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Mr Badger
Ladygreen Farm
Denford
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Staffordshire
ST13 7JX

Application no: DET/2023/0044

Determined on: 30th April 2024

**Town and Country Planning Act 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015**

PRIOR APPROVAL REQUIRED AND REFUSED

Location of Development:

Lady Green Farm Huntley Road Denford Leek Staffordshire ST13 7JX

Description of Development:

Application to determine if prior approval is required for a proposed: Change of Use of
Agricultural Buildings to 2 Dwellinghouses

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** approval for the development described above in accordance with plans ref: 3479-001; 3479-004 rev C; 3479-005 rev C; and fig.2 and fig.3 on dwg 3479-006 for the reason(s) specified below:-

1. The conversion and use of these plain and functional buildings and their curtilages at this location for two dwellings with all the trappings of domesticity that this would bring, together with altered external appearance of a compromised design with no place or linkage to the rural building tradition of the area and therefore wholly at odds with the rural location would result in an undesirable change to the character and appearance of the rural area and in accordance with the provisions of Class Q in particular Q.2 (1) (e) and (f) and section W of the Town and County Planning (General Permitted Development) Order (England) 2015 (as amended) is found contrary to Staffordshire Moorlands Local Plan 2020 policies SS1, SS10, DC1, DC3 and H1 and to the NPPF.
2. Based on the visible poor condition of the buildings and the structural report submitted with the application notwithstanding the applicant's clarifications of an intention to retain blockwork walling it is concluded that the proposed building works significantly exceed 'conversion' within the meaning of Class Q and amounting to re-building with substantial amounts of the existing buildings not being retained are therefore not permitted as defined at Q (b) and the proposal is refused in accordance with W(3) (a) - the proposed development does not comply with, limitations or restrictions specified in this Part as being applicable to the development in question.

Informative

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has nonetheless met the requirement in Paragraphs 38 of the National Planning Policy Framework.

X *B.J. Haywood*

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.