

John Heath
MBD Architecture Ltd
74 Newcastle Road
Stone
Staffordshire
ST15 8LB

Mr & Mrs Hughes
Helvellyn 3 Woodlands Lane
Blythe Bridge
Staffordshire
ST11 9NW

Application no: SMD/2021/0523

Determined on: 4th October 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 09/08/2021; 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(s):

- 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 because 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).

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

FIRST SCHEDULE

Certificate of lawfulness for a proposed rear extension

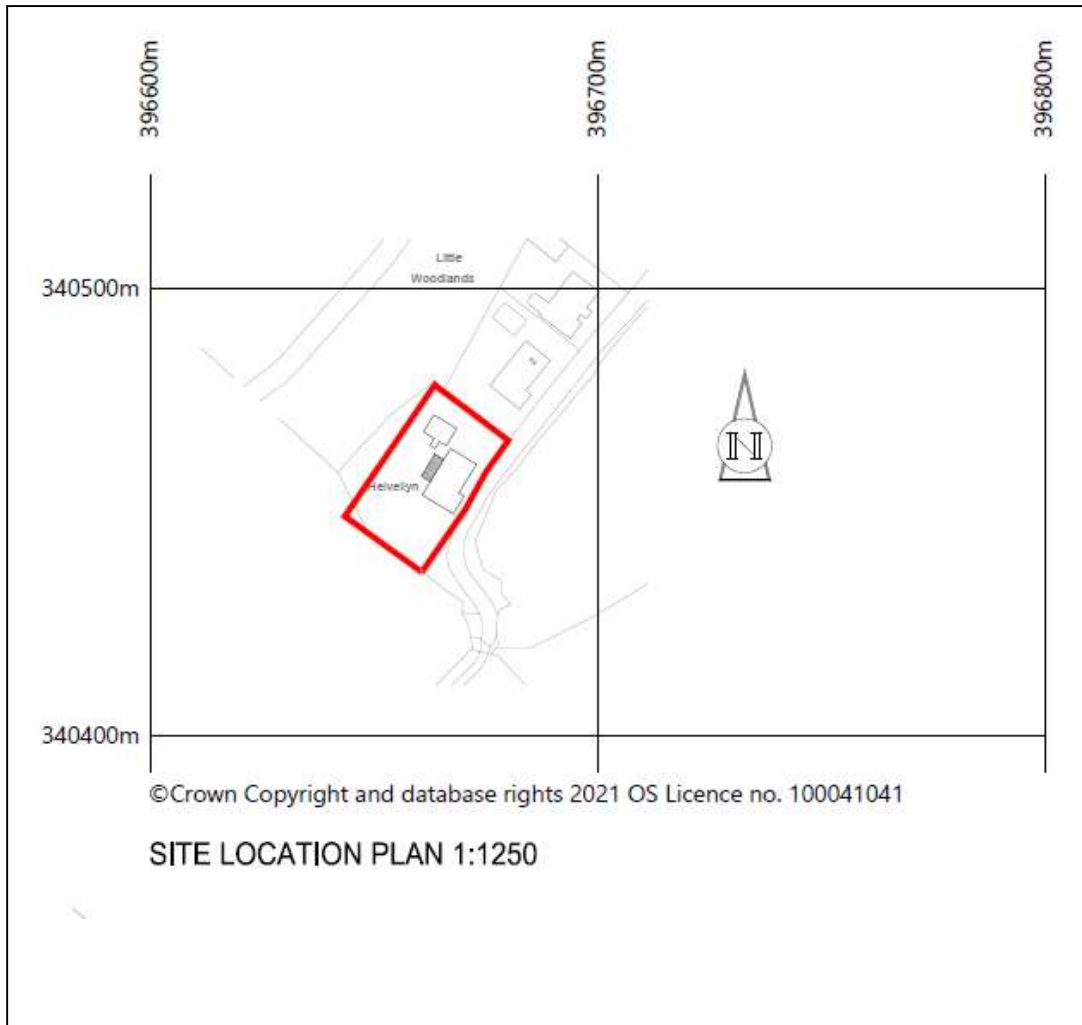
SECOND SCHEDULE

Helvellyn 3 Woodlands Lane Blythe Bridge Staffordshire ST11 9NW

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