Mr Finney
Malthouse Farm New Road
Dilhorne
Staffordshire
ST10 2PQ

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

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ST7 3NG

Mr J Finney
Malthouse Farm
New Road
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Staffordshire Moorlands
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Application no: DET/2016/0034

Determined on: 15/08/2016

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

PRIOR APPROVAL REQUIRED AND DETAILS SUBMITTED REFUSED

Staffordshire Moorlands District Council hereby **REFUSE** approval for the siting and appearance of the development proposed for:

Change of use from an agricultural building to a use falling within Class C3 (dwellinghouse) for up to 2no. dwellings at Malt House Farm New Road, Dilhorne

in accordance with the submitted application, details and accompanying plans reference MHF/01 and MHF/03 for the following reasons:-

1. Part 3 W (3) (a) The application and proposed development does not comply with certain of the conditions, limitations or restrictions specified as being applicable to part 3 Class Q, namely in this case that development has already begun with the alteration to external openings including formation of new windows and doorways, the stopping up of others and internally at first floor level, boarding and partitioning to form living accommodation. Planning permission is therefore required.

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Signed on behalf of Staffordshire Moorlands District Council

NOTES

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State in accordance with Sections 78 & 79 of the Town & Country Planning Act, 1990, within six months of the date of the decision notice. Appeals must be made on a form which is obtainable from the Department of Transport, Local Government and the Regions, Planning Inspectorate, Temple Quay House, No. 2 The Square, Temple Quay, Bristol, BS1 6PN. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise then subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the Development Order, and to any directions given under the Order.

2. If permission to develop land is refused or granted subject to conditions whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Borough or District Council or County Council in which the land is situated as the case may be, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Part 6 of the Town & Country Planning Act, 1990.

3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town & Country Planning Act, 1990.