

Mr Allen Newby
PME Planning Services Ltd
Townend
Waterfall
Waterhouses
ST10 3HZ

Mr & Mrs Shaw
Blakeley Farm
Blakeley Lane
Whiston
Staffordshire
ST10 2HB

Application no: SMD/2021/0263

Determined on: 20th September 2021

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

**APPROVAL OF RESERVED MATTERS
(Relative to Outline Permission SMD/2019/0749)**

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:

Land at Blakeley Farm, Blakeley Lane, Whiston, Staffordshire, ST10 2HB
(edged red on the block plan numbered 14452-002 submitted with the outline application)

Description of Development:

Erection of an agricultural worker's dwelling

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **APPROVES** the matters of layout, scale and appearance of the building, and the access to and the landscaping of the site, which were reserved for later approval with the grant of outline planning permission (SMD/2019/0749) on the 2nd October 2020.

1. This notice constitutes an approval of matters reserved under Condition 3 of Planning Permission SMD/2019/0749 and does not by itself constitute a planning permission.

Reason:- The application relates to matters reserved with the grant of an outline planning permission.

2. The development hereby permitted shall be begun before the expiration of 2 years from the date of this approval of reserved matters.

Reason:- The time limit condition is imposed in order to comply with the requirements of section 92 of the Town and Country Planning Act 1990.

3. Notwithstanding any detail submitted with the outline application or the terms of condition 3 of that permission, the site and its access shall only be laid out and landscaped, with ground levels altered accordingly, and the development shall only be carried out and completed in accordance with the drawings referenced and numbered as 'Proposed Block

Plan' 3 Rev 0, 'Proposed Plans & Elevations' 4, Rev 1, and 'Street Scene' 6 Rev 0, that were submitted with this application for the approval of reserved matters; and the 'Access Plan' 6 Rev 0 that was submitted on the 30th June 2021.

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

4. The development shall only be carried out using the external facing stone and roofing tiles that are specified on the drawing numbered 'Proposed Plans & Elevations' 4 Rev 1 in a manner, arrangement and application that is described and detailed on that drawing. There shall be no variation without the prior consent in writing of the Local Planning Authority.

Reason:- To ensure that the works are in keeping with adjacent development.

5. Before the development is brought into use, the site access with the highway shall be constructed and completed in accordance with 'Access Plan' 6 Rev 0 that was submitted on the 30th June 2021. To accord with that plan the access shall be provided with 2.4m x 43m visibility splays in each direction taken to the edge of the carriageway, a standard grit stone sett dropped edge to the carriageway, the bound grit stone sett surface for a distance of at least 5m from the rear of the carriageway edge, and the stone surfaced parking and turning areas. The visibility splays and the parking and turning areas shall, throughout the life of the development, thereafter be retained, maintained and made available, without obstruction, only for the parking and maneuvering of domestic vehicles kept for the incidental enjoyment of the dwellinghouse.

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

6. Before the development is brought into use the stone boundary wall and landscaping shall be provided in accordance with the drawings referenced and numbered as 'Proposed Block Plan' 3 Rev 0, 'Proposed Plans & Elevations' 4, Rev 1, and 'Street Scene' 6 Rev 0, that were submitted with this application for the approval of reserved matters; and the 'Access Plan' 6 Rev 0 that was submitted on the 30th June 2021.

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. 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 Part 1 Class(es) A, B, C, D, E, F, G and H and/or Part 2 Class(es) A, B and C, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from 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.

8. The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture, or in forestry, or a dependent of such a person residing with him or her, or a widow or widower of such a person.

Reason:- The site is in an area where housing other than for agricultural purposes is not normally allowed.

Informative

The outline application was determined by Members at planning committee. It was considered that the site offers the best possibility of a safe and secure family environment whilst providing the necessary support to the enterprise – matters found to outweigh any harm. This application proposes the erection of a dwelling that would be of an acceptable design, scale and appearance for the size and location of the plot, it was necessary to seek any amendments or revisions as otherwise advocated at paragraph 38 of the NPPF.

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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 buildingcontrol@staffs Moorlands.gov.uk
1. 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.
2. 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.staffs Moorlands.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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.

8. 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.
9. 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>
10. 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.
11. 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.