STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Sellers
52 Derby Road
Ashbourne
Derbyshire
DE6 1BH

Application no: SMD/2016/0590

Determined on: 27/01/2017

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

REFUSAL OF PLANNING PERMISSION

Location of Development:
The Gables Leek Road Waterhouses Staffordshire ST10 3HN

Description of Development:
Conversion of one dwelling to a semi-detached house and erection of a two storey side extension

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with plans ref: Drawing No.01 for the reason(s) specified below:-

1. The proposed development by virtue of its proximity to neighbouring properties, namely The Brooklands, would result in an cramped form of development that is considered contrary to policy DC1 of the Staffordshire Moorlands Core Strategy and Chapter 7 of the National Planning Policy Framework.

2. The proposed development, by virtue of its proximity to the principal elevation of The Brooklands would result in an unacceptable sense of enclosure that would also lead to an unacceptable overbearing impact to the signficant detriment of the amenity of this neighbouring dwellinghouse, contrary to policy DC1 of the Staffordshire Moorlands Core Strategy and Chapter 7 of the National Planning Policy Framework.

3. Staffordshire County Council have raised objection to this proposal on the grounds of insufficient information, inadequate provision for the turning of vehicles within the site curtilage, substandard visibility and insufficient and conflicting information. This proposal therefore fails to provide for safe and satisfactory access and fails to contribute to meet the parking requirements arising from the development and resulting necessary car use, contrary to policy DC1.

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Informatives

1. The applicant engaged is pre-application discussions via the Council's free Duty meeting service where the applicant was informed of the possible issues with the proposal due to the contraints of the site. The Council has not sought amended plans in this instance as it is not considered that the concerns raised could be overcome through a minor change to the scheme. It is therefore considered that the Council has adered to the objectives of the National Planning Policy Framework.

X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council

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NOTES

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

2. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

3. If this is a decision to refuse planning permission for a minor commercial application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

4. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

5. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice 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

6. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

7. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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