STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

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Application no: SMD/2019/0202

Determined on: 26/06/2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Fairways 36 Park Avenue Cheadle Staffordshire ST10 1LZ

Description of Development:
Proposed new disability dwelling within the garden of 36 Park Avenue

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:
AL(0)01 Rev A;
AL(0)02 Rev E

for the reason(s) specified below:-

1. The proposed dwelling would have both a physically and visually awkward relationship with the nearby Park Avenue dwellings which (on the application side of the road) are semi-detached, gable style properties which front the highway. By reason of its positioning within the plot (fronting Barley Croft) the dwelling would interrupt the simple building design along this part of Park Avenue by introducing a single storey building with its side wall facing the road (Park Avenue). When viewed in the context of the Park Avenue properties the proposed dwelling would not respect their two-storey size or gable roof arrangement and would appear as a visually odd and intrusive form of development. The application site currently provides a welcome visual break and gap within the built up residential area; the proposal would result in the overdevelopment of a visually prominent site to the detriment of the spacious character of the area at this point. The application is therefore considered to be contrary to policies SS1, SS1a and DC1 of the Core Strategy Development Plan Document (March 2014), the Staffordshire Moorlands Design Guide (SPD February 2018) and the National Planning Policy Framework including section 12.

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2. By reason of the corner plot/junction location of the application site, its size and the positioning of the proposed dwelling, the application proposes a form of development which would have insufficient private external amenity space; land to the front of the dwelling is visually exposed and would be overlooked by road and footpath users. Furthermore, the erection of a dwelling within the location proposed would result in the loss of a significant amount of amenity space associated within number 36 Park Avenue. The inability to provide satisfactory levels of amenity space demonstrates that the plot is too small and unacceptably located for additional residential development. The application is therefore contrary to policies SS1, SS1a and DC1 of the Core Strategy Development Plan Document (March 2014), Adopted Supplementary Planning Guidance Space About Dwellings and the National Planning Policy Framework including section 12.

Informative

1. The application has been assessed against adopted Development Plan policies (including paragraph 38 of the National Planning Policy Framework - February 2019) and any other material considerations. It is not considered possible to overcome the objections identified with the scheme and as such no amended proposal has been sought.

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.