

Mr Russell Adams
Adams Planning + Development Ltd
The Oaks
Oaks Drive
Bowness-on-Windermere
LA233JA

Mr Holt
Serenity Cottage
Bucknall
Staffordshire
ST2 8NA

Application no: SMD/2024/0437

Determined on: 12.05.2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Land East of Eaves Lane, Armshead, Staffordshire.

Description of Development:

Variation of condition 1 relating to SMD/2021/0175

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with plans ref: A04-

2115-01 Rev A;
A04-2115-02 Rev C;
A04-2115-03 Rev C;
A04-2115-04 Rev B for the reason(s) specified below:-

1. It has previously been identified that approved application reference SMD/2021/0175 has not been implemented as the works carried out are fundamentally different to those proposed. It is therefore not possible to support a Variation of Condition application relating to an expired consent.

2. Insufficient information has been submitted to demonstrate that the building is suitably sized or designed and laid out internally for the agricultural activity referred to in the application. The development that has been carried out is inappropriate, and by definition, harmful to the Green Belt, contrary to section 13 'Protecting Green Belt land' of the National Planning Policy Framework and policy SS10 'Other Rural Areas Strategy' of the Staffordshire Moorlands Local Plan. There are no other considerations or circumstances that would clearly outweigh that harm

3. The development that has been carried out, and which revised plans relate, makes a prominent intrusion into the countryside that is visible, across open ground, from nearby public footpaths. The development appears exposed and isolated within the countryside, without particular context. The development does not enhance the local landscape and as such it does not garner specific support from Local Plan policy DC3. The development is harmful to the character and appearance of local landscape and is contrary to policy DC3 of the adopted SMDC Local Plan 2020. The development that has been carried out is not sustainable, and the harm that has occurred to local landscape, is not outweighed by any benefit to the rural economy or community that might be otherwise supported by 'other rural area' strategy at SS10 of the adopted SMDC Local Plan 2020.

X *Jane 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.