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
Staffordshire
ST1 5SJ

Mr Sims
Edgefields Farm Edgefields Lane
Brown Edge
ST9 9NS

Application no: SMD/2019/0503

Determined on: 11th October 2019

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

REFUSAL TO ISSUE CERTIFICATE OF LAWFULNESS OF EXISTING USE OR DEVELOPMENT

The Staffordshire Moorlands District Council hereby REFUSES to certify that on 14/08/2019; the operations specified in the First Schedule ("the Development") that has been carried out on the land specified in the Second Schedule ("the Land"), was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 ("the Act"). "The Development" is NOT lawful for the following reason(s):

1. The operations carried out are 'development' for the purposes of "the Act". They are not operations included at s.55(2)(a) of "the Act" as those 'not involving development of the land' because they have involved substantial rebuilding and have resulted in a partially completed building that has a materially different external appearance to that of the original 19th Century stone barn.

2. The building operations have resulted in a breach of planning control because they have been carried out without planning permission, enforcement action could have been taken on the date of the application because the operations are not yet 'substantially complete'.

FIRST SCHEDULE

Operations in the location of and affecting what was a 19th Century stone barn (operations described by the applicant as "alterations to farm builidng including partial rebuilding of some walls, elevation changes and alterations to roof")

SECOND SCHEDULE

Land at Edgefields Farm, Edgefields Lane, Brown Edge, Staffordshire, ST9 9NS shown edged red on the attached 'EXISITNG SITE PLAN'.

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X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council

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EXISTING SITE PLAN - 1:500

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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