STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Rob Duncan
Rob Duncan Planning
70 Ferndale Road
Lichfield
Staffordshire
WS13 7DL

Mr & Mrs Champ
Deepdale
Birchall Lane
Leek
Staffordshire
ST13 5RA

Application no: SMD/2017/0130

Determined on: 14/08/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Deepdale Birchall Lane Leek Staffordshire ST13 5RA

Description of Development:
Outline permission with details of access and layout for the erection of 1no. detached dwelling

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: 8453 AL05 Rev D for the reason(s) specified below:-

1. The proposed development, by virtue of the heavily engineered sloping access road with substantial extraction works required to form the road and also the significant loss of a front and rear garden area for the existing dwelling at Deepdale to remain on site, would be out of keeping with and harmful to the spacious character and appearance of Deepdale and its setting and also the surrounding residential area and furthermore, the loss of outdoor amenity areas would be harmful to the residential amenities of the occupants of the existing dwelling at Deepdale. The proposal would therefore not comply with the Council's adopted Development Plan Core Strategy Document, in particular policy SS1 'Development Principles' which requires, amongst other things, for development to contribute to an attractive and well maintained environment, policy SS5a 'Leek Area Strategy' which aims to improve the character and setting of the town of Leek and DC1 'Design Considerations' which requires development to be designed to respect the site and its surroundings through its scale, density, layout, siting, landscaping, character and appearance. In this respect the proposal would also not be in line with government planning guidance contained in National Planning Policy Framework (NPPF) Section 7 'Requiring Good Design'.

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Signed by: Jane Curley

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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