STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr David Byatt
Byatt Oliver Associates
Unit 1B
Whitebridge Way
Whitebridge Industrial Estate
Stone
ST15 8LQ

Mr Byatt & Mrs P Hughes
Far Lake Farm
Shaw Wall Lane
Whiston
ST10 2HS

Application no: SMD/2018/0427

Determined on: 8.11.2019

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

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Location of Development:
Far Lake Farm Shaw Wall Lane Whiston Staffordshire

Description of Development:
Proposed Temporary agricultural workers accommodation

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of 12 months from the date of this permission.

Reason:- To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The temporary agricultural workers dwelling hereby approved and associated works shall be removed and the land restored to its former condition on or before 8th November 2022 in accordance with a scheme to be submitted to and approved in writing by the Local

Planning Authority. Thereafter the approved scheme shall be carried out within one month of the removal of the agricultural workers dwelling.
Reason:- Permission is granted on a temporary basis only to establish whether there is a functional need for permanent on site residential accommodation at this agricultural holding.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg Nos. 5422-001 Rev B and 5422-002 Rev A.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

4. Prior to the use of any facing or roofing materials, samples of the materials to be used in the construction of external walls and roof of the building and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with the approved materials.

Reason:- To ensure the development is of an acceptable appearance that respects the character and appearance of the application site and wider rural landscape.

5. Prior to the first occupation of the development hereby approved, a scheme for all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the positions, design, materials and type of boundary treatment to be erected. The approved scheme of boundary treatment shall be completed before the dwelling hereby permitted is occupied or in accordance with a timetable agreed in writing with the Local Planning Authority.

Reason:- In the interests of residential amenity and the appearance of the area.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Schedule 2, Part 1, Classes A, B, C, D, E, F, G and H shall be carried out within the site unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:- To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of the building.

7. The occupation of the dwelling hereby approved shall be limited to a person solely or mainly working, or last working in the locality in agriculture or in forestry.

Reason: The site is located in an area of open countryside where new residential development is not normally permitted, unless in accordance with paragraph 79 of the NPPF.

Informative

The Council has sought (negotiated) a sustainable form of development which complies with

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

the provisions of paragraph 38 of the NPPF.

X

Signed by: JaneC
On behalf of Staffordshire Moorlands District Council

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section at BControl@staffsmoorlands.gov.uk

2. Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority at Staffordshire County Council.

3. This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. An application will need to be made to discharge conditions and a fee is payable with the application. For more details please refer to our web site: www.staffsmoorlands.gov.uk If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
   (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
   (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

4. Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

5. The permission is granted in strict accordance with the approved plans. It should be noted however that:
   (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
   (b) Variation to the approved plans will require the submission of a new planning application.

6. 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.

7. 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.

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

8. 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.

9. 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.

10. 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

11. 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.

12. 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.
13.