works, erection of freestanding agricultural building for animal housing, extension to existing agricultural building to provide animal housing, erection of slurry tank and retention of vehicular private way

(The application proposed a variation to Condition 9 of SMD/2023/0343, granted for that described development, to allow the Gorsey Bank access to the north west of the site to be used a maximum of 30 days per calendar year, without that use being restricted to the months between 1st May and 30th September)

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development and proposal described above and shown on plan ref: 1702-AL04B, for the reason(s) specified below:-

The proposed variation of the condition would result in an unreasonable loss of amenity for those residents that are within close proximity of the farm development, the private way within the farm site, and the Gorsey Bank access. Vehicle movements, outside of the limits imposed, using the farm's private way and the Gorsey Bank site access, from and onto the narrow residential lane, would cause excessive noise, disturbance and light pollution. In these regards there would be conflict with policies DC1 and SD4 of the Staffordshire Moorlands Local Plan 2020 and the terms of the NPPF. The developments permitted under the terms of permission SMD/2023/0343 are only considered acceptable within the proximity of neighbouring residential dwellings with the attached conditions to limit and mitigate harm to amenity.

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 *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.