STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Jonathan Reynolds
The Coach House Dunwood Lane
Longsdon
Staffordshire
ST9 9AP

Application no: SMD/2018/0276

Determined on: 13/07/2018

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 30/04/2018; the existing use specified at (i) in the First Schedule ("the Use") taking place within the building specified in the Second Schedule ("the Building"); and the matter specified at (ii) in the First Schedule ("the Matter"), were both lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

The submitted evidence demonstrates that, on the balance of probability, the amalgamtion of the two flats and the occupation and use of both the ground floor and first floor of "the Building" as a single dwelling house by two persons living together as a family did not, on a question of fact and degree, result in a material change of use and development was not carried out. Moreover, it has also been demonstrated that "the Building" has been occupied and used as such for many more than the requisite 4 years prior to the date of the application and as such "the Use" would now be immune from enforcement action in any event. Since the occupation and "the Use" began, "the Building" has been used, functioned, and appeared as a dwellinghouse and could be defined as such for the purposes of Part 1, Schedule 2 of the General Permitted Development Order 2015.

FIRST SCHEDULE

(i) A single independent dwellinghouse by persons living together as a family (Class C3 (a) of the Use Classes Order 1987)

(ii) "The Building" could be considered a 'dwellinghouse' for the purposes of Part 1, Schedule 2 of the General Permitted Development Order 2015 ("the Order").

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SECOND SCHEDULE

The Coach House, Dunwood Lane, Longsdon, Staffordshire ST9 9AP that is shown edged red on the attached SITE BLOCK PLAN.

INFORMATIVE

Because "the Matter" specified at (ii) in the First Schedule was lawful, subject to the limitations and conditions of "the Order", certain alterations, such as those shown on the submitted drawing numbered 'Coach House – 02 A', which had partly already been carried out and were partly proposed, would be permitted by the terms of "the Order" and not require planning permission.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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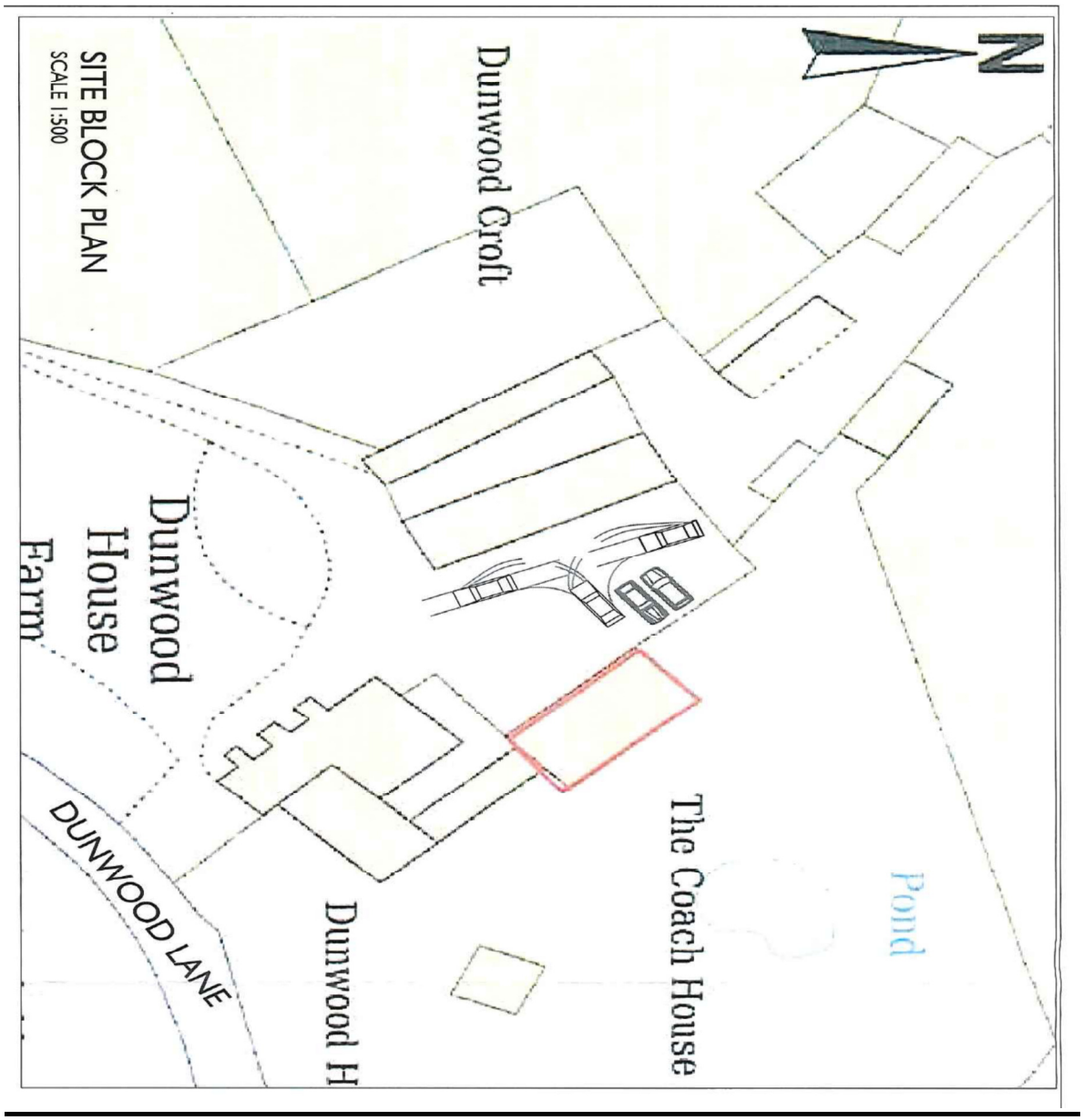

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NOTES

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