



South Derbyshire District Council

Civic Offices, Civic Way, Swadlincote, Derbyshire DE11 0AH

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www.planning.south-derbys.gov.uk/

Housemartin Designs
The Carhouse Chardells Court
Upperfields Farm
Main Street
Sweepstone
LE67 2SG

Applicant:

Mr & Mrs T Steele
C/O Agent

Reg.No. 9/2016/0008

Local Government Act 1972
Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

In exercise of its powers as the Local Planning Authority under the above Acts and related subordinate legislation, the Council hereby gives notice that your application for **THE ERECTION OF A DETACHED FORESTRY BUILDING TO ACCOMMODATE DRIVEN FORESTRY MACHINERY/HAND OPERATED EQUIPMENT AND STORAGE OF MATERIALS ON LAND ADJACENT TO HARVEST BARN MAIN STREET MILTON DERBY** as shown on the deposited plans and described in the application form received 04/01/2016 is hereby **REFUSED**, for the following reason:

1. The application proposes the development of a visually prominent site, outside of any settlement boundary and separate from the established village of Milton. Although the proposal would provide limited social and economic benefits, these would be greatly outweighed by the adverse effect on the setting of the Milton Conservation Area. The development is therefore considered to be contrary to South Derbyshire Local Plan (1998) Saved Environment Policy 1, Environment Policy 12 and Paragraph 132 of the National Planning Policy Framework; all of which seek to protect designated heritage assets from harmful development. Furthermore the resultant visual intrusion resulting from the proposed forestry building in this exposed rural location would fail to satisfy the core principle in paragraph 17 of the Framework, to recognise the intrinsic character and beauty of the countryside. As such the proposal does not represent sustainable development for which the presumption in paragraph 14 of the Framework is applicable.

Informative:

Notwithstanding this refusal, the Local Planning Authority has worked with the applicant in a positive and proactive manner although the fundamental objection referred to was not considered to be surmountable. As such it is considered that the Local Planning Authority has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.

Authorised Officer of the Council

Date: 29/02/2016

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

REFUSAL NOTES

1. Any correspondence or enquiries concerning this notice should be addressed to Planning Services, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, DE11 0AH or by e-mail to planning@south-derbys.gov.uk
2. **Rights of appeal against the Local Planning Authority's decision.**
Appeals to the Secretary of State
 - 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.
 - If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
 - If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
 - If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. However, if this is a decision to refuse planning permission for a minor commercial application (as defined by Schedule 1A of the Town and Country Planning Development Management Procedure Order 2010 (as amended on 1 October 2013)), if 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.
 - 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 or online at www.planningportal.gov.uk/pcs.
 - 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.