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DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mrs Neesam
14 Uttoxeter Road
Lower Tean
ST10 4LJ

Application no: SMD/2017/0559

Determined on: 7th November 2017

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
14 Uttoxeter Road Lower Tean Staffordshire ST10 4LJ

Description of Development:
Proposed Detached Granny Annex at rear 14 Uttoxeter Road.

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: Side Elevation; Floor Plan; Front Elevation; Rear Elevation; Side Elevation 2 for the reason(s) specified below:-

1. The proposed structure would lead to substantial harm to the setting of a Grade II listed building by virtue of its siting and inappropriate and poor design, resulting in an unsustainable form of development, contrary to policies SS1, SS1a, and DC2 of the core strategy, and paragraphs 14, and paragraphs 132-134 of the NPPF

2. The proposed development is of an inappropriate, unsustainable, poor design which is wholly out of character with neighbouring development and the immediate area, contrary to policy DC1 of the core strategy, and paragraphs 56-58 of the NPPF

3. The proposed development, due to the positioning of habitable windows and direct views in to neighbouiring gardens, will have result in significant adverse harm to the residential amenity of neighbouring properities, with regards to a loss of privacy, contrary to policy DC1 of the core strategy and paragraph 17 of the NPPF

Informative

1.The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework.

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The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

However, it was not possible to identify solutions which would overcome the environmental and social harm referred to above.

X B.J. Haywood

Signed by: Ben Haywood

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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