STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Mr Rob Duncan
Rob Duncan Planning Consultancy
Lichfield
Staffordshire
WS13 7DL

Mr G Camm
1 Southlowe Avenue
Cellarhead
Staffordshire
ST9 0JA

Application no: SMD/2022/0213

Determined on: 15th June 2022

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 15th June 2022; the [*OPERATION*] 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 side 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- Class A.1 (e ii) which states that if the extension fronts a highway, which this proposal does (Southlowe Road) and forms a side elevation of the original dwellinghouse, a Certificate of Lawful Development cannot be issued under Section 192 of the Town and Country Planning Act 1990.

FIRST SCHEDULE

Lawful development certificate for a proposed erection of single storey side extension

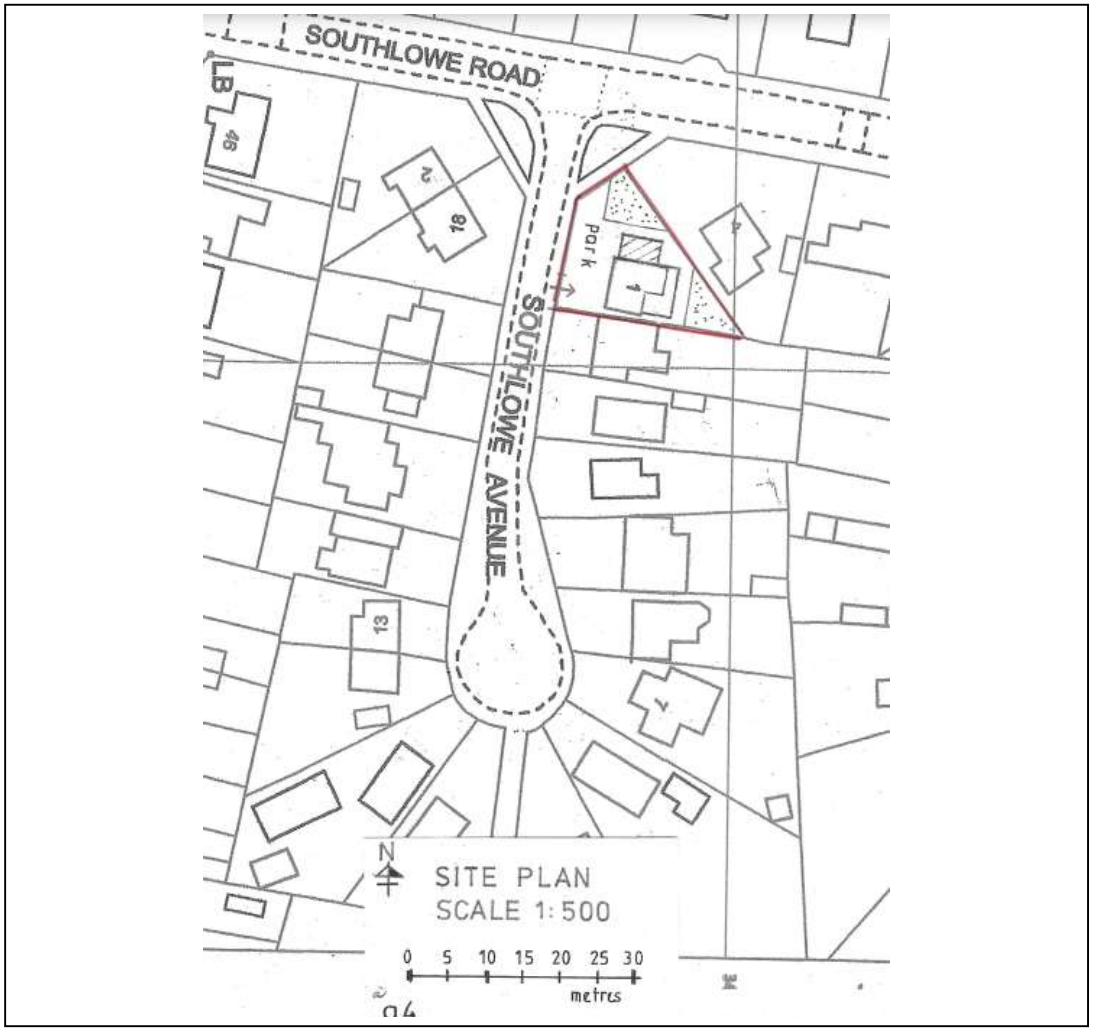
SECOND SCHEDULE

1 Southlowe Avenue Cellarhead Staffordshire ST9 0JA

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

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