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

Brian Reid
B. A. Reid
The Springs Cliffash Lane
Belper
DE56 2SE

Mr Ward
The Chapel Ashbourne Road
Cheadle
Staffordshire
ST10 1HF

Application no: SMD/2019/0541

Determined on: 31/10/2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Turners Pasture Churchill Road Cheadle Staffordshire ST10 1UN

Description of Development:
Construction of two, semi detached, single storey dwellings.

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with the submitted plans for the reason(s) specified below:-

1. The proposed development, by virtue of its scale in relation to the size of the site and its siting behind other development, would lead to an overcramped form of development which does not relate well to the form and layout of the Turners Pasture housing development, which compirises neat rows of dwellings facing a road and parking area and as a result would appear incongruous in the street scene and harmful to the overall character and appearance of the area contrary to policies H1 and DC1 of the Council's adopted Core Strategy Development Plan Document and Section 12 of the government planning guidance in the National Planning Policy Framework (NPPF) as well as the Council's Adopted Design Guide..

2. The overdevelopment of the site would also lead to insufficient space around the dwellings including outdoor amenity space and would also result in primary windows directly facing walls of other dwellings a close distance away affecting the light provision and overall living conditions of the occupants of the proposed dwellings. The proposal would harm the residential amenities of the area, contrary to Policies H1 and DC1 of the Core Strategy and Section 12 of the NPPF and the Space About Dwellings Supplementary Planning Guidance.

3. The proposal would lead to insufficient parking provision for existing neighbouring dwellings on Turners Pasture, leading to the increased likelihood of cars being parked on the

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public highway to the detriment of highway safety, contrary to policies DC1 and T1 of the Core Strategy.

4. Part of the site is within Flood Zone 2 and the an acceptable and up-to-date Flood Risk Assessment has not been submitted. The impact of the proposed development on flood risk both on site and the surrounding area cannot therefore be determined and as a result the proposed development has the potential to exacerbate flood problems, contrary to Policy SD4 of the Core Strategy and Section 17 of the NPPF.

Informative

1. It is considered that due to the site constraints, the proposals are unsustainable and do not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such concerns and thus no amendments to the application were requested.

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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