STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Jonathan Hargreaves
Epoch Architecture Ltd
22 Plover Drive
Biddulph
Stoke-on-Trent
Staffordshire Moorlands
ST8 7UJ

Mr S Lowndes
153 Park Lane
Knypersley
Biddulph
Stoke-on-Trent
Staffordshire Moorlands
ST8 7PN

Application no: SMD/2018/0521

Determined on: 31st January 2019

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:
153 Park Lane Knypersley Staffordshire Moorlands ST8 7PN

Description of Development:
Outline permission with details of access, landscaping, layout and scale (other matters reserved) for the construction of a new 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: P152-200; P152-201 D; P152-202 A and P150-203 for the reason(s) specified below.

1. Due to the constraints of the site in particular the proximity of existing neighbouring dwellings and the restricted separation distances available, lack of windows in principal elevations, the degree of overlooking to and from existing neighbouring dwellings and driveway in close proximity to the door of the existing dwelling, the proposal would result in unacceptable adverse impacts on the amenities of existing residents and an insufficient standard of residential amenity for future occupiers of the proposed dwelling. Accordingly, the proposal would not conform to the requirements of the Council's adopted Supplementary Planning Guidance for Space About Dwellings and would be contrary to Core Strategy policy DC1 and the NPPF. The adverse impacts of this proposal would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Informatives

1. The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise

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sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has nonetheless reached this decision in accordance with the requirement in Paragraph 38 of the National Planning Policy Framework.

2. The Local Planning Authority acknowledges in reaching this decision that the Council is unable currently to demonstrate a five year housing supply and has followed the guidance at NPPF paragraph 11.

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.