STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Hewitt & Carr Architects
2 - 4 Cross Street
Cheadle
Staffordshire
ST10 1NP

Mr Mrs Caswell
Cornerstones Leek Road
Stoke on Trent
ST9 0AP

Application no: SMD/2017/0218

Determined on: 14th December 2017

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:
5 DRAYCOTT OLD ROAD FORSBROOK STAFFORDSHIRE ST11 9AL

Description of Development:
Outline planning application also seeking approval of access, layout, appearance and scale for a single residential dwelling (resubmission of SMD/2016/0259)

In pursuance of their powers under the above mentioned Act, Staffordshire Moorlands District Council, **HEREBY REFUSE PERMISSION** for the development described in the above application, in accordance with plans ref: 00526_AL(0)06, THL-0405 Rev 4 for the reason(s) specified below:-

1. This is a very constrained site. It is narrow, irregularly shaped, contains many trees some of which are protected under a TPO and is on rising ground. In order to retain these trees and not interfere with Root Protection Area's the dwelling has to be pushed right to the southern corner of the site. It is 'shoe horned' in leaving very little breathing space around the dwelling. It is considered that these particular site characteristics lead to a proposal which appears cramped and overdeveloped. This is evidenced by a number of matters including the fact that a) the space available for turning and parking within the site is inadequate and would result in drivers having to manoeuvre into the footpath and/or Cheadle Road causing conflict and confusion to traffic, pedestrians and cyclists thereby increasing the risk to safety b) the amenity space is fragmented, poor quality and once all the tree/shrub removal has taken place at the front of the plot, will not be wholly private c) the outlook that future occupants would enjoy is also poor because of the lack of space between the building and site boundaries and d) the proposal has the potential to cause loss of privacy to the neighbouring garden through actual or perceived overlooking from first floor windows. The above harm significantly and demonstrably outweighs any benefits associated with the proposals and therefore fails to comply with Policy DC1 of the Staffordshire Moorlands Core Strategy DPD and the National Planning Policy Framework.

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Informatives

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF
2. The applicant's attention is drawn to the fact that the first floor plan is inconsistent with the rear elevation plan as it does not show the bath room window.

X

Signed by: Jane Colley

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.
8.