

Mr Robert McGuinness
RLM Associates
11 Ashdale Road
Leek
Staffordshire
ST13 6QZ

Mr Cowburn
Greywoods Cheddleton Road
Staffordshire
ST13 5QZ

Application no: SMD/2021/0210

Determined on: 17th August 2021

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:

Greywoods Cheddleton Road Leek Staffordshire ST13 5QZ

Description of Development:

Outline Application with some matters reserved (except for Access) for Change of Use of part garden area to one number residential building plot with new access onto Cheddleton Road

In pursuance of their powers under the above mentioned Act, Staffordshire Moorlands District Council, **HEREBY REFUSE PERMISSION** for the development described in the above application, in accordance with plans ref: RLM1033/1 Rev A and RLM 1003/4 Revision H for the reason(s) specified below:-

1. The proposed development, by virtue of the subdivision of the site to provide an additional dwelling, would result in an overdevelopment of the site which would be harmful to both the character and appearance of the area and to the residential amenity of the adjacent residential property, Croxteth. It is considered that the plot size is insufficient for the size of dwelling indicated and a garage (or indeed a dwelling and garage which would look in keeping with the area which is characterised by sizeable properties) and consequently it would appear cramped and would have an overbearing impact on the amenity of Croxteth. The proposal would therefore be contrary to policies SS1, H1 and DC1 of the Staffordshire Moorlands Local Plan (adopted September 2020) which aim to protect visual and residential amenity and also advice in National Planning Policy Framework (NPPF) on design and the protection of residential amenity.

Informatives

This is not considered to be a sustainable form of development which complies with the provisions of the NPPF. Accordingly no amendments were sought, in line with paragraph 38 of The NPPF.

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council

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.