
From: Craig Barks <
Sent: 08 July 2022 17:35
To: North2
Subject: Re: Planning Inspectorate APP/B3438/W/22/3296498: Elderberry Barn, ST13 7PU

FAO Terry Scott

Dear Terry

Comments in Relation to Council's Comments dated 5th July 2022

As outlined in the Appeal Statement, the development completed was different to that approved under Class Q, completed for works which are outside of the scope of Class Q development e.g. residential garden area. This development was also not completed within the timeframe specified under Class Q development and the conditions related to this approval were not discharged, therefore this permission lapsed.

With regard to the Council's comments in relation to the development description on the application form and Decision Notice for application SMD/2017/0440, the development reads as "Conversion of agricultural building for residential use". The term 'Conversion' implies carry out building works to the agricultural building to create a 'residential use'. This development description is commonly used for this type of development and in my experience is not amended by Local Authorities to include the term 'change of use' as this, in my view is covered by the above description and it is not necessary to rephrase this.

If the Council were under the impression that scheme SMD/2017/0440 sought to vary conditions of a previous planning permission, the development description would reflect this and the appropriate form would have been completed e.g. variation to condition. Furthermore, it is difficult to understand how this application could have sought to 'regularise other work' as specified by the Council on a development which had not commenced? If the Council were under the impression that works had commenced, the development description would have been amended to reflect retrospective works. However, no building works had been completed at the time the above full planning permission was applied for.

Below are examples of barn conversion schemes which use the terminology for the development completed under application SMD/2017/0440.

SMD/2020/0224	27/04/2020	27/04/2020	Brooks's Barn, Hurst Road, Biddulph, Staffordshire, ST8 7RU	Conversion of existing barn into 1 no detached dwelling with associated outbuildings, access and parking	Planning Permission - Approved	23
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<u>SMD/2020/0723</u>	22/12/2020	22/12/2020	Barn at Lyndhurst, School Lane, Bradnop, Staffordshire, ST13 7ND	Conversion of agricultural barn to form residential unit	Planning Permission - Approved	16/
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<u>SMD/2021/0555</u>	19/08/2021	19/08/2021	Barn, Cash Heath Farm, Cash Heath, Forsbrook, Staffordshire,	Proposed conversion of redundant barns into 2no. residential units	Planning Permission - Approved	05/1
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<u>SMD/2022/0231</u>	03/05/2022	27/06/2022	Barn Conversion, Upper House Farm, Salters Lane, Werrington, Staffordshire,	Proposed conversion of a redundant agricultural barn into a two bedroom dwelling.		
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I would be grateful if you could acknowledge receipt.

Kind Regards

Craig

Craig Barks MRICS
Bagshaws LLP

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