STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Brassington
28 Teanhurst Road
ST10 4LR

Application no: SMD/2019/0748

Determined on: 3rd March 2020

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 11/12/2019; the use specified in the First Schedule ("the Use") said to be continuing 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 Use" is NOT lawful for the following reason(s):

The land use described by the applicant, and said to be the existing use of the land, can not be lawful because, on the applicant's own evidence, it began in 2016. That was less than 10 years before the date of the application and the authority therefore, would still be in time to take enforcement action. That use is described as being different to previous uses that pre date 2016 and, in any event, the evidence does not demonstrate that any one of those previous uses had established any lawful status before the use changed again.

FIRST SCHEDULE

Storage of a garden landscaper's vehicles, equipment & logs.

SECOND SCHEDULE

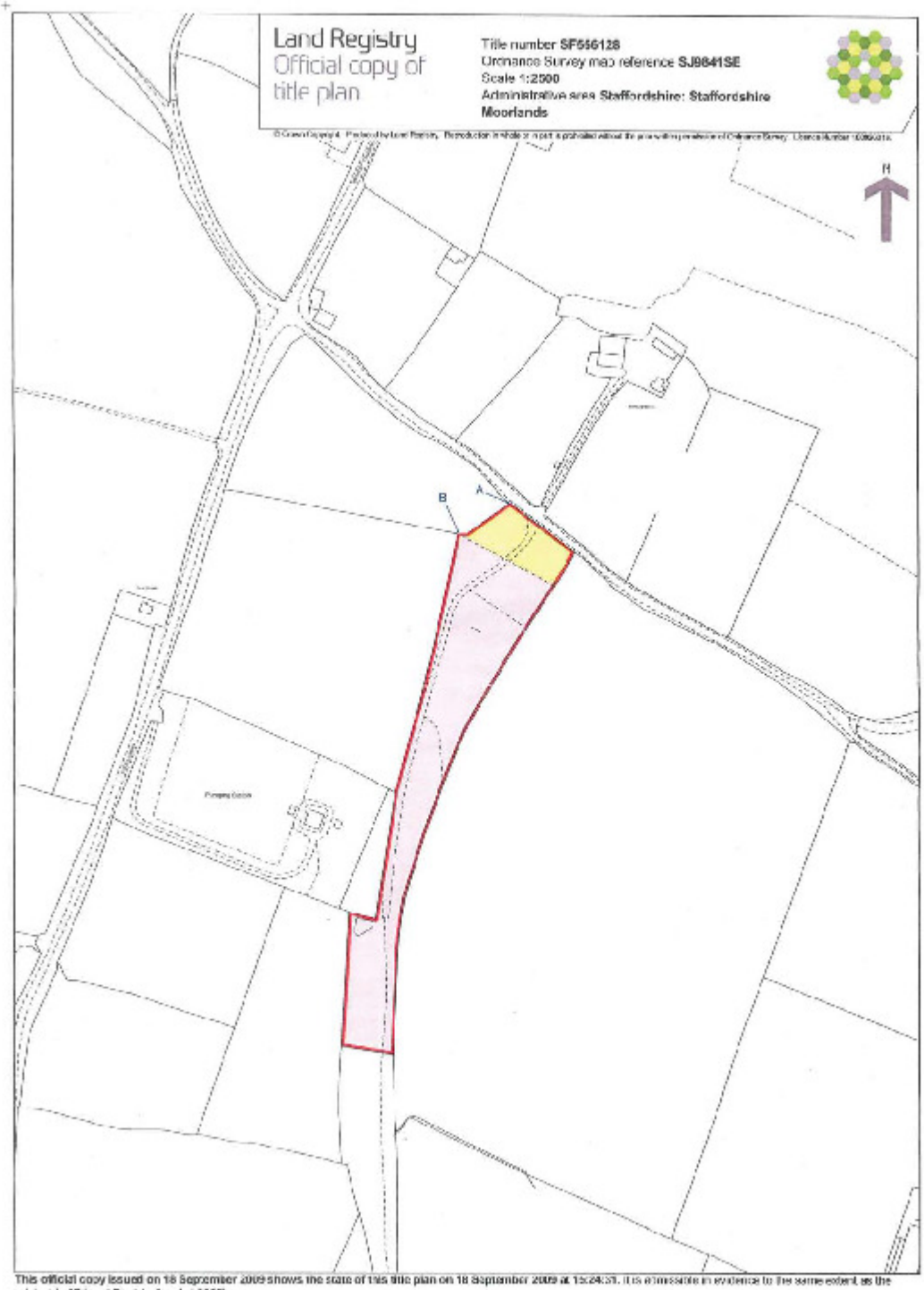
Land to the east of Cheadle Road, Forsbrook, Staffordshire that is edged red on the attached Land Registry plan.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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This official copy issued on 18 September 2009 shows the state of this title plan on 18 September 2009 at 15:24:37. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).
This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 18 - Title Plans and Boundaries.
This title is dealt with by Land Registry, Birkenhead (Old Market) Office.

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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