STAFFORDSHIRE moorlands DISTRICT COUNCIL
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Sammons Architectural
10 Cawdry Buildings
Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr Bullivant
24 Gaunt Street
Leek
Staffordshire
ST13 8EB

Application no: SMD/2020/0199

Determined on: 24/06/2020

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
24 Gaunt Street Leek Staffordshire ST13 8EB

Description of Development:
First Floor Side Extension

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:
2020-2498-01,
2020-2498-02C,
2020-2498-03 for the reason(s) specified below:-

1. The proposed addition of first floor level accommodation to the side elevation over an existing flat-roofed garage would by result of the added height have an overbearing impact on the outdoor amenity space of numbers 30 and 32 Grove Street and in proximity to the rear elevation of these properties containing principal windows would be in breach of the Council's adopted Space About Dwellings standards which say at A3.4(4) that except in the case of a single storey structure a separation distance of 14m is required between the elevation with principal windows and the facing flank wall which in this proposal would at 11m be 3m closer than the required standard expects. The proposal is therefore found contrary to policies SS1, SS1a, SS5a, DC1 of the Staffordshire Moorlands Core Strategy and the NPPF and contrary to the Council's Adopted Space About Dwellings SPG.

2. In attempting to resolve or at least moderate the identified adverse amenity impacts the scheme is found to result in a compromised design at odds with the street scene and is therefore found contrary to policies SS1, SS1a, SS5a, DC1 of the Staffordshire Moorlands Core Strategy and the NPPF and contrary to the Council's Design guidance.

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Informative

1. 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. Although amendments to the scheme were made following discussions it was found that these could not resolve the principal concern (and generated additional design concerns) and there were no further amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable. It was therefore not possible to approve the application. The Local Planning Authority has nonetheless met 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

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

disability confident EMPLOYER

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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.