

Gez Willard
WW Planning
Paradise Farm Main Road
Hollington
ST10 4HX

Mr and Mrs C Dean
Birchendale Farm
Hollington Fields
Hollington
Staffordshire
ST10 4HL

Application no: DET/2021/0023

Determined on: 03/08/2021

**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 Class
Class Q development proposed for

**Change of use from agricultural building to Dwelling at Birchendale Farm
Hollington Fields Hollington**

in accordance with the submitted application, details and accompanying plans listed
as follows

AS(0)01 rev P3 site location
AS(0)04 rev P2 existing plans and elevations
AS(0)05 rev P3 proposed plans and elevations

for the following reasons:-

1. Paragraph W (3) of Part 3 to the GPDO provides for the LPA to refuse a proposal where in the opinion of the authority—
 - (a) the proposed development does not comply with, or
 - (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies withany conditions and limitations or restrictions specified and in this case the building proposed for conversion is found not to be in use as an agricultural building as meant by Class Q nor so used for purposes of a trade or business all as defined at

Paragraph X and required to meet the terms of paragraph Q as it is found to be in use predominantly for non-agricultural storage including domestic storage and non-agricultural hobby workshop activity.

2. Paragraph W (3) of Part 3 to the GPDO provides for the LPA to refuse a proposal where in the opinion of the authority—
- (a) the proposed development does not comply with, or
 - (b) the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with
- any conditions and limitations or restrictions specified and in this case the building works are found by the LPA to exceed 'conversion' which is the limit of the Permitted Development Right as provided for by Class Q and would amount to fresh build to all elevations and the roof.

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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.