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

Mr Robert Williams
Alder Mill Sheepy Road
Atherstone
CV9 3AH

Mr Barlow
Heritage Farm Froghall Road
Froghall
Stoke on Trent
ST10 2HQ

Application no: SMD/2019/0391

Determined on: 13/12/2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Hermitage Farm Holiday Cottage Froghall Road Froghall Staffordshire ST10 2HQ

Description of Development:
Application to remove/vary Condition 1 of 04/01361/FUL (SMD/2004/0970)

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: 440 219 02 Rev C and 440 219 03 Rev A for the reason(s) specified below:-

1. The proposal involves the variation of planning condition to allow holiday lets to be used as four independent dwellings. Policy R2 of the Council's Core Strategy Development Plan Document resists the conversion of rural buildings for residential uses unless it can be demonstrated that a commercial use is not viable or suitable or where conversion to residential use would enable a building of particular merit to be safeguarded. The Council considers that neither of these would apply to this particular case and therefore the proposal is contrary to the policy. The government planning guidance in the National Planning Policy Framework (NPPF) affords significant weight to allowing new sustainable dwellings where a five-year housing land supply cannot be demonstrated. Although the Council does not have a five year supply, it also does not consider the application site to be in a sustainable location as it is in a rural area and is not well connected to the nearest shops and services by transport modes other than the private car. The social benefits of the proposal in providing dwellings in an area of undersupply would be outweighed by the local rural economic harms from the loss of tourist accommodation and also the environmental harms caused by the unsustainable location, considered to amount to substantial and demonstrable harms and contrary to the key aims of the NPPF as outlined in para.11.

2. The proposal would result in the loss of tourist accommodation and is therefore contrary to policies SS6C, SS7 and E3 of the Core Strategy which encourage tourist development in the

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Churnet Valley in the interests of the local rural economy.

Informatives

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and 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.

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