

Mr David Byatt
Byatt Oliver Limited
Etruria Methodist Church
Etruria Old Road
Stoke on Trent
Staffordshire
ST1 5PE

Mr & Mrs Keeling
The Withering Farm
Cheadle Road
Alton
Staffordshire
ST10 4DH

Application no: DET/2021/0039

Determined on: 24/12/2021

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

**PRIOR APPROVAL REQUIRED FOR CHANGE OF USE
AND APPLICATION REFUSED**

Staffordshire Moorlands District Council hereby **REFUSE** to grant a prior approval for the application that sets out a proposal to convert the building identified in the application and to use it as a 'dwellinghouse' (Class C3) at The Withering Farm, Cheadle Road Alton.

The application is **REFUSED** under the provisions of paragraph W(3)(a) of Part 3, Schedule 2 of the General Permitted Development Order 2015 for the following reason(s):-

1. In the opinion of the Local Planning Authority the proposed development does not comply with the conditions, limitations or restrictions specified at Part 3, Class Q specifically because:

The development is not permitted by virtue of limitation (f) which states that development is not permitted where:

- (f) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—*
- (i) since 20th March 2013; or*
- (ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins.*

The applicant has carried out development on the established agricultural unit since 20th March 2013 by erecting a detached building at the south east end of the farmstead after prior approval was granted under DET/2014/0013. He then more recently constructed a clamp like structure or enclosure to the front of that building.

X *J. Colley*

Signed by: Jane Colley Signature

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.
1. 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.
2. 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.
3. 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.
4. 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>
5. 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.
6. 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.