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DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Glynn
43 Fairfax Close
Biddulph
Staffordshire
ST8 6ER

Application no: SMD/2017/0264

Determined on: 03/07/2017

Town and Country Planning Act 1990 Section 192
(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 PROPOSED DEVELOPMENT

Staffordshire Moorlands District Council hereby approves to certify that on 21/04/2017; the proposed operation specified in the First Schedule ('the Development') that would take place on the land specified in the Second Schedule ('the Land'), would be lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. *The existing dwellinghouse was built after planning permission 03/00692/FUL_MJ was granted to build 59 dwellings, that permission was not subject to a condition that would prohibit any development that would normally be permitted by the terms of the General Permitted Development Order and its use as a dwellinghouse was not granted only by virtue of the Classes of Part 3, Schedule 2 of the General Permitted Developmnt Order 2015 (changes of use).*

2. *As a result of 'the Development', the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse). 'The Development' would not be of a height that exceeds the height of the highest part of the roof of the existing dwellinghouse; have an eaves height that would exceed the height of the eaves of the existing dwellinghouse or 3 metres; extend beyond a wall which forms the principal or side elevation of the original dwellinghouse; extend beyond the rear wall of the original dwellinghouse by more than 3 metres; exceed 4 metres in height; consist of or include the construction or provision of a verandah, balcony or raised platform; or consist of or include the installation, alteration or replacement of a microwave antenna, a chimney, flue or soil and vent pipe. As such 'the Development' would be permitted by Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015.*

3. *The materials used in the exterior work of 'the Development' would be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse and as such 'the Development' would comply with condition A.3 (a) of*

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Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015.

FIRST SCHEDULE

Development within the curtilage of a dwellinghouse, that is shown and detailed on the drawing Sheet 02 that was submitted with the application, consisting of a single storey enlargement to the rear of the dwellinghouse that would extend beyond the wall of the dwellinghouse by no more than 3metres; span the full width of the dwellinghouse and its curtilage; have a maximum 'lean-to' roof height of 3.450 metres and an eaves height of 2.250 metres; and be built from bricks and use roof tiles that match those of the existing dwellinhouse

SECOND SCHEDULE

Land, consisting of a mews style dwellinghouse and its curtilage at 43, Fairfax Close, Biddulph, Staffordshire ST8 6ER that is outlined in red on the attached plan numbered FC 1.

X Rachael Simpkin

Signed by: rachael.simpkin

On behalf of Staffordshire Moorlands District Council

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FC 1



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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 192 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