

Mr. E. Gibson  
Sprinks Farm  
Horton  
ST13 8QE

Application no: SMD/2022/0311

Determined on: 17<sup>th</sup> October 2022

**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**

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

Staffordshire Moorlands District Council hereby REFUSES to certify that on 08/06/2022; the proposed operation specified in the First Schedule ("the Development"), if it had taken place in the location specified in the Second Schedule ("the Land"), would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended). "The Development" would be NOT LAWFUL for the following reason(s):

1. On the date of the application the proposed development would not have been permitted by Class A, Part 6 of the General Permitted Development Order 2015 (GPDO) because it would consist of the erection of a building to be used for the accommodation of livestock where the building would be within 400m of the curtilage of a protected building (a building occupied by people that is not within an agricultural unit). Moreover, on the date of the application, the applicant had not complied with the conditions applicable to Class A, in that they had not applied to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building.

**FIRST SCHEDULE**

Demolition of existing shed and replacement with new steel framed livestock housing (12m x 8m).

**SECOND SCHEDULE**

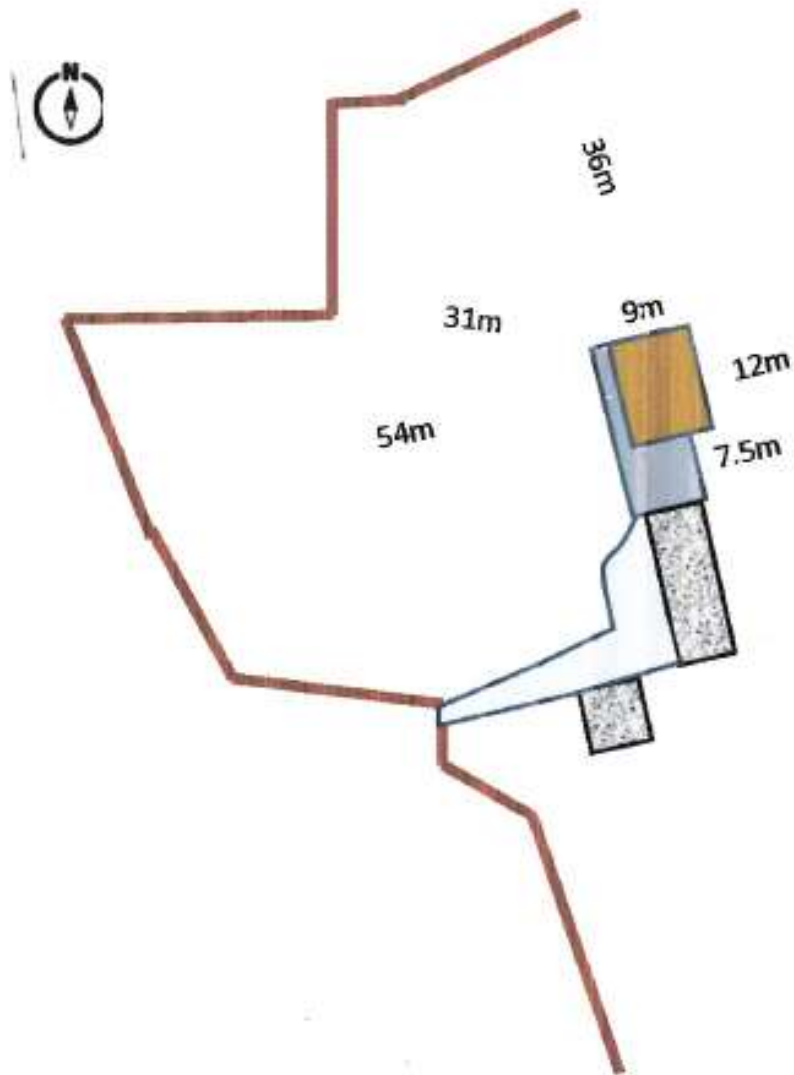
The location identified on the attached 'Site Plan: Proposed' on land at Somerdale Farm, Lodge Barn Road, Knypersley, Staffordshire, ST8 7NS shown edged red on the attached Location Plan.

