

Mr Aitken
3 Bonemill Cottages
Belper
Derbyshire
DE56 1ND

Application no: DET/2024/0040

Determined on: 18th November 2024

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) (AS AMENDED) ORDER 2015**

PRIOR APPROVAL REQUIRED AND REFUSED

DESCRIPTION OF DEVELOPMENT:

Alteration of private ways for agricultural or forestry use at access to Collyhole Wood and
Gog Wood, Church Lane, Ipstones
(as shown and described in plans and details submitted with the application)

Staffordshire Moorlands District Council hereby **REFUSE** to grant approval for the design and external appearance of the development described above, for the following reason(s):-

1. The development is not permitted by Class E, Part 6, Schedule 2 of the General Permitted Development Order, because: the developer did not before beginning the development apply to the Local Planning Authority for a determination as to whether the prior approval of the authority will be required as to the siting and means of construction of the private way and, therefore, they have not complied with condition E.2(1)(a); and, on the evidence submitted with the application, the development is not considered to be reasonably necessary for the purposes of forestry. Moreover, the unit identified on plan is less than 5ha in area and the development has not been provided on agricultural land for purposes reasonably necessary for agriculture, the development therefore is neither permitted by Class A nor B of Part 6 of the Schedule.
2. It is considered that the siting and means of construction of the development has caused harm to the character and appearance of the area by making an intrusive open clearing within roadside woodland. Moreover the development has been carried out on a Local Site of Biological Importance without due consideration for the developments impacts on the lands value and importance in those regards, specifically the means of construction has introduced an inappropriate lime stone chatter that is potentially harmful to natural ground conditions. On available evidence the development is therefore considered to be contrary to policies SS10, DC1, DC3, NE1 and NE2 of the Staffordshire Moorlands Local Plan.

X *J Curley*

Signed by: Jane Curley

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.