STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Joe Walters
5 Carters Croft
Staffordshire

Mr & Mrs Warren
26 Dilhorne Road
Forsbrook
ST11 9DJ

Application no: SMD/2019/0637

Determined on: 17th December 2019

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 17/10/2019; the operation specified in the First Schedule ("the Development") could have taken place on the land specified in the Second Schedule ("the Land"), lawfully within the meaning of Section 192 of the Town and Country Planning Act 1990 ("the Act"). "The Development" therefore, could NOT LAWFULLY be carried out for the following reason(s):

The enlarged part of the dwellinghouse would have a single storey and—

i. extend beyond the rear wall of the original detached dwellinghouse by more than 4 metres; and
ii. *extend beyond a wall forming a side elevation of the original dwellinghouse with a height that exceeds 4 metres and a width that would be greater than half the width of the original dwellinghouse.*

FIRST SCHEDULE

Development to enlarge the dwellinghouse in the manner that is shown and detailed on the 'Planning Drawing' and 'Block Plan' submitted with the application.

SECOND SCHEDULE

The dwellinghouse and its curtilage shown edged red on the attached location plan at 26 Dilhorne Road, Forsbrook, Staffordshire, ST11 9DJ

X B.J. Haywood

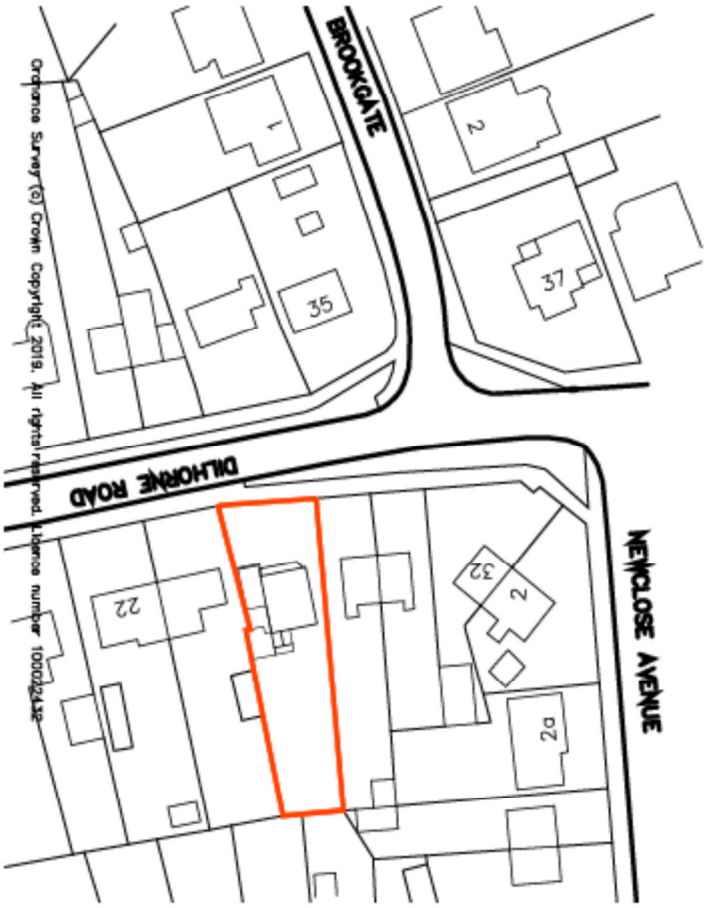
Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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Location Plan 1:1250



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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