

Michael Bamford
Planning Design Practice Ltd
3 Woburn House
Derby
United Kingdom
DE1 1UL

Mellor
Hayes Gate Farm
Star Bank
Oakamoor
Staffordshire
ST10 3BN

Application no: SMD/2024/0262

Determined on: 30/08/2024

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015**

REFUSAL OF PLANNING PERMISSION

Location of Development:

Hayes Gate Farm Star Bank Oakamoor Staffordshire ST10 3BN

Description of Development:

Full planning application for the change of use of a stone barn from ancillary accommodation to open market dwelling with modest extension

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in the Location Plan ref 3849 - 001B; and the revised plans submitted on the 9th Aug 2024 ref: 3849 – 009B and 3849 - 030(C), for the reason(s) specified below:-

1. The site is in a remote and isolated location, some distance from the nearest 'larger village', in an 'other rural' area of countryside, as defined by the SMDC Local Plan settlement hierarchy SS2. The provision of a dwelling, in such a location, would not normally be acceptable other than in exceptional circumstances as set out in the Local Plan strategy SS10. The proposal attempts to make use of a small rural building that is not capable of, or suitable for, conversion to a dwelling without significant enlargement and alteration. In these regards there would be conflict with policies SS10 and H1 of the SMDC Local Plan 2020 and the terms of the NPPF.
2. The proposal to alter and significantly extend the small stone outbuilding by almost 50%, would be harmful to the buildings scale, proportions and character, and, in turn, the contribution it makes to the character and appearance of the area and landscape character. In these regards, the development would be contrary to SMDC Local Plan policies SS10, H1, DC1 and DC3, the SMDC Design Guide 2018, and the terms of the NPPF.
3. The application has not been submitted with a biodiversity assessment or metric to demonstrate how the development has impacted upon wildlife habitats, or the extent to which they have been lost as a result of the development. The application does not demonstrate how such impacts can be mitigated and compensated for, with a scheme to replace such habitats with a net gain of 10% over pre-existing habitat. Moreover, the treatment of Barn 2 remains

unresolved with likely pressure on a building that has confirmed bat presence. There is harm to biodiversity, and potential harm to protected species, in these regards and conflict with policy NE1 of the Staffordshire Moorlands Local Plan 2020 and the terms of the NPPF.

4. The development would fail to provide acceptable living conditions and standards of amenity for future occupiers of the proposed dwelling house. Even with the proposed addition that would extend the building by almost 50%, the proposed dwelling would provide only substandard floor space areas that would fall short of what is required in the space standards set out in the 'Nationally Described Space' standards. The proposed dwelling's principal windows would have limited and obscured outlook by reason of their close proximity to the facing walls of other buildings. The distance between those windows and the facing walls would not comply with the Council's adopted 'Space About Dwellings' SPG. In these regards there would be conflict with policy DC1 of the adopted SMDC Local Plan 2020 and a breach of standards set out in the Council's adopted 'Space About Dwellings' SPG.

Informatives

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

X 

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.
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