STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Mr Stephen Locke
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Mrs Clowes
Longhurst Farm
Dimmingsdale
Cheadle
Staffs
ST10 3AS

Application no: DET/2020/0038

Determined on: 30th May 2022

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 finish a partially completed conversion project and to use the building as a 'dwellinghouse' (Class C3) on land at Longhurst Farm, Dimmingsdale, Oakamoor.

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. The building is the result of unlawful building operations that were involved in its construction, by reason of Article 3(5)(a) none of the permissions granted by Schedule 2 of the Order shall apply to that building.

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

i. Unlawful building operations that have already been carried out (building operations necessary to convert the ruinous structure), primarily involved 'rebuilding' which consists of building operations other than those specified at Q.1(i).
ii. The developer did not before unlawfully beginning and carrying out the rebuilding works (building operations necessary to convert the ruinous structure), apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the items referred to in sub-paragraphs Q.2(1)(a) to (f).

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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.

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.