

Mr Gareth Stent
AFA Planning Consultants Ltd
Unit 1
Nailors Court
Tewkesbury
Glous
GL20 5UR

Mr Burton
White Gables
Stile House Lane
Bradnop
ST13 7NE

Application no: SMD/2021/0246

Determined on: 01/06/2021

**Town and Country Planning Act 1990 Section 191
(As amended by Section 10 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 06/04/2021; the matter specified in the First Schedule, relating to the property specified in the Second Schedule, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended). The matter was NOT LAWFUL for the following reason(s):

The dwellinghouse is not lawful for the reasons stated by the applicant i.e. it did not result from unauthorised development that became lawful through the passage of time. Instead, the dwellinghouse was granted an outline planning permission in 1972 (4075/71T) that was subject to a condition that restricts its occupancy to a person employed in agriculture, a copy is attached to this notice. In the absence of evidence to demonstrate otherwise, the Council could take action against a breach of that condition.

FIRST SCHEDULE

A dwellinghouse built without planning permission that is not subject to a planning permission and a condition restricting its residential occupancy.

SECOND SCHEDULE

White Gables, Stile House Lane, Bradnop, Staffordshire, ST13 7NE shown edged red on the attached location plan.

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

Location Plan of st13 7ne



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Scale: 1:1250, paper size: A4



STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING EXCELLENCE

Form 12a
Application No.

4375/72.3

STAFFORDSHIRE COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACTS 1962 to 1968

OUTLINE PERMISSION FOR DEVELOPMENT

The Council of the **LEIGH RURAL DISTRICT**
6 Russell Street,
LEIGH,
Staffs
OL13 5JG

To:- **Mr. R. V. Heath,**
Stile House Farm,
Brednall,
Dr. Leach,
Staffs

The Council of the **Leigh Rural District** on behalf of the
Staffordshire County Council and in pursuance of powers under the above-mentioned Acts hereby
permit **development being situate two bungalows at Stile House Farm, Brednall
for Mr. R. V. Heath**

in accordance with the accompanying plans, subject to the time limit condition overleaf and to
the conditions specified hereunder:-

1. This permission relates to the site edged RD and marked 'Proposed Site' on the 1/2500th scale plan attached to this permission.
2. No development shall be started until full details of the following have been submitted to and approved by the Local Planning Authority and Local Authority:-
 - (a) the layout of the site including the disposition of buildings and access to site and buildings,
 - (b) plans and elevations of all buildings and other structures,
 - (c) colour and type of facing materials to be used for external walls and roofs.
3. The occupation of the dwelling shall be limited to a person employed or last employed locally in agriculture as defined in Section 223(1) of the Town and Country Planning Act, 1962 or in forestry, or a dependent of such a person residing with him (but including a widow or widower of such a person).

The reasons for the Council's decision to grant permission for development subject to compliance with the conditions hereinbefore specified are:-

The time limit condition is imposed in order to comply with the requirements of section 66 of the Town and Country Planning Act, 1968.

1. To safeguard the amenity of the area.
2. To provide for the safety and convenience of users of the highway.

This permission does not purport to convey any approval or consent which may be required under any enactment other than Section 13 of the Town and Country Planning Act, 1962.

Dated this **26th** day of **April** 19 **72**

M. Daniel
Clerk of the said Council.

See notes overleaf

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