STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Shaun Hyde
Planing Design Practice
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Derby
DE1 1UL

Williamson
Mill Farm
Gratton Lane
Gratton
Staffordshire
ST9 9AG

Application no: DET/2023/0015

Determined on: 01/09/2023

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

PRIOR APPROVAL REQUIRED AND APPLICATION REFUSED

Staffordshire Moorlands District Council hereby **REFUSE** the application that sets out a proposal to convert the building and to use it as a 'dwellinghouse' (Class C3) at Mill Farm, Gratton Lane, Gratton.

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

The evidence does not demonstrate that "the site" (the building and its curtilage) were used, solely for an agricultural use as part of an established agricultural unit on 20th March 2013, or when it was last in use for those purposes. This means that the change of use involved to convert and use the building as a dwelling is not development permitted by Class Q. Evidence available on inspection of the site and in the planning history show that, on the balance of probability, "the site" has been also used to provide access to the excavator training facility and for purposes most likely limited to the maintenance of a small area of adjacent meadow land, rather than an agricultural use as part of an established agricultural unit associated with an agricultural trade and business.

2. If the proposed development were permitted prior approval would be required and refused as to the building's impractical and undesirable location within close proximity of incompatible, noisy activity. The arrangement and proximity between existing and proposed development and activity is likely to result in a substandard or poor level of amenity and living conditions for the future residents of the proposed dwelling. There would be conflict with policies DC1 and SD4 of the Staffordshire Moorlands Local Plan 2020 in these regards.

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Signed by: Jane Colley Signature

On behalf of 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.