

Mr Bruce Johnson
Smytheman Architectural Services
High Street
Stoke-on-Trent
Staffs
ST10 4DZ

Mr Hall
Knypersley Mill Farm
Judgefield Lane
Brown Edge
ST6 8UG

Application no: SMD/2021/0308

Determined on: 9th August 2021

**Town and Country Planning Act 1990 Section 192
(As amended by Section 10 of Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) (England) Order 2015**

**APPROVAL TO ISSUE CERTIFICATE OF LAWFULNESS OF
PROPOSED USE OR DEVELOPMENT**

The Staffordshire Moorlands District Council hereby approves to certify that on 05/05/2021; the use specified in the First Schedule ("the Use") of the living accommodation provided within the building specified and identified in the Second Schedule ("the Building"), was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 ("the Act"), for the following reason(s):

The applicant has provided evidence to demonstrate that the farm building was converted, with some limited operational development, and brought into use as living accommodation more than 4 years prior the date of the application. While he has provided evidence that the living accommodation has been, on occasion, used as a holiday let by paying guests, the evidence does not provide the detail to demonstrate an intensity and continuity of use that would indicate a material change of use and/or physical and functional separation from the existing residential planning unit of the single dwellinghouse at Knypersley Mill Farm. However, within, and as part of, the existing residential planning unit and that primary use of a single dwellinghouse, the farm building can be used lawfully as living accommodation by members and guests of the existing household, and that could include guests using the living accommodation as a holiday let. This use will be lawful until such a time that there is evidence of a material change and/or physical and functional separation from the planning unit and its primary use. In these circumstances, "the Use", as specified, is immune from enforcement action and can be considered lawful.

FIRST SCHEDULE

Use of the living accommodation provided within "the Building" by members and guests of the existing household at Knypersley Mill Farm, including guests that use the living accommodation as a holiday let, where the use remains part of and within the existing residential planning unit and its primary use as a single dwellinghouse.

SECOND SCHEDULE

“The Building” at Knypersley Mill Farm, Judgefield Lane, Brown Edge, Staffordshire, ST6 8UG, that is shown and identified edged red on the attached site location plan numbered KMF 1, and the drawing numbered KMFH-SA-01-ZZ-DR-A-0201 Rev P0.2 that was submitted with the application.

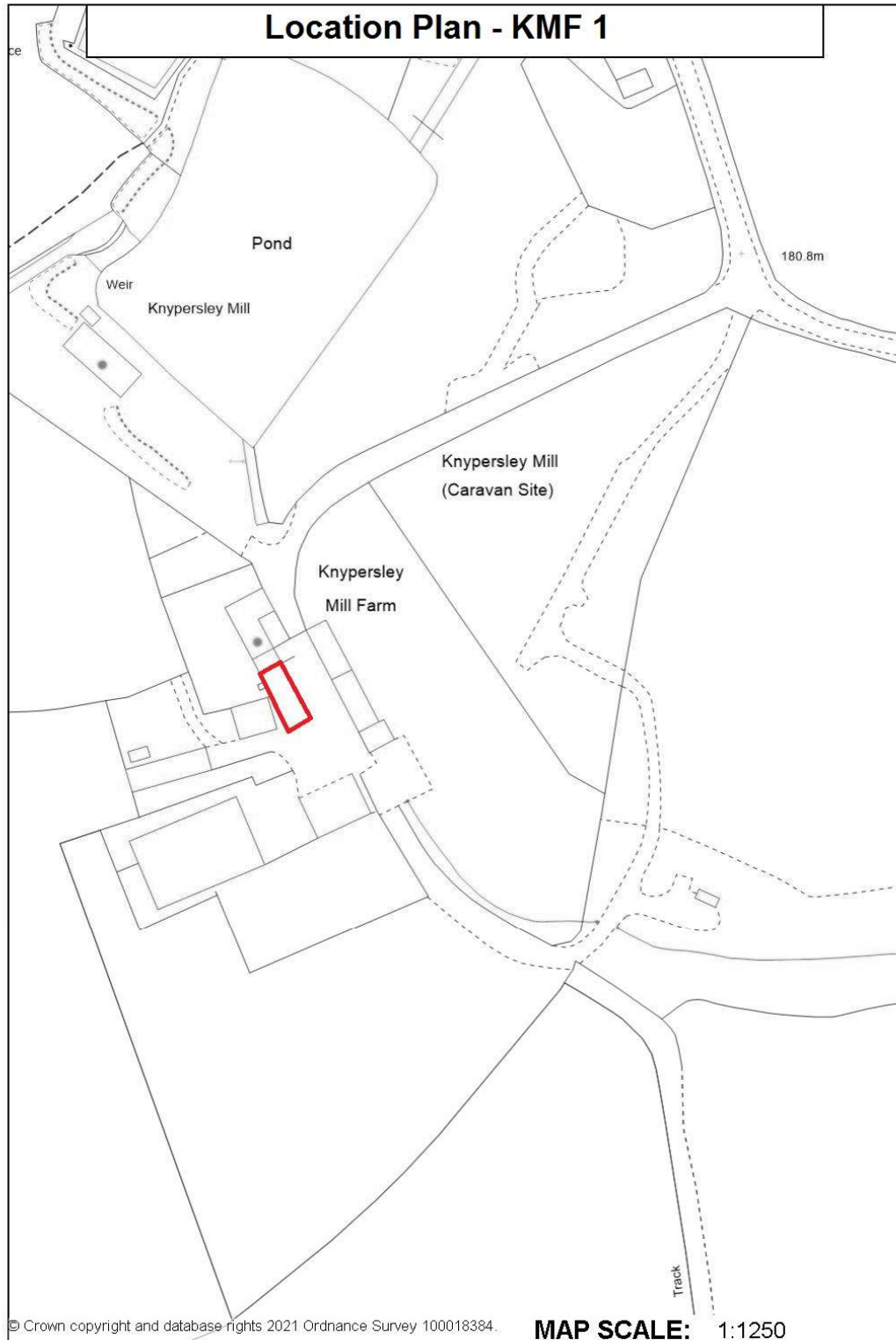
Informative

N.B. For the avoidance of doubt, this certificate does not confirm or imply that “the Building” is, lawfully, a separate independent dwellinghouse to that of Knypersley Mill Farm. The submitted evidence, for the reasons above, does not demonstrate that to be the case.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council



NOTES

1. An applicant may appeal against by giving notice to the Secretary of State:-
 - (a) the refusal to issue a certificate under Section 192 of the Act; or
 - (b) the failure to give notice of the Council's decision within 8 weeks of the registration of the application, or any other period agreed with the Local Planning Authority;

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>

1. As part of the appeal process the Applicant must submit to the Planning Inspectorate a copy of the following documents:
 - a copy of your original application
 - a copy of the local planning authority's decision notice - if they didn't make a decision, send a copy of the letter acknowledging your application
 - a map of the site
 - copies of all plans, drawings and documents you sent to the local planning authority
 - copies of any letters or emails from the local planning authority
 - any other documents that directly support your appeal

If you think your land or building is now lawful because the time limit for enforcement has passed, you also need to submit evidence like:

- dated photographs of the site
- letters from neighbours
- receipts or invoices for work
- plans and drawings