STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr David Morrey
Hulme Upright
78 Prince George Street
Cheadle
Staffordshire
ST10 1HX

Mr D. Miller
Fairview
Bank End
Brown Edge
Staffordshire
ST6 8QR

Application no: SMD/2019/0482

Determined on: 19/02/2020

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Fair View Bank End Brown Edge Staffordshire ST6 8QR

Description of Development:
Proposed new detached dwelling within domestic curtilage of Fair View Brown Edge

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:

Location Plan red edge amended 1:1250 received by e-mail 18th February 2020
Site Plan AL(0)02 rev A
Front Elevation AL(0)04
Side Elevations AL(0)06
Rear Elevation AL(0)05
Roof plan

for the reason(s) specified below:-

1. The proposal is unacceptable in terms of design due to being at odds with the street scene and neighbouring development on account of the acute difference in levels with Fairview; the loss of open landscape and visual space to the road edge as a result of the proposal building and its parking and turning space being hard up to the roadside in a location which historically and to the recent present day was open and which remains the prevailing character of the street scene south of the development site; also the choice of external materials and absence of chimneys makes the proposal at odds in design appearance with its adjacent neighbour with which it is most closely visually aligned; all of which points take on increased importance given the site's public prominence. The development is thus contrary to Core Strategy policies SS1; SS1a; SS6a; DC1 and DC3, the NPPF, emerging Local Plan policies SS1; SS1a; SS8; H1; DC1 and DC3 and the adopted Staffordshire Moorlands Design Guide and the National Design Guide.

2. The proposal does not provide adequate external amenity space for the dwelling given that the available outdoor amenity space is significantly less than the LPA's adopted minimum standards as set out in the Space About Dwellings SPG and would thus be contrary to Core Strategy policies SS1; SS1a; SS6a; DC1 and DC3, the NPPF, emerging Local Plan policies SS1; SS1a; SS8; H1; DC1 and DC3 the adopted Staffordshire Moorlands Design Guide and the National Design Guide.

3. Due to the awkward access arrangements for vehicle parking and turning as a result of the cramped layout of the site and the small overall area available, the parking and turning would further reduce the amenity of occupants and risk conflict in the shared use of the access with that also serving the neighbouring dwelling of Fairview and would thus be contrary to Core Strategy policies SS1; SS1a; SS6a; and DC1, the NPPF, emerging Local Plan policies SS1; SS1a; SS8; H1; and DC1 and the adopted Staffordshire Moorlands Design Guide and the National Design Guide.

Informative

The proposal would not overall 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. Whilst some matters such as external materials finish may have been varied by way of condition there were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable as a whole 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 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.