STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Andrew Dukesell
DBD Architectural Consultancy Ltd
50 Broad Street
Leek
Staffordshire
ST13 5NS

Mr D Fuller and Ms S J Walmsley
Roselea
1 Badnall Close
Leek
Staffordshire
ST13 8HB

Application no: SMD/2019/0060

Determined on: 29/03/2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Land Adjacent 1 Badnall Close Leek Staffordshire

Description of Development:
Proposed construction of a detached garage on land adjacent to 1 Badnall Close

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:
PL01A
PL02A
PL03B for the reason(s) specified below:-

1. The proposed garage, by virtue of its scale, siting and flat-roofed form would amount to a visually intrusive form of development harming the street scene in Badnell Street and would lead to the loss of some green space, in the form of a previously approved planted area within the site and detract from the existing adjacent green open space which contributes positively to the character and appearance of the area. The proposal would not comply with Policy DC1 of the Council's adopted Core Strategy and emerging Local Plan Policy DC1 which states that development shall, amongst other things, reinforce local distinctiveness by positively contributing to and complementing the special character of the area, should add value to the local area, be designed to respect the site and its surroundings and promote a positive sense of place and identity through its siting, landscaping, character and appearance. In this respect the proposal would also be contrary to the Councils adopted Design Guide 2018 and planning guidance contained in Section 12 'Achieving Well Designed Placed' of the National Planning Policy Framework (NPPF).

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Informative

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. 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: 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.

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