STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr John Goryl
JBOY LTD
1 April House Badgers Sett
Leek
ST13 8YE

Miss Redfern
1 April House Badgers Sett
Leek
ST13 8YE

Application no: SMD/2019/0359

Determined on: 5th August 2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
1 April House Badgers Sett Leek Staffordshire ST13 8YE

Description of Development:
Proposed ground floor extension to front elevation and removal of existing unsuitable 42-44 degree access staircase. New 25 degree staircase and door access to side elevation.

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: for the reason(s) specified below:-

1. The proposed front extension would , by virtue of extending forward of the principal elevation and due to its scale, height, massing and visual apperance, disrupt, and be detrimental to, the rhythm of development on the south side of Badgers Sett, thereby resulting in significant harm to the character and apperance of the street scene as a result of poor design, contrary to policies SS1 and DC1 of the Staffordshire Moorlands Core Strategy, the 'Design Principles' SPD and paragraph 127 of the NPPF

2. The proposed front extension, which contains a habitable window, by protruding forward of the existing front building line by 1.8m, would fail to meet the Councils' space standards of 21m between facing habitable windows, and thereby result in significant harm to the residential amenity of the neighbouring property by way of loss of privacy and overlooking, contrary to policy DC1 of the Core Strategy and paragraph 127 of the NPPF

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Informatives

In line with the NPPF, the Council have where possible worked with the applicant to try and address outstanding planning issues. However, on this occasion no solutions have been found and thus planning permission has been refused.

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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