STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Adam Gregory
Forefront Development Consulting Ltd
4 Ridge House
Ridge House Drive
Stoke-on-Trent
ST1 5SJ

Mr Hibbert
The Foxhound
56 Hot Lane
Biddulph Moor
ST8 7JT

Application no: SMD/2018/0723

Determined on: 22.02.2019

Town and Country Planning Act 1990 Section 192
(As amended by Section10 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 15/11/2018; the use and operation specified in the First Schedule ("the Development") could have lawfully taken place on the land specified in the Second Schedule ("the Land") within the meaning of Section 192 of the Town and Country Planning Act 1990 ("the Act"). The Development therefore, would NOT have been lawful and immune from enforcement action on the date of the application. The application has been determined as such, for the following reason(s):

The proposed development would be operational development and material change of use that requires planning permission. The development would not be permitted by the terms of any Order or planning permission previously granted. The outline permission granted in May 1966 with the reference 1830/66 has long since expired; and the planning permission granted in June 1968 with the reference 2067/68 has already been carried out in full accordance with that approval, that permission did not provide for the development that is now proposed.

FIRST SCHEDULE

The construction of a carpark

SECOND SCHEDULE

Land adjacent, and to the south west of, The Foxhound, Hot Lane, Biddulph Moor, that is shown edged red on the attached 'EXISITNG SITE PLAN 1:500'

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X

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council

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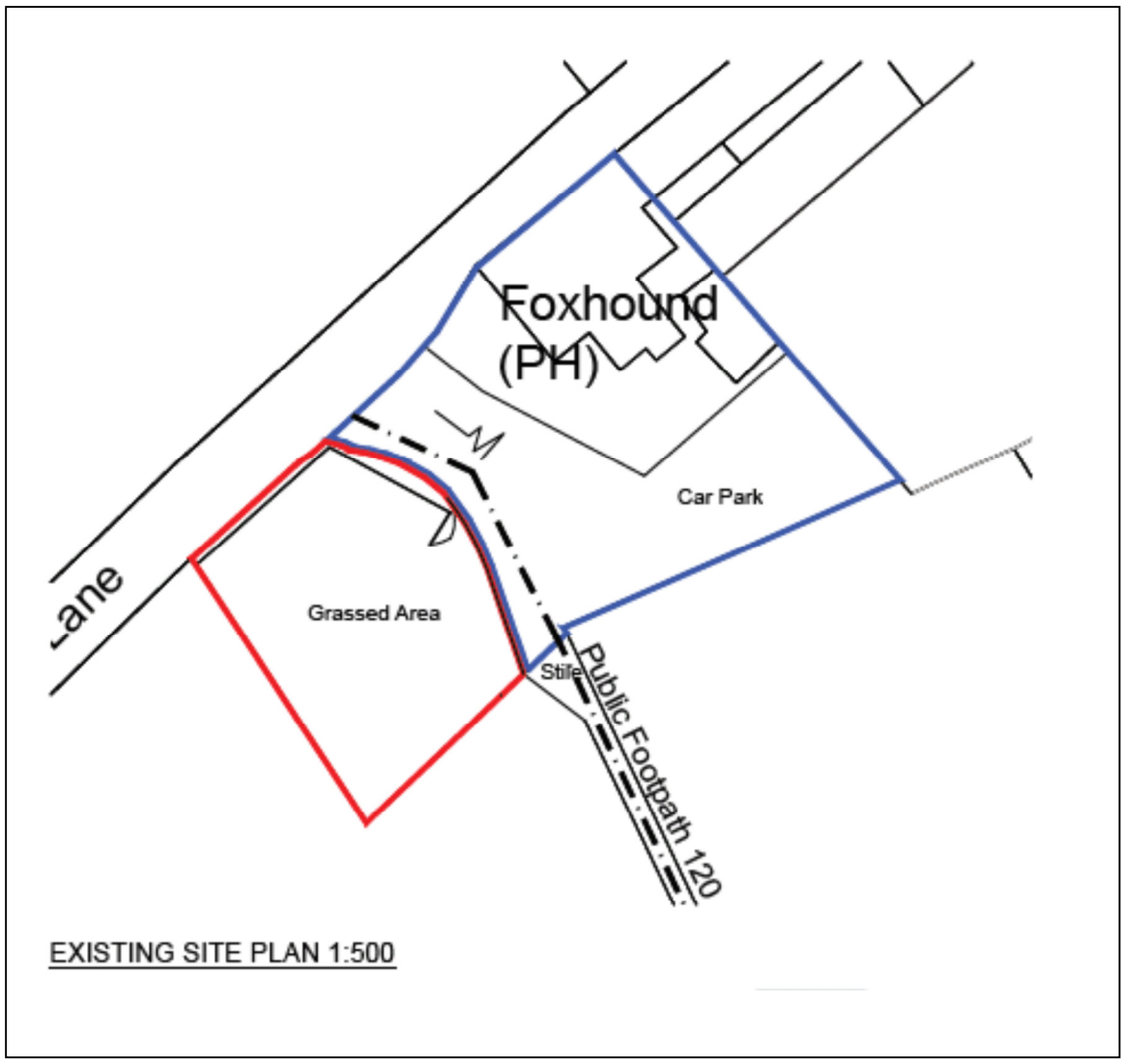
Chief Executive



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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 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

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