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Application no: SMD/2013/1183

Determined on:

**Town and Country Planning Act 1990**  
**Town and Country Planning (Development Management Procedure)(England) Order 2010**

## **REFUSAL OF PLANNING PERMISSION**

**Location of Development:**  
LAND AT FOXT ROAD FOXT STAFFORDSHIRE

**Description of Development:**  
Extention to existing track and the erection of an agricultural building for the housing of livestock

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: 12919P1V1, 12919P2V1, Location plan, Block plan for the reason(s) specified below:-

1. Whilst an agricultural development business case appears to underlie this application it is found to be disproportionately reliant on land elsewhere and at significant remove. The proposal is therefore contrary to Staffordshire Moorlands Local Plan saved policy E4 as the development on the scale proposed significantly exceeds any identifiable need at this location. Due to its size, its isolation from any existing development, the extent of hard standing proposed, the need to construct an extended track and the inevitable intensity of farming activity at the location not solely serving the land of the site but on a scale to service a larger enterprise would all result in serious disharmony with the established high quality pastoral field landscape of this location and setting thereby failing the second requirement of policy E4. In turn the proposal would be significantly at odds with the fundamental principle set out in the NPPF to achieve economic development sustainably. The proposal on this scale is not relevant to this site and the landscape and environmental harms of the proposal cannot therefore be justified. The proposal is found contrary to Staffordshire Moorlands Local Plan saved policies N8 and N9 as materially detracting from the high quality of the Special Landscape Area and lacking design detailing of a standard sufficient to integrate the proposal with its setting and location. By similar reasoning and with reference to the Staffordshire Moorlands Landscape Character Assessment and the Churnet Valley Moorlands Landscape Character Assessment the proposal is found significantly at odds with policies DC 3 and SS6c of the Council's Core Strategy now nearing adoption.

### **Informatives**

1. Prior to the determination of the application the Council advised the applicant that the principle of such development is unsustainable and did 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.

**Signed 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.
2. 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. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
3. 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.