STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Mr J Imber
JMI Planning
62 Carter Street
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Staffordshire
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Mr Jeffery
C/o Agent

Application no: DET/2020/0018

Determined on: 13/08/2020

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 change of use from agricultural building to dwelling house described as:

Prior approval for change of use of agricultural building to a dwelling house including alterations to front elevation at Barn off Heath House Lane Lower Tean

in accordance with the submitted application, details and accompanying plans:

HEATH-HOUSE-IDS-296-DR-A-00-10-002 revision D
HEATH-HOUSE-IDS-296-DR-A-00-10-003 revision C
HEATH-HOUSE-IDS-296-DR-A-00-10-004 revision C

for the following reasons:-

1. It has not been established that this building was in use agriculturally at the relevant date of 20th March 2013 "for the purposes of a trade or business" nor that the building was at that date one capable of conversion. GPDO(2015) Schedule 2 Part 3 procedure section W (3) (a) and (b) relate.

2. The extent of work required goes beyond simple conversion and would amount to a re-build rather than conversion. GPDO(2015) Schedule 2 Part 3 procedure section W (3) (a) and (b) relate.

3. The conversion and use of the building and the curtilage for a dwelling house at this location would bring a marked and harmful change to character and appearance strongly at odds with the rural field siting and agrarian use of the land in turn bringing harm to the setting of the adjacent South Lodge, a curtilage Listed Building to the Grade II* Heath House and the adjacent surrounding historic park land setting and therefore also harmful to heritage without the counterbalance of a public benefit. GPDO(2015) Schedule 2 Part 3 Q.2 (1) (e) and procedure section W (10) (a) and (b) relate along with Core strategy polices SS1, SS1a, SS6c, DC1, DC2, DC3, R1 and R2; emerging local plan policy DC2 and the NPPF.

4. The external appearance of the development would be of a compromised design with no place or linkage to the rural building tradition of the area and therefore wholly at odds with its location relating neither to its field position nor to any understood or recognised expectation of a residential dwelling. GPDO(2015) Schedule 2 Part 3 Q.2 (1) (f) and procedure section W (10) (a) and (b) relate along with Core strategy polices SS1, SS1a, SS6c, DC1, DC2, DC3, R1 and R2; emerging local plan policy DC2; and the NPPF.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Informative Note

Notwithstanding the annotations to drawings HEATH-HOUSE-IDS-296-DR-A-00-10-003 revision C and HEATH-HOUSE-IDS-296-DR-A-00-10-004 revision C the available curtilage which could be permitted is not greater than the plan area of the building to be converted and this must provide space for parking of at least one vehicle which in turn means that the available amenity space would be below the 65m2 expected by the Council's Adopted Space About Dwellings Standard.

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.