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Mr & Mrs Davies
Marsh Green Farm
The Haybarn
Biddulph
Staffordshire
ST8 6QP

Application no: SMD/2024/0083

Determined on: 09/05/2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Marsh Green Farm, The Haybarn, Marsh Green Road, Biddulph, Staffordshire, ST8 6QP

Description of Development:

Proposed alterations to an existing vehicular access and the construction of a 4m wide track in the adjoining field to improve access to the agricultural land.

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 ref: Location Plan, TR.1B, and TR.2A, for the reason(s) specified below:-

1. The development would be inappropriate and, by definition, harmful to the Green Belt because it is not provided for by any of the exceptions at paras. 144 or 145 of the NPPF. Specifically, the development would be an engineering operation that would not preserve openness and would conflict with one of the purposes of including land within the Green Belt. The harm to the Green Belt is attributed substantial weight and there are no considerations that would amount to 'very special circumstances' and clearly outweigh the harm to the Green Belt and the other harms that would result from the development. There would be contravention of the terms of the NPPF and Policy SS10 of the Staffordshire Moorlands Local Plan in these regards.
2. The development would result in harm to landscape character and the character and appearance of the area. It would result in the loss of a significant section of roadside hedgerow, introduce urbanising hard surfacing within an attractive rural setting, and cause significant intrusion into the countryside. The development would be contrary to policies SS10, DC1, and DC3 of the Staffordshire Moorlands Local Plan and the terms of the NPPF in these regards.
3. The development would result in harm to the historic significance of a non-designated heritage asset by introducing secondary roadway access that would be supplementary to the single access and grouping of the historic farmstead. The development in these regards would result in a confused arrangement that would detract from the arrangement of the historic

farmstead. There would be contravention of the terms of the NPPF and Policies SS10, DC1 and DC3 of the Staffordshire Moorlands Local Plan in these regards.

4. In the absence of details demonstrating adequate visibility in both directions it is assumed that there would be an unacceptable impact on highway safety. The development would be contrary to Policy T1 of the Staffordshire Moorlands Local Plan and the terms of the NPPF in those regards.

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 

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.
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