STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING • EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Philip Andrew Taylor
P A Taylor Plans
The Sand Quarry Hougher Wall Road
Stoke On Trent
ST7 8JA

Mr Beaumont
Clewlow Bank House Hill Top
Brown Edge
Staffordshire
ST6 8TY

Application no: SMD/2017/0692

Determined on: 14/12/2017

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

REFUSAL TO ISSUE CERTIFICATE OF LAWFULNESS OF PROPOSED USE OR DEVELOPMENT

Staffordshire Moorlands District Council hereby REFUSES to certify that on 07/12/2017 and 08/12/2017 the proposed operations specified in the First Schedule ('the Developments') that would take place at the property specified in the Second Schedule ('the Dwellinghouse'), would be permitted by the provisions at Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015 (as amended). 'The Developments' therefore, would not be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) and, as such, 'the Developments' would be unlawful, for the following reason(s):

1. 'The Developments' would not be permitted because:

i. The enlarged part of 'the Dwellinghouse' would, in both proposals, have more than a single storey and extend beyond the rear wall of the original dwellinghouse by more than 3 metres.

ii. The enlarged part of 'the Dwellinghouse' would, in both proposals, be within 2 metres of the boundary of the curtilage of the dwellinghouse, and have an eaves height that would exceed 3 metres.

2. 'The Developments' would not comply with the conditions at A.3 because the enlarged part of 'the Dwellinghouse' would, in both proposals, have upper-floor windows located in a wall forming a side elevation of the dwellinghouse that would not be obscure-glazed, and non-opening; and, in both proposals, the enlarged part of 'the Dwellinghouse' would have more than a single storey and a roof pitch that would not be the same as the roof pitch of the original roof on 'the Dwellinghouse'.

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FIRST SCHEDULE
Two different enlargements to 'the Dwellinghouse' as shown and detailed in drawings numbered 6699.05 and 6699.06 received in this office via electronic communication on the 07/12/2017 and 08/12/2017 respectively. For the purposes of identification and the avoidance of doubt 'Not to Scale' copies of both drawings are attached.

SECOND SCHEDULE
The dwellinghouse known as Clewlow Bank House at Hill Top, Brown Edge, Staffordshire, ST6 8TY that is edged red for the purposes of identification on the attached plan numbered CB 1.

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council

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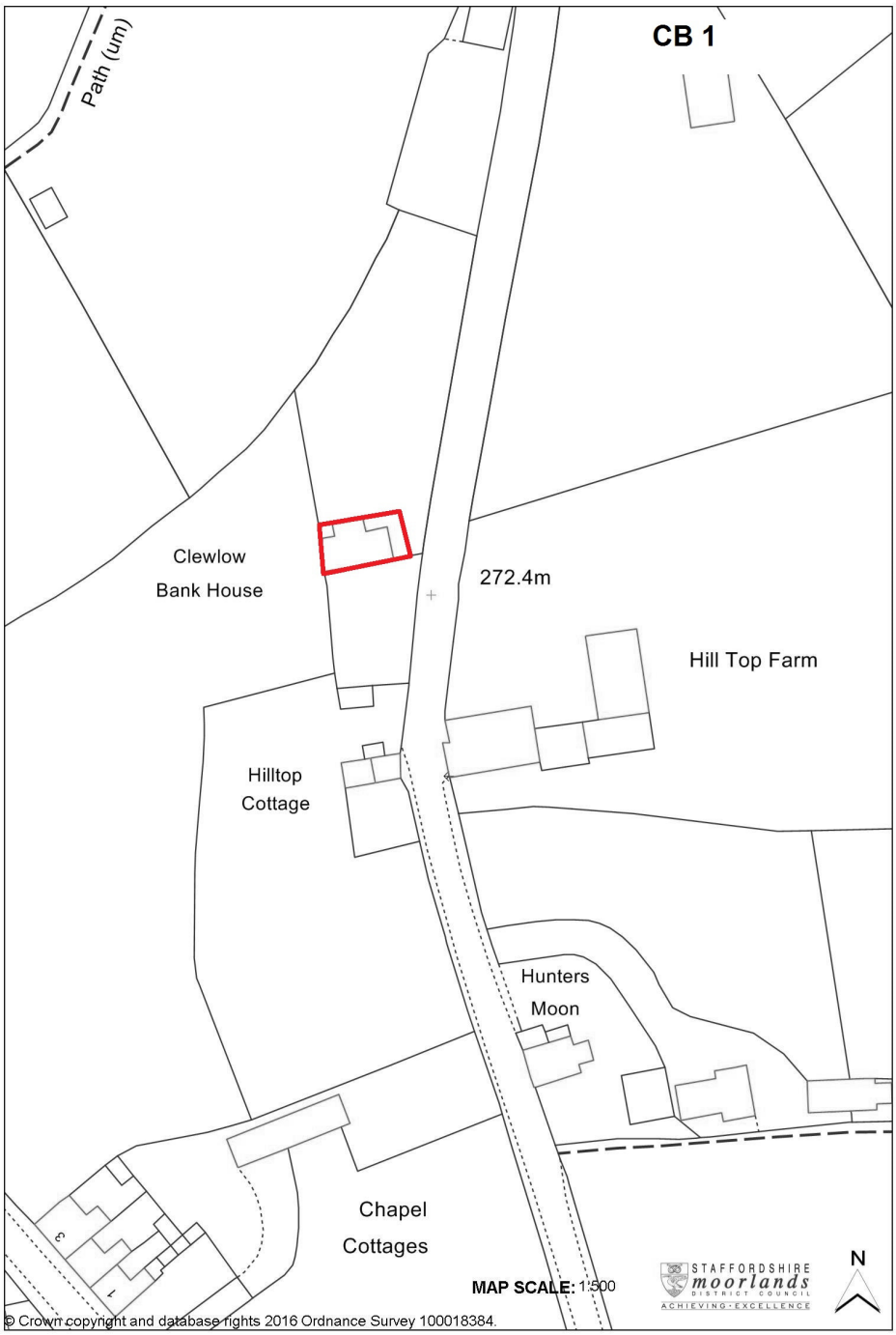

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NOTES

1. An applicant may appeal against by giving notice to the Secretary of State:-

   (a) the refusal to issue a certificate under Section 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