STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Staffordshire Moorlands District Council
Moorlands House, Stockwell Street, Leek
Staffordshire Moorlands, ST13 6HQ
Telephone: 0845 605 3013
www.staffsmoorlands.gov.uk

# Application for removal or variation of a condition following grant of planning permission. Town and Country Planning Act 1990. Planning (Listed Buildings and Conservation Areas) Act 1990

**Publication of applications on planning authority websites.**

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

## 1. Site Address

| | |
|---|---|
| Number | |
| Suffix | |
| Property name | Hermitage Farm, Holiday Cottages |
| Address line 1 | Froghall Road |
| Address line 2 | Ipstones Bank |
| Address line 3 | Froghall |
| Town/city | STOKE-ON-TRENT |
| Postcode | ST10 2HQ |

Description of site location must be completed if postcode is not known:

| | |
|---|---|
| Easting (x) | 402164 |
| Northing (y) | 347928 |

Description

## 2. Applicant Details

| | |
|---|---|
| Title | Mr |
| First name | Jeff |
| Surname | Barlow |
| Company name | |
| Address line 1 | Hermitage Farm, Froghall Road |
| Address line 2 | Ipstones Bank |
| Address line 3 | Froghall |
| Town/city | STOKE-ON-TRENT |

## 2. Applicant Details

| | |
|---|---|
| Country | |
| Postcode | ST10 2HQ |
| Primary number | |
| Secondary number | |
| Fax number | |
| Email address | |

Are you an agent acting on behalf of the applicant? (•) Yes ( ) No

## 3. Agent Details

| | |
|---|---|
| Title | Mr |
| First name | Robert |
| Surname | Williams |
| Company name | Alder Mill |
| Address line 1 | Sheepy Road |
| Address line 2 | |
| Address line 3 | |
| Town/city | ATHERSTONE |
| Country | United Kingdom |
| Postcode | CV9 3AH |
| Primary number | 01827-716666 |
| Secondary number | |
| Fax number | |
| Email | aldermill@btconnect.com |

## 4. Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

"Removal of Condition 2 of planning permission SM99-0224 [now SMD/1999/0944] and replaced by 'Premises to be used for short-stay holiday accommodation during March to September and for extended periods during October to March"

Reference number

04/01361/FUL [now SMD/2004/0970]

| | |
|---|---|
| Date of decision (date must be pre-application submission) | 20/01/2005 |

**Please state the condition number(s) to which this application relates**

Condition number(s)

1

## 4. Description of the Proposal

Has the development already started? ○ Yes ◉ No

## 5. Condition(s) - Removal/Variation

Please state why you wish the condition(s) to be removed or changed

Owing to a sharp fall in annual income from the short-stay, self-catering holiday letting units, the applicant/owner now wishes to allow permanent rather than time-limited residential occupation of these Class C3 units. We therefore wish to vary the wording of the condition as detailed below.

[We are aware that the description of this permission will also become inaccurate as a result of varying the condition; however, we assume that we cannot now apply to remove condition 2 of the original permission SM99/0224 entirely, as this has already been augmented or interpreted by Condition 1 attached to this 2004 permission. We would suggest that, as this application was described as replacing (rewording) Condition no. 2 on the 1999 permission, that a separate condition ought not to have been imposed on this permission - effectively placing a condition upon a condition! It would then have been possible to directly change the original (1999) Condition 2, without also having to address the new Condition 1 attached to the 2004 variation. We cannot just apply to REMOVE the 2004 Condition 1, as that would leave the permission with a description inappropriate to the permanent residential use we are now seeking. If you consider that we can, in fact, apply to alter the 1999 Condition no. 2 without the need to address the Condition no. 1 imposed upon this 2004 amendment, please advise us accordingly.]

If you wish the existing condition to be changed, please state how you wish the condition to be varied

"The premises may be used for long-term Class C3 residential occupation, as four independent dwellings, without a seasonal or other time limitation on length of occupancy."

## 6. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ○ Yes ◉ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ◉ The agent
- ○ The applicant
- ○ Other person

## 7. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ○ Yes ◉ No

## 8. Ownership Certificates and Agricultural Land Declaration

**CERTIFICATE OF OWNERSHIP - CERTIFICATE A - Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14**

**I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding****

*** 'owner' is a person with a freehold interest or leasehold interest with at least 7 years left to run. ** 'agricultural holding' has the meaning given by reference to the definition of 'agricultural tenant' in section 65(8) of the Act.**

**NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.**

Person role

- ○ The applicant
- ◉ The agent

| | |
|---|---|
| Title | Mr |
| First name | Robert |
| Surname | Williams |
| Declaration date (DD/MM/YYYY) | 27/06/2019 |

☑ Declaration made

## 9. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them. ☑

| | |
|---|---|
| Date (cannot be pre-application) | 27/06/2019 |