X 

Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**

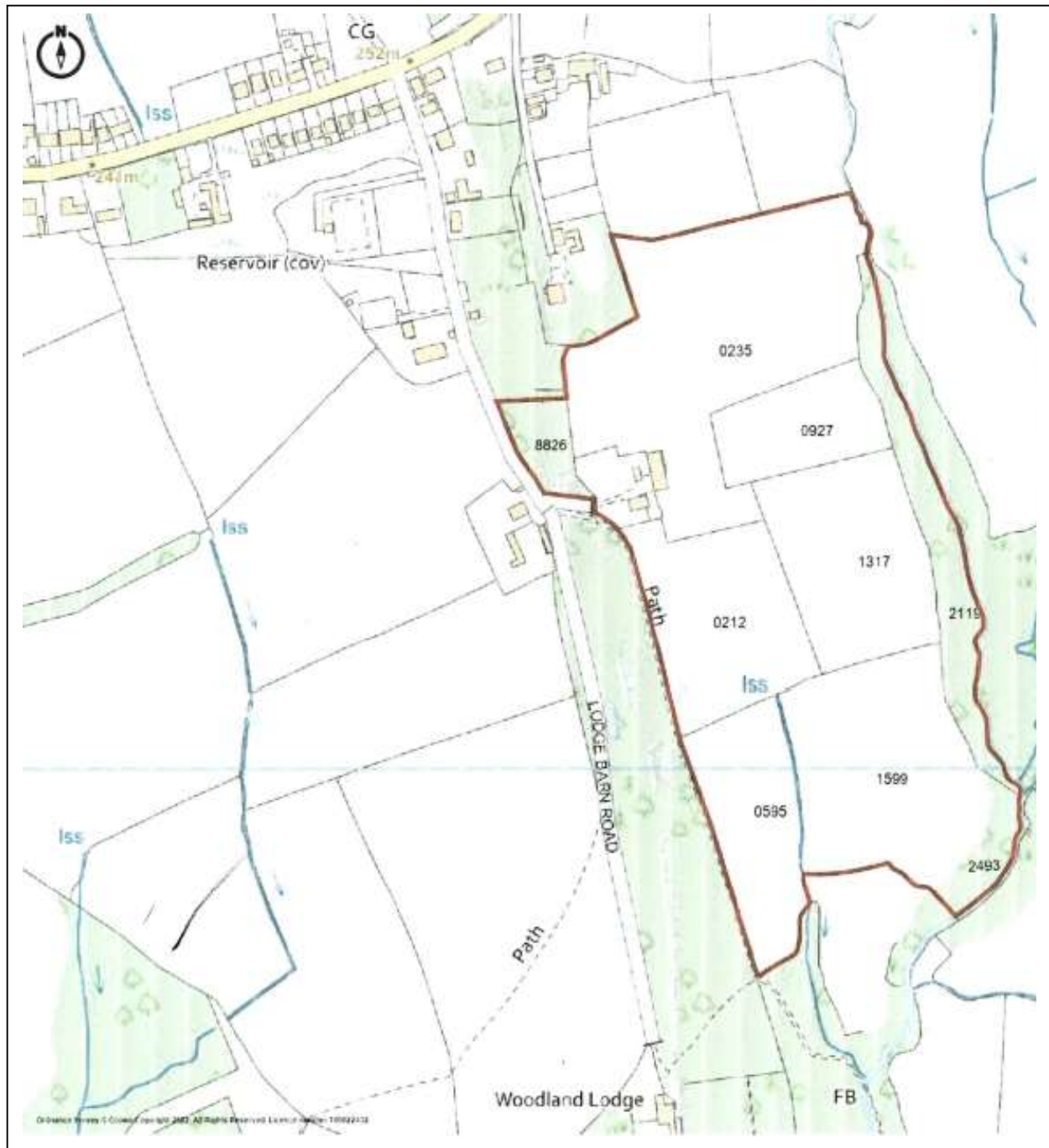
Site plan: Proposed  
Scale – 1:200



-  Proposed barn
-  New hard standing (concrete yard)



## LOCATION PLAN



## **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