

Johnathan Clarke
Brightman Clarke Architects
32 Causeway Head Road
Sheffield
S17 3DT

Mr Ibbett
Wills Croft
Abbey Green Road
Leek
Staffordshire
ST13 8SA

Application no: SMD/2025/0119

Determined on: 16th May 2025

**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 10/03/2025; the operations specified in the First Schedule ("the Development"), if it had taken place on the land specified in the Second Schedule ("the Land"), would have been lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended). The Development would have been NOT LAWFUL for the following reason(s):

By virtue of the limits at Class A - Class A.1(k)(i) (Part 1, Sched 2 of the General Permitted Development Order 2015) development is not permitted if it would consist of or include the provision of a balcony or raised platform. The proposed development would not be lawful and permitted by the GPDO because, as clearly detailed on the submitted plans, it would include the provision of a raised platform in the form of a roof terrace. The proposed development is not permitted because of this and the development would not be lawful.

FIRST SCHEDULE

Single storey extension to the side of the existing dwelling as detailed on plans submitted with the application ref. 24-021-P10 Rev A, 24-021-P11 Rev A, 24-021-P12 Rev A, 24-021-P13 Rev A, and 24-021-P14 Rev A.

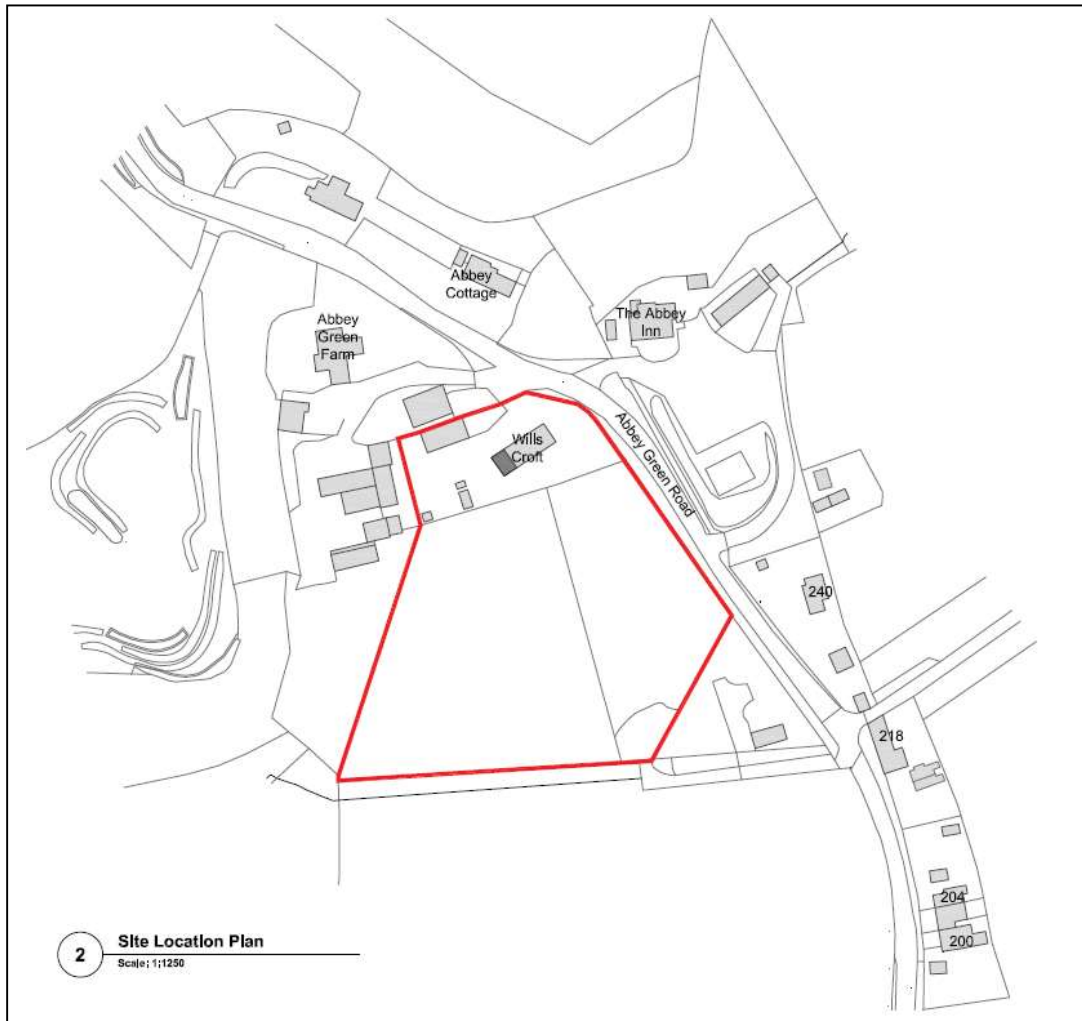
SECOND SCHEDULE

Land at Wills Croft, Abbey Green Road, Leek, Staffordshire, ST13 8SA, that is shown edged red on the attached Location Plan.

X 

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