STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Miss Jessica Herritty
Aspbury Planning
20 Park Lane Business Centre
Nottingham
NG6 0DW

Mr Smith
Hillswood Lodge
9 The Close
Leek Road
Endon
Staffs
ST9 9JH

Application no: SMD/2018/0780

Determined on: 15/02/2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Hillswood Lodge, 9 The Close, Leek Road, Endon, Staffordshire ST9 9JH

Description of Development:
Proposed two storey side extension

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:
17143 01
17143 11A
17 143 12A
17 143 13
17 143 14
18075 for the reason(s) specified below:-

1. The proposed care home extension, by virtue of a combination of its height, two-storey flat-roofed form, excessive width, and siting close to the rear boundaries of properties on Hillside Avenue, would lead to a visually intrusive and overbearing form of development when viewed from the rear windows and rear garden of Nos 3 and 5 Hillside Avenue, significantly harming the residential amenities of the occupants thereof. The benefits of the scheme in providing additional care home accommodation in a sustainable location are outweighed by the adverse impact on the existing residential amenities of the area identified. The proposal is contrary to policies H1 and DC1 of both the Council's Core Strategy Development Plan Document (adopted March 2014) and the emerging Local Plan (Submission Version - February 2018) and is also therefore not in line with Section 12 of the National Planning Policy Framework (NPPF), 'Achieving Well Designed Places'.

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2. The proposed two-storey flat-roofed form and design of part of the extension would not harmonise with the traditional character and appearance of the main building on site and as it would be visible from adjacent residential properties would be harmful to the overall visual amenities of the area. The benefits of the scheme in providing additional care home accommodation in a sustainable location are outweighed by the adverse impact on the existing visual amenities of the area identified. The proposal is contrary to policies H1 and DC1 of both the Council's Core Strategy Development Plan Document (adopted March 2014) and the emerging Local Plan (Submission Version - February 2018) and is also therefore not in line with Section 12 of the National Planning Policy Framework (NPPF), 'Achieving Well Designed Places'.

Informative

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. Such matters have been discussed with the applicant with a view to seeking solutions, via meetings, although such solutions have not been possible as the application has not been amended sufficiently to overcome the problems.

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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