STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mrs Natalie Hewitt
Hewitt & Carr Architects
Daisy Bank House
17-19 Leek Road
Cheadle
Staffordshire
ST10 1JE

Mrs E Whalley
161 Park Lane
Knypersley
Staffordshire
ST8 7PN

Application no: SMD/2023/0278

Determined on: 31/07/2023

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 07/06/2023; the development 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 lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. The application includes excavation, land level changes and hardstanding works which fall outside of the scope of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. These works are integral to the erection of the outbuilding, which cannot be erected without the works being carried out. While planning permission has been granted for these works, it has not been demonstrated that, on the date of the application, that the works have been completed. Therefore the LPA cannot be satisfied that the outbuilding would be permitted development.

2. Notwithstanding Reason for Refusal 1, the proposed outbuilding exceeds 2.5m in overall height andwould be within 2m of the site boundary. Therefore, the development would fail to meet the limitations and parameters set out in Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

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FIRST SCHEDULE

Erection of outbuilding

SECOND SCHEDULE

161, Park Lane, Knypersley, Staffordshire, ST8 7PN

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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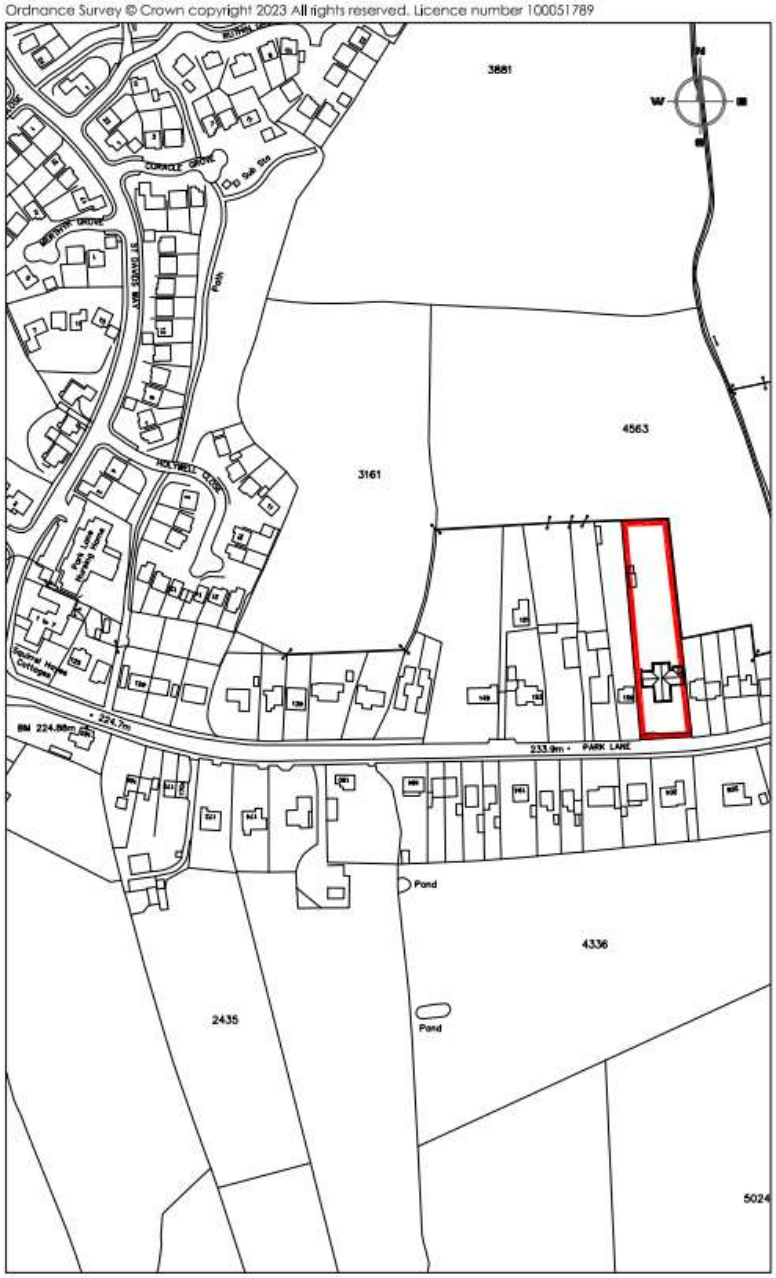

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

disability confident EMPLOYER

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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