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Planning Department
Staffordshire Moorlands District Council
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Date as e-mail

Dear Sirs,

SMD/2016/0655 -Beech Trees, Meerbrook Road, Rushton Spencer, Staffordshire, SK11 0RD

Variation of condition 3 attached to planning permission SM 13474 - Farm Workers Dwelling

I write on behalf of my client, Ms Sandra Heath, to object to the above application.

My concerns are based upon the planning statement submitted with the application that supplies insufficient information for the application to be approved.

The statement mentions an application to vary the agricultural occupancy condition but does not give the number. A search of your website easily reveals it to be 12/00401/REM_1 now re-numbered as SMD/2012/0605. The informative to that permission states:

“This application has been considered against guidance contained within the National Planning Policy Framework. No objections are raised to the variation of the condition to allow wider agricultural workers to benefit from the accommodation. On the other hand, however, there would be no support for the total removal of the condition as the Council is not satisfied that the marketing evidence submitted adequately demonstrates there is no agricultural (or functionally- tied rural) worker demand and that the building is reasonably sustainably located as an open market dwelling.”

The eight successful planning applications by Heaton House Farm between 2002 and 2011 show that it was deliberately moving away from farming. No marketing evidence has been provided with the present application to show that it is not wanted by other agricultural workers in the vicinity. The house is only underused because there has been no attempt to market it in accordance with the conditions.

The attempt to now add use as holiday accommodation to that of an agricultural worker's dwelling leads to a condition that would fail to met the six tests as set out in paragraph 206 of the National Planning Policy Framework. These are:

"Planning conditions should only be imposed where they are:

1 necessary;
2 relevant to planning and;
3 to the development to be permitted;
4 enforceable;
5 precise and;
6 reasonable in all other respects."

It is not necessary to impose the suggested condition because the present condition is quite adequate in protecting against a new home in an unsustainable location. There is nothing in the application that ties the holiday accommodation to events taking place at Heaton House Farm so essentially it is a new dwelling not connected to agriculture in an unsustainable location.

The condition would be relevant to planning but its imposition would not be good planning.

The condition would also be relevant to the development permitted but the objection is based upon the fact that development should not be permitted.

Holiday accommodation is enforceable normally by requiring the site owners to maintain a register showing the dates of occupation, the persons occupying and those persons permanent, non-holiday, address. Any granting of a permission to vary the condition as requested should include a new condition to secure such records. There should also be an agreement by the local planning authority that they have the resources to monitor such register. Funding could be by way of a s106 agreement with the applicant.

The condition is precise in it separate parts but loses precision when conjoined as will be explained under the final heading.

It cannot be reasonable to suppose that a dwelling let out as a holiday let at premium rates would ever be restored to an agricultural worker's dwelling. Even if Heaton House Farm returned to full farming, which is unlikely, the revenue from holiday accommodation would out weigh the rent from a farm worker.

I ask that the application be refused on the grounds of lack of information being submitted to support the application and the lack of evidence from marketing to justify the application.

Yours Faithfully,