STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Michael Sutcliffe
Michael Sutcliffe and Associates
Ivy House
Waterfall Lane
Waterfall
Staffsordshire Moorlands
ST10 3HY

Mr Brain
Paynsley Hall Farm
Sandon Road
Staffordshire Moorlands
ST11 9QY

Application no: SMD/2018/0313

Determined on: 19th November 2018

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Barn at Paynsley Hall Farm Sandon Road Cresswell Staffordshire

Description of Development:
Removal of condition 11(Agricultural Worker Occupation) in regards of DET/2017/0022.

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: 2017-2231-03 for the reason(s) specified below:-

1. Condition 11 seeks to control the development in the interests of highway safety by restricting occupancy of the dwelling to a farm worker and family working at Paynsley Hall Farm or other premises served by the access track from Sandon Road to the dwelling and thereby significantly reduce the likelihood of a wholly new household becoming resident on the access track as it is known that an existing occupier of premises served by the same access track and working at Paynsley Hall Farm is in need of permanent accommodation at the location. A wholly new household would have significant impacts on highway safety due to the inadequacies of the track junction with Sandon Road and the narrowness of the track for a significant distance to / from the junction and the significant increase in use of the access which would arise from a wholly new dwelling not limited by the condition when considered in relation to the specific circumstance known to pertain to this case. Removal of the condition would therefore have an unacceptable impact on highway safety contrary to Core Strategy Policy DC1 and to the NPPF in particular section 9.

Informatives

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

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thus no amendments to the application were requested.

X B.J. Haywood

Signed by: Ben Haywood

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.