STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Mr Nigel Forrester
Building Design Services
Smithy Bank
Alton
ST10 4AD

Mrs Hall
Old Thornbury Farm Lockwood Road
Stoke on Trent
Staffordshire
ST10 2DH

Application no: SMD/2020/0537

Determined on: 22/01/2021

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Opposite No 15 Prince George Street Cheadle Staffordshire ST10 1HX

Description of Development:
Conversion of garage (including increasing the height of the building) to form a single bedroom residential unit.

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:
20/604/01,
20/604/02A,
20/604/03A,
20/604/04A for the reason(s) specified below:-

1. The proposed upward enlargement of the building, by virtue of the resultant height of the rear wall of the building in conjunction with the existing boundary retaining wall below it, would lead to an overdominant and overbearing impact on the occupants of No.20 Prince George Street when viewed from the garden of that property and would therefore significantly harm their residential amenities. The proposal is therefore contrary to Policy DC1 'Design Considerations' of the Council's Local Plan, adopted in September 2020, which aims to protect the residential amenities of nearby residents from new development. The proposal is also therefore contrary to Section 12 of the government planning guidance contained in the National Planning Policy Framework (NPPF).

2. The proposed area of amenity space is located to the front of the dwelling on Prince George Street and would be shared with parked vehicles, and notwithstanding the introduction of boundary treatment would not provide future occupants with a sufficiently private and peaceful area of amenity space. As such the proposal would

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fail to provide a sufficient standard of amenity for future occupiers contrary to Policy DC1 'Design Considerations' of the Council's Local Plan, adopted in September 2020, and Section 12 of the government planning guidance contained in the National Planning Policy Framework (NPPF).

Informative

1.It is considered that the proposal is unsustainable and does not conform with the provisions of the NPPF. Such matters have been discussed with the applicant with a view to seeking solutions, although such solutions have not been possible as the applicant has not amended the proposal sufficiently to address the harm identified.

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.

1. 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.

2. 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.

3. 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.

4. 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

5. 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.

6. 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.

1.