

Mr Myk Kasuba
M. Kaszuba
16 Lingfield Avenue
Fordhouses
Wolverhampton
WV10 6NZ

Burgess
1 Litley Drive
Cheadle
Staffordshire
ST10 1NJ

Application no: SMD/2021/0340

Determined on: 8th July 2021

**Town and Country Planning Act 1990 Section 192
(As amended by Section 10 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 18/05/2021; the matter specified in the First Schedule taking place on the land specified in the Second Schedule and edged red on the plan attached to this certificate, is unlawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason:

The single storey rear extension does not meet the permitted development requirements set out under the Town and Country Planning General Permitted Development Order 2015 (as amended) Schedule 2, Part 1, Class A: Enlargement, improvement or other alteration of a dwellinghouse.

- The height of the eaves of the part of the dwellinghouse enlarged would exceed the height of the eaves of the existing dwellinghouse, as restricted under A.1 (d).
- The proposed extension will extend beyond the rear wall of the original dwellinghouse by more than 3 metres in the case of any other dwellinghouse as restricted under A.1 f (i)

Therefore a Certificate of Lawful Development cannot be issued under Section 192 of the Town and Country Planning Act 1990.

FIRST SCHEDULE

Certificate for proposed use of a Single storey rear extension to form a ground floor bedroom

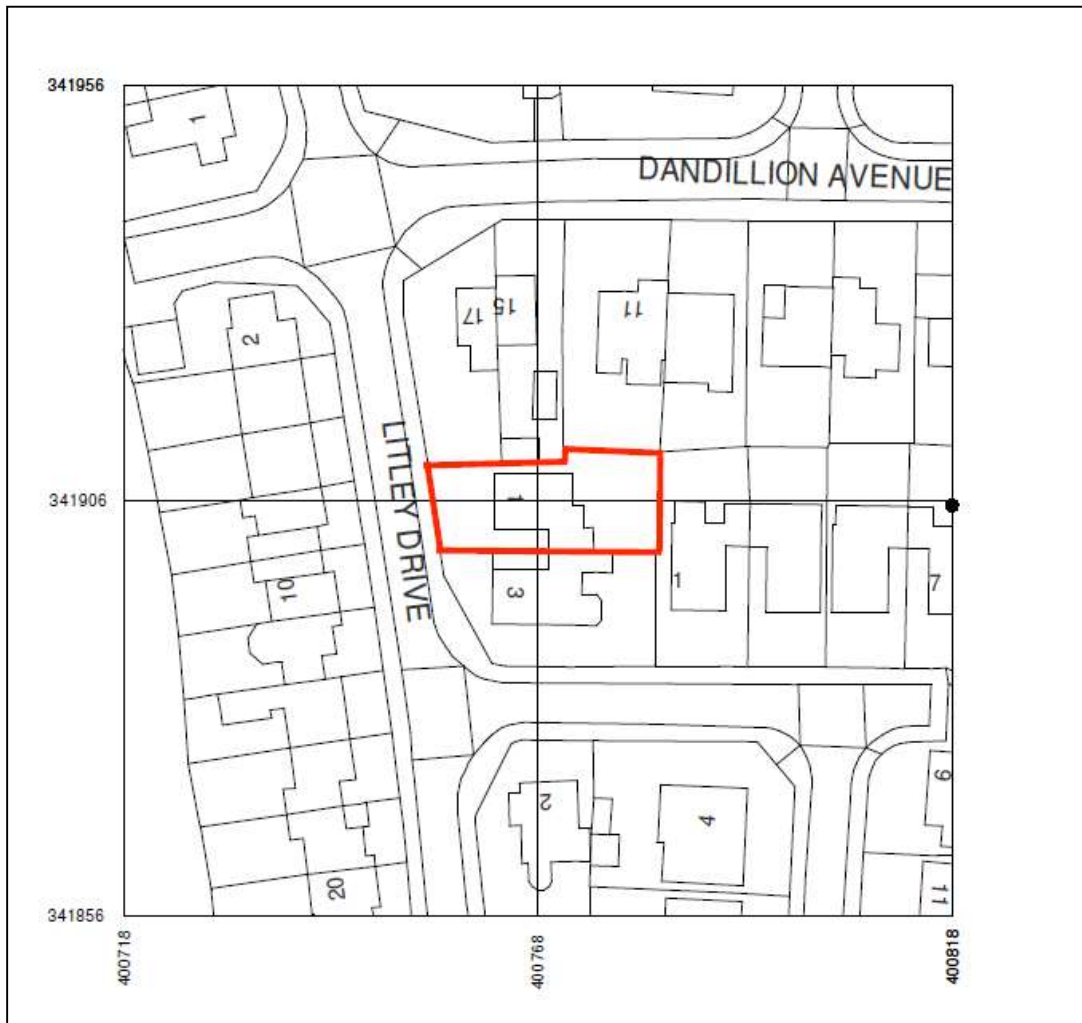
SECOND SCHEDULE

1 Litley Drive Cheadle Staffordshire ST10 1NJ

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council



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>

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