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
ST6 8TY

Application no: SMD/2018/0113

Determined on: 12/06/2018

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 19/02/2018; the proposed operation specified in the First Schedule ("the Development") to have taken place on the land specified in the Second Schedule ("the Land") would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended). "The Development" would NOT have been lawful for the following reason(s):

Particularly in light of historic Ordnance Survey maps that show a projecting footprint to the rear of the building as being a long established, pre 1948, part of its structure, and in the absence of any evidence to the contrary, it appears that, on balance of probability, the proposed development would be an enlargement that would extend beyond a wall forming a side elevation of the original dwellinghouse and: exceed 4 metres in height; have more than a single storey; and have a width greater than half the width of the original dwellinghouse. The development therefore, would not be permitted by Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015 because of the limitations imposed by A.1 (j) at Part 1, Schedule 2 of that Order.

FIRST SCHEDULE

The enlargement and alteration of the dwellinghouse shown and detailed in the drawing numbered 6699.07 'C' submitted with the application ("the Development").

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SECOND SCHEDULE

Clewlow Bank House, Hill Top, Brown Edge, Staffordshire ST6 8TY ("the Land")

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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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