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 & Mrs Williams
58 Mulberry Way
Leek
Staffordshire
ST13 5TL

Application no: SMD/2019/0280

Determined on: 4th July 2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
58 Mulberry Way Leek Staffordshire ST13 5TL

Description of Development:
Single storey rear extension and a two-storey front 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:
1714 58 Mulberry Way PL01C site plans A3 1-200 1-1250
1714 58 Mulberry Way PL02 plans as ex A3 1-100
1714 58 Mulberry Way PL03F plans as prop A3 1-100 for the reason(s) specified below:-

1) The overall design of the proposed two storey front extension, is not in keeping or cohesive with the rest of the street scene, would overdominate the principal elevation of the dwelling and would appear obtrusive alongside the neighbouring dwellings. The proposal would therefore be detrimental to the character and appearance of the dwelling and the streetscene and as a result, it would be contrary to Policies SS5a and, DC1 of the adopted Staffordshire Moorlands Core Strategy and also contrary to the Council's adopted design guide and the NPPF, in particular, Chapter 12.

2) The proposed rear extension would breach the 45 degree line drawn from the centre nearest principal window in the rear elevation of No. 60 Mulberry Way resulting in a loss of light and adverse impact on neighbour amenity. Therefore, it would be contrary to Policies SS5a, and DC1 of the adopted Staffordshire Moorlands Core Strategy and also contrary to the Council's adopted design guide, the adopted Space About Dwellings Supplementary Planning Guidance and the NPPF, in particular, Chapter 12.

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Informatives

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 sustainable development. There were no amendments to the scheme or conditions which, in the context of the current application, 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 therefore implemented the requirement in Paragraphs 38 of the National Planning Policy Framework.

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

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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.