STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Rob Duncan
Rob Duncan Planning
70 Ferndale Road
Lichfield
Staffordshire
WS13 7DL

Mr Harrison
Upper Fernyhill Farm Basford Green Road
Leek
Staffordshire
ST13 7ET

Application no: SMD/2016/0386

Determined on: 13/02/2017

Town and Country Planning Act 1990 Section 191
(As amended by Section10 of Planning and Compensation Act 1991)
Town and Country Planning (Development Management Procedure) (England) Order 2015

APPROVAL TO ISSUE CERTIFICATE OF LAWFULNESS OF EXISTING USE OR DEVELOPMENT

The Staffordshire Moorlands District Council hereby approves to certify that on 22/06/2016; the engineering operations specified in the First Schedule taking place on the land specified in the Second Schedule and edged red on the plan attached to this certificate, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

In the absence of any evidence to otherwise contradict or make the version of events less than probable, it is considered that the weight of evidence submitted with this application is sufficiently precise and unambiguous to discharge the applicants' duty to establish that, on the balance of probability, the operations described below were carried out in excess of 4 years ago.

FIRST SCHEDULE

Lawful Development Certificate for Existing Development:
Construction of Raised Terrace and Steps comprising of engineering opertions involving creation of foundations for steel stanchions, the installation of steel stanchions, the installation of concrete panels, backfilling with hardcore and rubble and construction of dry stone walling and balustrading.

SECOND SCHEDULE

UPPER FERNYHILL FARM BASFORD GREEN ROAD BASFORD LEEK
STAFFORDSHIRE ST13 7ET

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

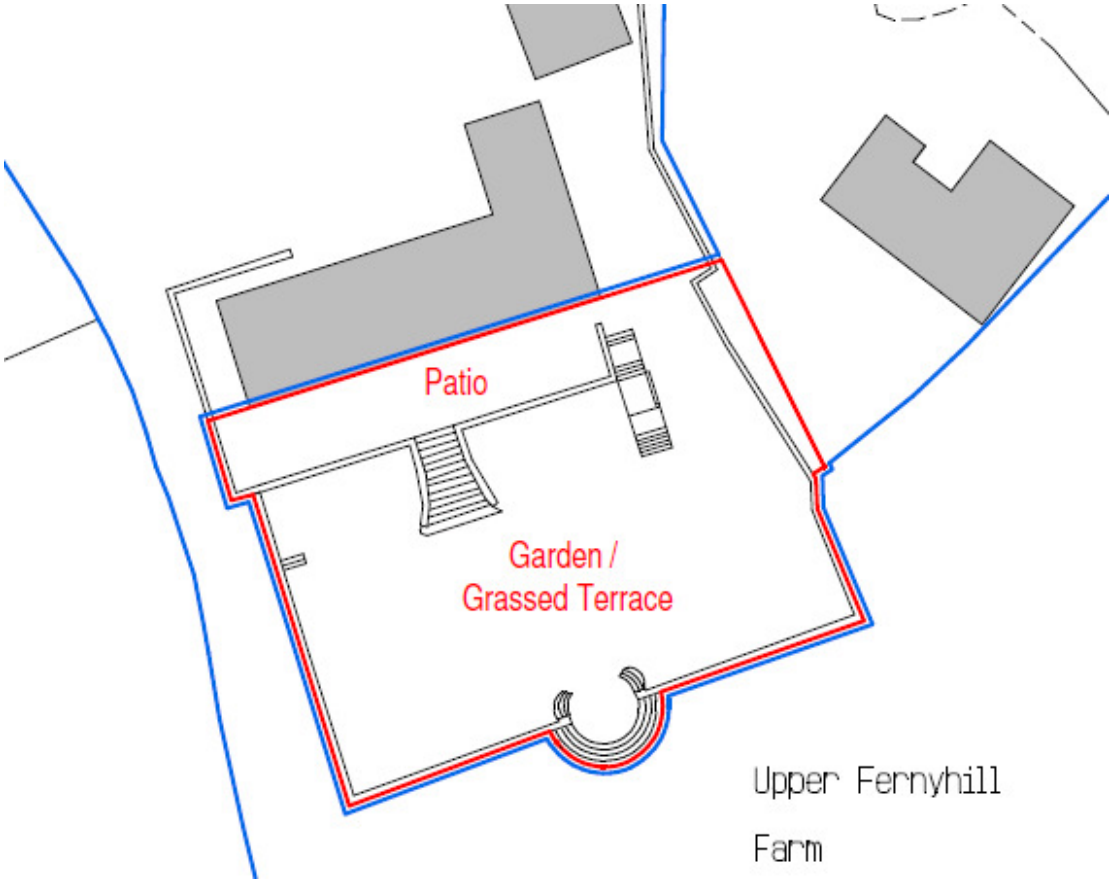
X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council

Important Informative

The applicant should note that this certificate however is limited to the operational development as described in the application and that no lawful development certificate is hereby given or implied for the material change of use which has clearly occurred in terms of extending the approved residential curtilage into the adjacent field. Further consent will be required to regularise this situation.



STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

NOTES

1. An applicant may appeal against by giving notice to the Secretary of State:-

   (a) the refusal to issue a certificate under Section 191 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

2. 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