STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr J Imber
JMI Planning
62 Carter Street
Uttoxeter
ST14 8EU

Ms Moore

Application no: SMD/2016/0770

Determined on: 13/02/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
THE LODGE MILL ROAD OAKAMOOR STAFFORDSHIRE ST10 3AG

Description of Development:
Change of use of bunk barn to a dwelling

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: A2932-001 RevA and A2932-002 RevA for the reason(s) specified below:-

1. Oakamoor has a limited range of facilities and is defined as a smaller village for the purposes of the Adopted Core Strategy (CS). Alton, a larger village, is located c.3.5km distant and the nearest town Cheadle is located c.4.5km away. The absence of footways and street lighting are barriers to walking to the village bus stop and the site's accessibility is further weakened by the infrequency of the single bus service to be able to access essential services and facilities. On this basis, it is considered that the future occupiers of the dwelling(s) would most likely rely on the use of the private car to access essential services and facilities. Overall, the proposal, would not amount to sustainable housing as it would not be sustainably located and would therefore conflict with the Framework. The contribution that a single dwelling would make to the shortfall in the 5 year supply of housing would not outweigh the harm identified above.

2. Adopted Core Strategy Policy R2 'Rural Housing' permits the conversion of non-residential rural buildings for residential use where, in this case, it be can be demonstrated that the agricultural or commercial use is not viable or suitable and requires marketing or other evidence to be submitted to justify a departure from these strict policy requirements. In the absence of any such evidence, the applicant has failed to demonstrate that the proposal would not lead to the valuable loss of rural buildings being available for commercial uses and would therefore conflict with Policy R2 and the Framework.

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3. The application site has an attractive woodland setting location, which is prominently located adjacent to Mill Road within the Conservation Area. There would be potential harm to the character and appearance of the local area in respect of the excessive curtilage proposed contrary to CS Policies DC1 and DC3 in particular as well as the relevant paragraphs of the Framework.

Informative(s)

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF.

Informatives

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. It has not been possible to negotiate a solution to overcome the harm in principle identified above.

X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council

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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.

3. 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.

4. 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.

5. 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

6. 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.

7. 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.

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