

Mr Lee Slater
Wood Golstraw And Yorath
Churchill House Regent Road
ST1 3RH

Mr Birch
Churchill House Regent Road
ST1 3RH

Application no: SMD/2021/0381

Determined on: 20th October 2021

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

62 Fold Lane Biddulph Staffordshire ST8 7SG

Description of Development:

Proposed extension and alterations to existing bungalow

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:

- 4752-01-01,
- 4752-01-02A,
- 4752-01-05,
- 4752-01-06,
- 4752-01-07

for the reason(s) specified below:-

1. The dwellinghouse has already been significantly extended and the proposed extension will further exacerbate this situation. The proposed extension, together with the existing extension, will comprise a disproportionate addition over and above the size of the original dwellinghouse. The proposed extension therefore comprises inappropriate development in the Green Belt.

Paragraph 147 of the NPPF (2021) states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'. No Very Special Circumstances have been advanced by the applicant. The proposed development is therefore contrary to policy SS10 of the Staffordshire Moorlands Local Plan (2020) and chapter 13 of the NPPF (2021).

2. The increase in the ridge height of the roof results in a 'top-heavy' design that is out of proportion with the original ground floor of the bungalow. The proposed extension does not harmonise with the original bungalow and is not subordinate in terms of

its size and massing. The design of the proposed extension is therefore considered to have a detrimental effect on the character and appearance of the existing dwellinghouse, contrary to policy DC1 of the Local Plan (2020), the Design Guide SPD and the NPPF (2021).

3. The application site forms part of a ribbon of development along the northern side of Fold Lane. Fold Lane rises from west to east and the dwellinghouses along the lane have been designed so that each property is higher than its western neighbour, creating a stepped design. The proposed extension will compromise this design as the increase in ridge height will result in the property being significantly taller than the bungalow to the west (No. 64 Fold Lane) and taller than the dormer bungalow to the east (No. 60 Fold Lane). The proposed extension is therefore considered to have an unacceptable impact on the character and appearance of the street scene, contrary to policy DC1 of the Local Plan (2020), the Design Guide SPD and the NPPF (2021).
4. The proposed ridge height will be higher than the roof of No. 60 Fold Lane. The change from a hipped roof to a pitched roof will result in a gable wall being sited 2.3 metres from the principle bedroom/study window within the western roof slope of No. 60 Fold Lane. The separation distance will be significantly less than stated within the Space About Dwellings SPD. The proposed extension will result in an overbearing impact and a loss of light to the neighbouring property, contrary to policy DC1 of the Local Plan (2020) and the NPPF (2021).

Informatives

Prior to the determination of the application the Council advised the applicant that the principle of such development is unsustainable and did not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle 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

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.