Weate, Angela

From: 30 October 2017 13:18
Sent: Planning (SMDC)
To: Fw: Application number SMD/2017/0639
Subject: SMD:2017:0639.docx; Decision SMD:2017:0254.pdf
Attachments:

Dear Planning Team

Please find attached comments regarding the above planning application made by Mr and Mrs Harper Hollinscroft House, Tean.

I have also included the previous refusal decision - which supports our comments made in both the 1st and 2nd application.

If you have any further questions please don't hesitate to ask.

Best wishes

Mr & Mrs Whelehan
34 Uttoxeter Road
Tean

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Miss Natalie Hewitt
Hewitt and Carr Architects
2 - 4 Cross Street
Cheadle
Staffordshire Moorlands
ST10 1NP

Mr and Mrs Harper
Hollinsclough House
Uttoxeter Road
Lower Tean
ST10 4LJ

Application no: SMD/2017/0254

Determined on: 15/06/2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Hollinscroft House, Uttoxeter Road, Lower Tean, Staffordshire Moorlands ST10 4LJ

Description of Development:
Proposed detached dorma style dwelling and new vehicular access

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:
00367 AL(0)01B
00367 AL(0)02B
for the reason(s) specified below:-

1. The proposed detached two storey dormer style house is found over large for the available plot. Moreover, because of the prominence of the site on an exposed street corner with the main Uttoxeter Road and due to occupying a slightly elavated position, the proposed development would have an adversely dominating impact on the visual amenity of the site and the street scene in general. By reason of its scale and orientation the proposal building does not sit well and crowds in on the existing layouts and juxtaposition of properties which generally face the main road and are also well set back. The in effect two stoery rear elevtion would have an overly dominant bearing on the neighbouring property to the north west at No. 34 Uttoxeter Road with adverse implications for the amenity of that property due to the overlooking of the front garden area and relatively close proximity of first floor windows albeit at right angles. The application is therefore found contrary to the adopted Core Strategy Policies SS6c, DC1 and DC3 and to the NPPF, in particular chapter 7 further noting that one of the NPPF's core planning principles (paragraph 17) is to seek always to secure high quality design and a good standard of amenity

for all existing and future occupants of land and buildings.

Informative

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. Due to the constraints of the plot size and layout it is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

X

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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.

Mr and Mrs Whelehan
34 uttoxeter Road
Tean
Staffordshire
ST10 4LG

28th October 2017

Dear Planning Team

Proposed New Detached Dorma Dwelling, Hollinscroft House, Uttoxeter Road, Tean – Application reference SMD/2017/0639

Please consider the following comments in respect of the above planning application.

Having received confirmation for the removal of the protected beech tree in the dividing hedge between ourselves at 34 Uttoxeter Road and Hollinscroft House. We contacted Mr Harper to inform him of the removal of the tree at our expense. He said this was good news as he would apply for planning permission in his garden adjacent to where the tree stood, the tree removal was in his favour. He was going to apply for a single storey dwelling with a low-pitched roof and he would sell Hollinscroft house and the building plot together.

!st Application – SMD/2017/0254

From your records, you have prior details of our views, proposed sketch, objections (which have not changed) and being overlooked from the dormer windows in the roof of the new property and the positioning of the new dwelling in relation to number 34 and Lawford House (recently built).
The proposed levels of the new site could be reduced down to the existing Road, Hollinscroft Court (approx. 1200+), this would help to reduce the visual impact on number 34 and Hollinscroft House.

2nd Application

The new application is similar to the 1st, with the exception of:

- The dormer windows have been replaced with Velux windows at the rear. The horizontal view line detailed on the new plans shows the

maximum distance from our property to the furthest Velux rather than the minimum distance to the nearest Velux window.

- The garage has been removed, allowing a new positioning of the proposed property by approx. 3 metres to the boundary hedge (north/west side), plus moving the north East by approx. 1.5 metres.
- The new positioning puts the property closer to number 34, the nearest Velux window and patio door are approx. 15 metres from our house (no.34). With the removal of the proposed garage there is no sound barrier from the patio area. Which is where activity will be on summer nights, this is a family home not a retirement one.

I would like to draw your attention to Mr Haywood's report which refused planning for the first application. Application no: SMD/2017/0254 It is with grave concern that nothing regarding Mr Haywood's observations have changed or indeed been acknowledged with the submission of the new proposal. The amenity will not be bettered nor will the proposed new build be in keeping with securing a good standard of amenity for all existing and future occupants of land and buildings. The proposal will be over bearing from the rear to the front of our property, and it does not sit right when the properties around face the road.

Suggestions

1. If the new property was positioned in the same direction as no. 34 and Lawford House, it's location is in-between both properties. The back of the property more in-line, it would remedy some of these issues.
2. Reduce ground levels considerably as it is a new site, this would put the new access at a lower gradient off Hollinscroft Court. There is no provision for extra car parking.
3. The site areas increased to 628.90 square metres, there is ample space for a single storey dwelling with a low-pitched roof which required a larger floor area. Some single storey dwellings are built on a ground area of approx. 300 square metres. This would help to reduce the impact on No.34 as the new property proposed is closer now.
4. A single storey dwelling would be beneficial to Hollinscroft House as they would see over the top. As we paid the tree surgeon £1,200 ourselves which made this application possible, I think we should have consideration towards our views. We purchased no. 34 because it was not overlooked and wouldn't likely be.
5. The proposed property is not the most suitable for this site and positioning, this is not being done out of need, but for financial gain.

Yours Sincerely

Mr & Mrs Whelehan