STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr David Byatt
Byatt Oliver Associates
Whitebridge Way
Stone
ST15 8LQ

Mr Horton
Horton Barn
Eaves Lane
Staffordshire Moorlands
ST2 8NA

Application no: DET/2019/0019

Determined on: 20/08/2019

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

PRIOR APPROVAL REQUIRED FOR CHANGE OF USE

REFUSAL

Staffordshire Moorlands District Council hereby **REFUSE** approval for the Schedule 2 Part 3 Class Q development proposed for

Proposed change of use of agricultural building to a dwellinghouse at Horton Barn Eaves Lane Armshead

in accordance with the submitted application, details and accompanying plans location 1:2500; 5450-002 rev A floor plans and elevations
for the following reasons:-

1. Being now in use for equine stabling and ancillary domestic storage the building is not in use as an agricultural building and therefore the proposal does not qualify as permitted development under Class Q.(a) as it does not comply with the conditions, limitations or restrictions of Class Q (as provided for at W.(3) of Part 3).

2. Notwithstanding that the building comprises a steel framework in seemingly good repair, the building is not capable of conversion but would require near total wall reconstruction to all external elevations to infill open sections and replace the single plank thickness gap-spaced boarding which forms the majority covering to the existing elevations and these works would significantly exceed building operations reasonably necessary to convert the building and are therefore contrary to Class Q.(b) as not complying with the conditions, limitations or restrictions of Class Q (as provided for at W.(3) of Part 3).

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3. The proposal makes no provision for outdoor amenity space and therefore its siting makes the development impractical and undesirable to change in use from agriculture to dwelling house and is therefore contrary to condition Q.2 (1) (e) and in turn SMDC Core Strategy policy DC1 and the adopted Space about Dwellings design guidance.

4. In external appearance the proposed design would be out of place as a dwelling in the rural countryside at odds with its neighbouring dwellings and the character of the area and therefore contrary to Q.2(1) (e) and (f) and in turn SMDC core Strategy policy DC1 and DC 3 and the Council's adopted design guidance.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Informative

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan so far as applicable to Part 3 Class Q and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable overall and it was therefore not possible to approve the application. The applicant was informed of this in advance of the decision. The Local Planning Authority has therefore implemented the requirement in Paragraphs 38 of the National Planning Policy Framework.

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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

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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.