STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Dominic Cooney
Ash Tree Planning
Leek
ST13 8QJ

Mr & Mrs Cook
Stable Cottage Eavles Lane
Cheadle
ST10 1RB

Application no: SMD/2017/0422

Determined on: 24/08/2017

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 20/06/2017; the occupancy condition specified in the First Schedule was being breached at the land specified in the Second Schedule ("the Land") and that the breach had become lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

The submitted evidence demonstrates that on the balance of probabilities "the Land" has been occupied for at least 10 years prior to the date of the application by a person who has not had full time employment connected with the Riding School and is not a dependent of a person who is employed full time in connection with the Riding School. Specifically Mr. Cooke's full time employment has been in connection with his 'Securtiy Control' business and, as the highest earner and contributer to the household income, he is not a dependent of Mrs. Cooke who has been primarily responsible for the equestrian business.

FIRST SCHEDULE

Condition no. 2 of planning permission 85/14412 that was granted for a dwelling on the 18th November 1985 which reads as follows:

"The occupation of the dwelling shall be restricted to a person employed full-time in connection with the Riding School and the dependants of any such person"

SECOND SCHEDULE

Land consisting of a dwelling and its curitlage known as Stable Cottage at Eaves Lane, Cheadle, Staffordshire, ST10 1RB that is shown and edged red on the attached plan numbered SC 1.

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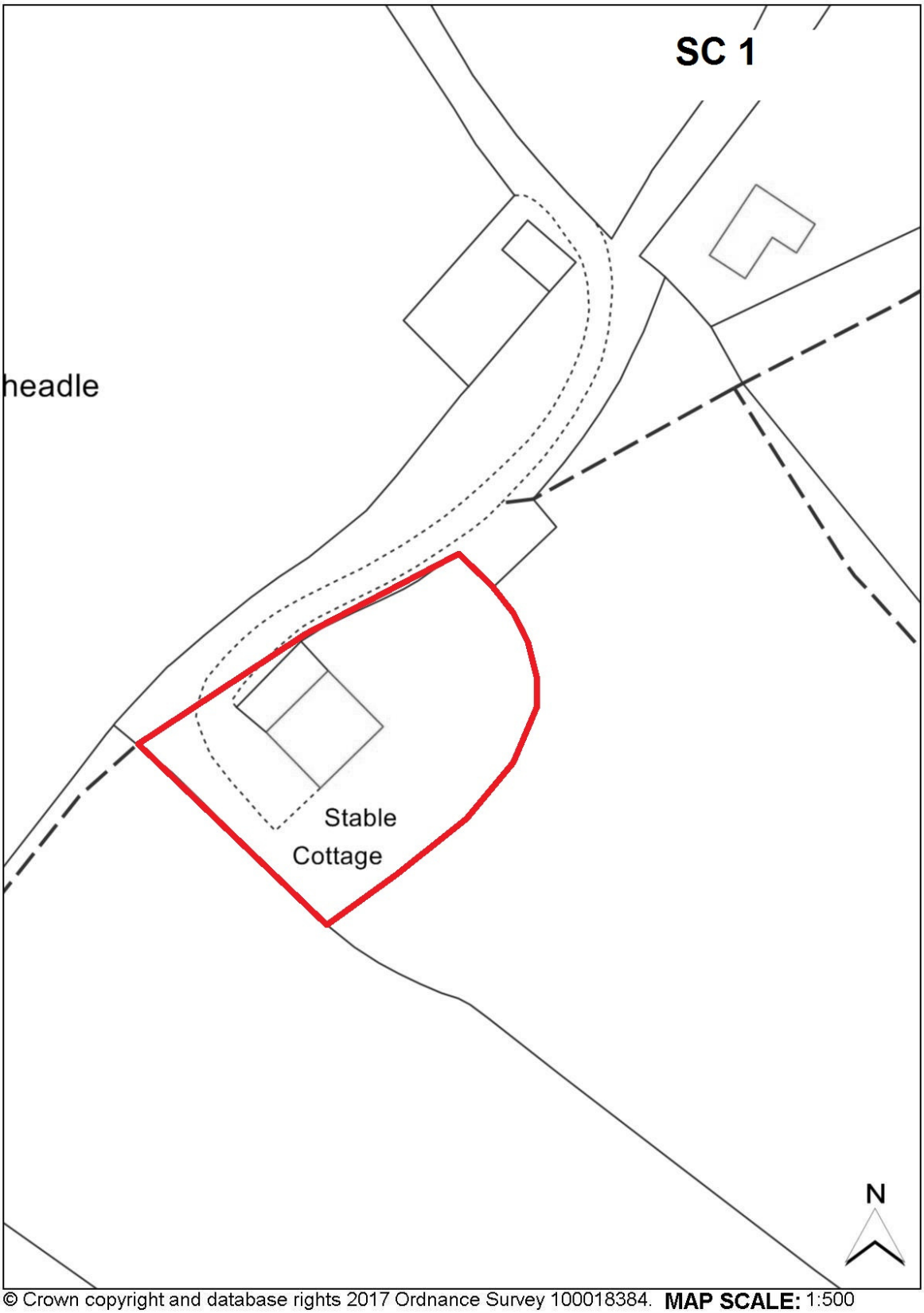
Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive



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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