

Mr Adam Mustafa
Wharfe Rural Planning Ltd
Sapling Home Farm Ullard Hall Lane
Knutsford
WA16 9PJ

Broad Oak Properties
C/O Wharfe Rural Planning Sapling
Home Farm
Knutsford
WA16 9PJ

Application no: DET/2024/0018

Determined on: 20.06.2024.

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT ORDER)
(ENGLAND) 2015**

DESCRIPTION OF DEVELOPMENT

Application to determine if prior approval is required for -
the erection of a forestry building with a track

at

Land off, Leek Road, Stoke on Trent
ST10 2EJ

PRIOR APPROVAL REQUIRED AND REFUSED

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby determine that Prior Approval is required and **REFUSED** for the development described above in accordance with plans ref:

1536/J240068/001.2 (Location Plan);
1536/J240068/002.1 (Site Plan);
1536/J240068/003.3 (Proposed Plan)

for the reason(s) specified below:-

1. The statement submitted by Wharfe Rural Planning, dated 22nd May 2024 is clear that some of the timber will be brought in from off-site location. The building as proposed is therefore not reasonably necessary for the purposes of forestry operations taking place on the land. The development is for a building for storing fuel for a biomass boiler not produced on the land which is occupied together with that building for the purposes of forestry. The application proposal therefore does not comply with the requirements of The Town and Country Planning General Permitted Development Order (2015) Schedule 2, Part 6, Class E paragraphs E(a) and E.1(d) and is not permitted development.

2. This is a commercial development which would result in the intensification of the existing vehicular access use. Intensified use of the access would require improvement of the access to ensure highway safety. The application is clear that the access will not be altered as part of this proposal and as such the siting of the building and siting and construction of the track are considered to be detrimental to highway safety contrary to Local Plan policy T1 and section 9 'Promoting sustainable transport' of the National Planning Policy Framework, which requires that all developments should secure safe and suitable access to a site.

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.