

Mr Anthony Atkinson
Acorus Rural Property Services Ltd
The Old Market Office
Bury St Edmunds
IP33 3AA

Mr Proctor
99 High Lane
Brown Edge
Staffordshire
ST6 8RT

Application no: SMD/2024/0420

Determined on: 18th November 2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

99 Bank End Farm High Lane Brown Edge Staffordshire ST6 8RT

Description of Development:

The erection of an agricultural storage building and a twin span polytunnel for the nursery

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: 100_01, 100_02, and 100_03, for the reason(s) specified below:-

1. The end, south west facing, elevations of the two adjacent developments would be placed right up to the shared boundary with the resident at Fairview 49 High Lane. The shed and the Polytunnel buildings would be 4m in height against the 2m high boundary hedge and their elevations would flank much of the neighbour's garden to the side and rear of their property. The development would therefore be unreasonably overbearing and obtrusive in its relationship to the resident's primary area of outdoor amenity. In these regards the development would be contrary to policy DC1 of the SMDC Local Plan 2020.

2. The application has not been submitted with a biodiversity assessment or metric to demonstrate how the development would impact upon biodiversity habitats, or the extent to which they would be lost as a result of the development. The application does not demonstrate how such impacts can be mitigated and compensated for, with a scheme to replace such habitats with a net gain of 10% over pre-existing habitat. There would be harm to biodiversity, and in these regards conflict with policy NE1 of the Staffordshire Moorlands Local Plan 2020 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 *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.