STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Archer
507 Ash Bank Road
Werrington
Staffordshire
ST9 0DT

Application no: SMD/2019/0498

Determined on: 09.10.2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
507 Ash Bank Road Werrington Staffordshire ST9 0DT

Description of Development:
Demolition of existing garage and utility room. Proposed two storey extension forming bedroom, garage, wc & utility room

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:
MA/02/001
MA/02/002
MA/02/003
MA/02/004 for the reason(s) specified below:-

1. By virtue of the change in the ground level between the application site and Summercourt which neighbours the application site to the north east, together with the scale, massing and siting of the proposed extension relative to Summercourt, it is considered that the extension would have a significant overbearing impact, to the detriment of the amenity of this neighbouring property. As such this application fails to accord with Policy DC1 of the Staffordshire Moorlands Core Strategy and paragraph 127f) of the National Planning Policy Framework.

Informatives

This application has been considered in accordance with paragrpah 38 of the National Planning Policy Framework. Careful consideration has been given to the size and form of development possible above ground floor level on the north eastern side of the application site. Owing to the change in ground levels, proximity and overall scale of development above ground floor level, it is not considered that an extension above ground level could be

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successfully acheived without resulting in harm to the amenity of Summercourt. As such, amended plans have not been sought. This application fails to acheive sustainable development and is contrary to the objectives of the National Planning Policy Framework.

X

Signed by: JaneC

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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