STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr S King
Wood Goldstraw & Yorath
Churchill House Regent Road
Stoke On Trent
Staffordshire
ST1 3RH

Mr Blackshaw
Leek Road Endon
ST9 9BQ

Application no: SMD/2019/0346

Determined on: 8th 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:
264 Cedar House Leek Road Endon Staffordshire ST9 9BQ

Description of Development:
Extension & alterations to existing garage; linking to existing home to form new access.

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. This application constitutes a poor standard of design that fails to respect the grain of development, the established building line and street scene along Leek Road; resulting in overdevelopment of the plot and an incongruous form of development that would appear visually dominant within the streetscene and detract from the dominance and form of the host dwellinghouse. Contrary to the Staffordshire Moorlands District Council's Design SPD and Staffordshire Moorlands Core Strategy policy DC1.

2. The development by virtue of scale, siting and massing would result in an unacceptable overbearing impact to the detriment of the amenity of the neighbouring dwellinghouse ""Greenfields"", contrary to accord paragraph 127f) of the National Planning Policy Framework and Staffordshire Moorlands Core Strategy policy DC1 which seek to protect the amenity of the area, including residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

3. There are two trees located within the neighbouring site that are protected by a Tree Preservation Order. These trees are positioned adjacent to the south western site boundary of the application site and will likely be impacted upon by the proposed

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development. The application has not been supported with a Protected Tree Survey and as such, insufficient information has been provided to enable the Council to fully assess the impact of the proposed development on the wellbeing of protected trees. This application therefore fails to satisfy policy DC1 of the Staffordshire Moorlands Core Strategy and the provisions of the NPPF and the Staffordshire Moorlands adopted Tree Strategy.

Informatives

1. The proposed development does not constitute a sustainable form of development, contrary to the objectives 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 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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