

Mr Anthony Atkinson
Acorus Rural Property Services Ltd
The Old Market Office
10 Risbygate Street
Bury St Edmunds
IP33 3AA

Mr Beech
The Old Farm House
Hollow Farm
Draycott
ST11 9RQ

Application no: SMD/2024/0372

Determined on: 8th October 2024

**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**

**APPROVAL TO ISSUE CERTIFICATE OF LAWFULNESS OF
EXISTING USE OR DEVELOPMENT**

The Staffordshire Moorlands District Council hereby approves to certify that on 13/08/2024; the occupancy condition specified in the First Schedule ("the Condition") was being breached at the dwellinghouse specified in the Second Schedule ("the Dwelling") and that the breach had become lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

The submitted evidence demonstrates that on the balance of probabilities "the Dwelling" has been occupied and used by persons for at least 10 years without complying with "the Condition". The evidence clarifies that the previous and current occupiers have had alternative employment and have at no time been employed or last employed locally in agriculture and that at no time during their occupancy had they been a dependent of or resided with such a person. The occupation of "the Dwelling" has not complied with "the Condition" for a continuous period of more than 10 years and, therefore, on the date of the application, the occupancy and non-compliance with "the Condition" was immune from enforcement action.

FIRST SCHEDULE

Condition no. 3 of planning permission 7328, granted for a dwelling on the 22nd April 1968, which reads as follows: "The occupation of the house shall be limited to a person employed or last employed locally in agriculture as defined in s.221(1) of the Town and Country Planning Act 1962, and the dependants of such a person (but including a widow or widower of such a person)".

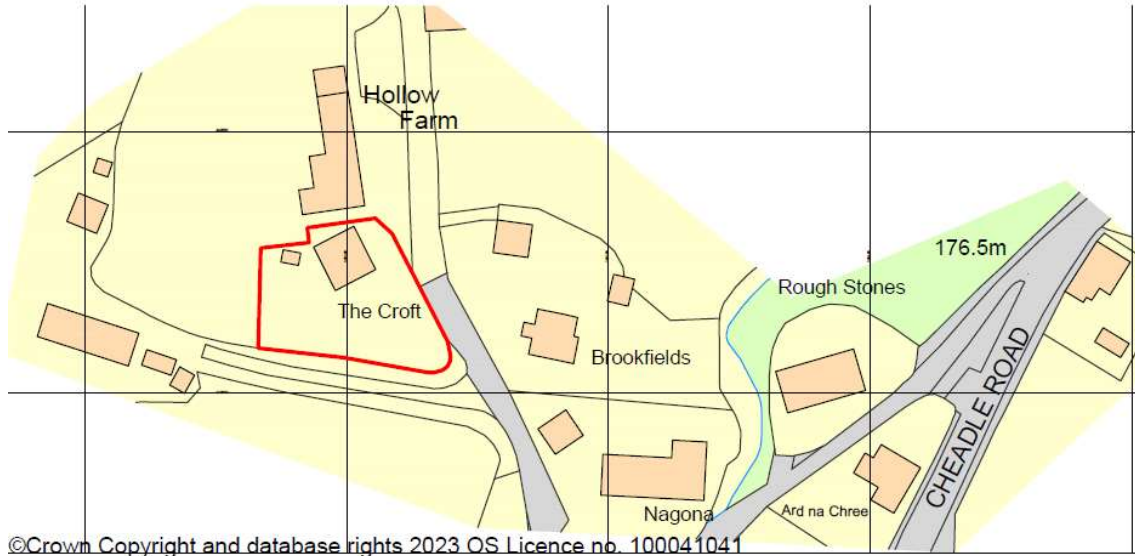
SECOND SCHEDULE

The dwellinghouse known as The Croft, Cheadle Road, Draycott In The Moors, Staffordshire, ST11 9RQ as shown outlined in red on the attached Location Plan.

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council



LOCATION PLAN
Scale 1:1250



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
2. Domestic sprinklers
Fire sprinklers operate automatically even if you are not at home releasing water directly over the source of the fire and sounding the alarm, they are unobtrusive and easy to install. Sprinklers are NOT expensive; normally costing around 1-2% of the cost of construction of a new building. The use of sprinklers will usually allow design freedoms as well, which can reduce construction costs and improve usability and design freedoms of the building.
The chance of an accidental discharge is 16,000,000:1
If you would like further advice please contact Staffordshire Fire and Rescue Service (www.staffordshirefire.gov.uk)
 3. Working smoke alarms correctly positioned in your home can save your life.
The Fire Service recommends you have smoke alarms on every floor of your home, including in each bedroom, and make sure you test your smoke alarms at least once a month. Although the application of approved guidance and enforcement of regulations will give buildings the legally required baseline of fire protection, the Fire Service's viewpoint is many of these fall short of what we would consider adequate. This is why we campaign for the inclusion of sprinklers.