

Mr Philip Andrew Taylor
P A Taylor Plan
The Sand Quarry
Hougher Wall Road
ST7 8JA

Mr Beaumont
Clelow Bank House
Hill Top
ST6 8TY

Application no: SMD/2021/0180

Determined on: 25th October 2021

**Town and Country Planning Act 1990 Section 191
(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
EXISTING USE OR DEVELOPMENT**

The Staffordshire Moorlands District Council hereby REFUSES to certify that on 17/03/2021; the operation specified in the First Schedule ("the Development") that had taken place at the dwellinghouse specified in the Second Schedule ("the Dwellinghouse") was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 ("the Act"). "The Development" was NOT LAWFUL for the following reason(s):

The building regulation completion certificates and a Google Street View photograph, on the balance of probability, demonstrate that: when the development was carried out, the enlarged part of "the Dwellinghouse", which exceeds 4 metres in height and has more than a single storey, was built adjacent to the side flanking wall of a pre 1948 outrigger so that the enlarged part extended beyond a wall forming a side elevation of the original dwellinghouse. In these circumstances the development was not permitted by Class A, Part 1, Second Schedule of the General Permitted Development Order 2015 by virtue of the restriction at A.1(j)(i) and (ii).

FIRST SCHEDULE

The enlargement of "the Dwellinghouse" consisting of a two storey addition to the rear elevation as shown and detailed on the drawing no. 6699.07 Rev F that was submitted with the application.

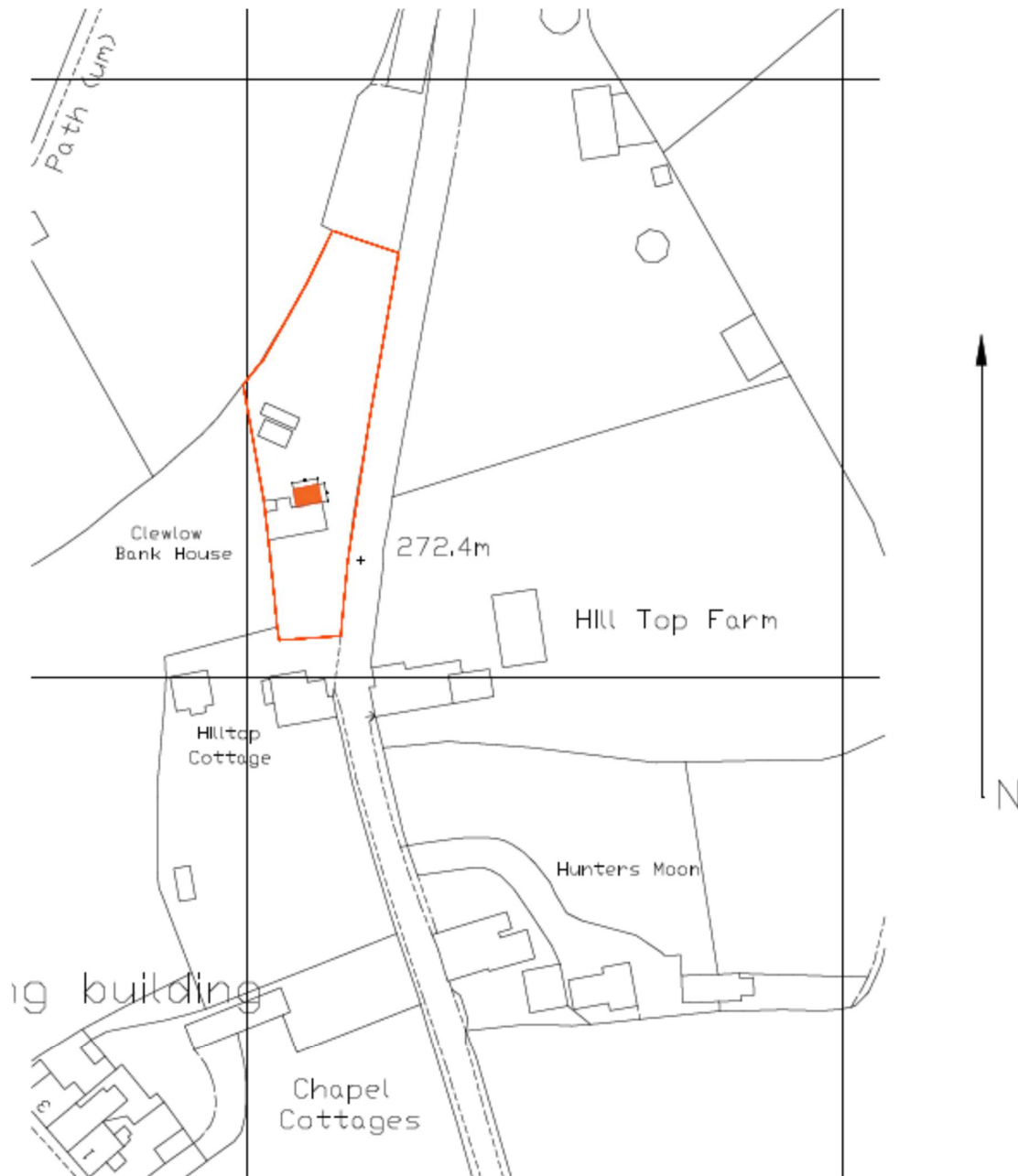
SECOND SCHEDULE

The dwellinghouse at Clelow Bank House, Hill Top, Brown Edge, Staffordshire, ST6 8TY shown edged red on the attached location plan.

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council



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Location Plan 1:1250

NOTES

1. An applicant may appeal against by giving notice to the Secretary of State:-
 - (a) the refusal to issue a certificate under Section 191 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