STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Mr Rob Duncan
70 Ferndale Road
Lichfield
Staffordshire
WS13 7DL

Mr Graham
Long Croft Lodge
Lea Laughton Lane
Nr LEEK
STAFFORDSHIRE
ST13 8PU

Application no: SMD/2020/0496

Determined on: 18/11/2020

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

APPROVAL TO ISSUE CERTIFICATE OF LAWFULNESS OF EXISTING DEVELOPMENT

The Staffordshire Moorlands District Council hereby approves to certify that on 10/09/2020; the operations and their uses, specified in the First Schedule ("the Developments") that have taken place on land adjacent to the property specified in the Second Schedule ("the Location"), were lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 ("the Act"), for the following reason(s):

The applicant's evidence is sufficiently clear and precise to determine on the balance of probabilities that the development specified at:

i. First Schedule i. was built larger than the deveopment shown in the approved plans to original planning permission ref. 02/1262/FUL, the operational development has been substantially complete for more than four years and it has been used for equestrian purposes for more than 10 years;

ii. First Schedule ii. is operational development that has been substantially complete for more than four years and has been used for equestrian purposes for more than 10 years; and

iii. First Schedule iii. is operational development that has been substantially complete for more than four years and has been built on land that was included within the red edged equestrian planning unit apertaining to the original planning permission ref. 02/1262/FUL.

The application has been well publicised and there is no countervailing evidence that makes these matters less than probable.

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FIRST SCHEDULE

i. The construction of an L shaped stable building and its use for equestrian purposes shown edged yellow on the attached pan;
ii. The enlargement of the L shaped stable with additions to its eastern end and their use for equestrian purposes, shown edged blue on the attached plan; and
iii. The enlargement of the L shaped stable with an addition to its southern end and its use for equestrian purposes, shown edged red on the attached plan.

SECOND SCHEDULE

Longcroft Lodge, Bond House Lane, Horton, Staffordshire, ST13 8PU

X

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

NOTE TO APPLICANT

The construction of the linear stable building and its enlargement, shown on the attached plan edged green and purple respectively, are NOT lawful and are excluded from this certificate. Those buildings are part of, and integral to, a material change of use that has occurred within 10 years before the date of the application. They are not therefore immune from action because action taken against that material change of use could require the buildings to be removed.

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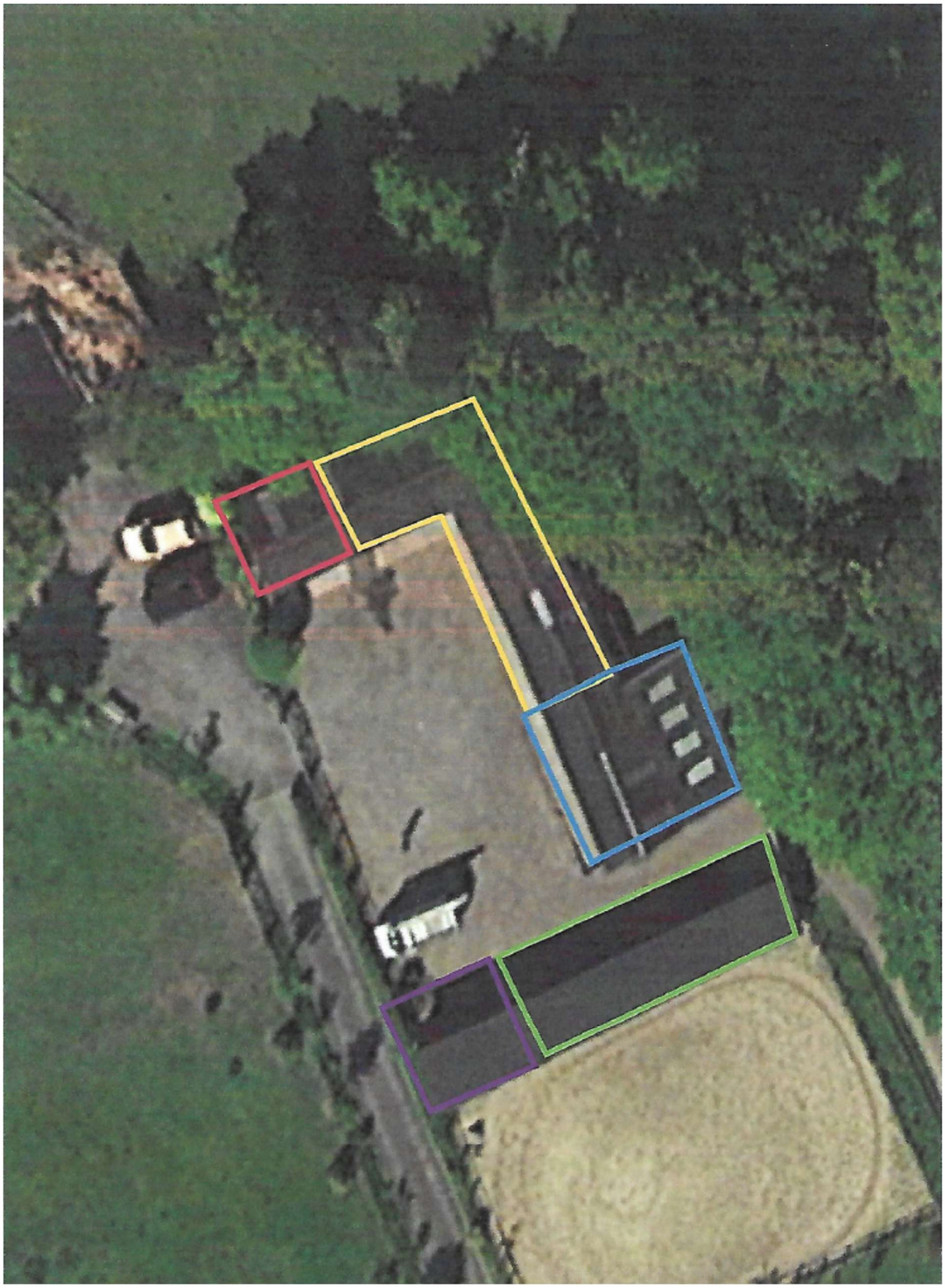

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NOTES

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

1. 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