STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Mr David Proudlove
URBME
7 Meadowside
Biddulph
Staffordshire
ST8 6NP

Mr Bennett
Brookstones 7 Whiston Eaves Lane
Whiston
Staffordshire
ST10 2JB

Application no: SMD/2021/0648

Determined on: 02/12/2021

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Brookstones 7 Whiston Eaves Lane Whiston Staffordshire ST10 2JB

Description of Development:
Small extension to enable the provision of space for homeworking and a WC.

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:

- 4821-01-01
- 4821-01-04 – Rev D (indicating 2no. parking spaces)

for the reason(s) specified below:-

1. The siting, scale and design of the single storey front extension, forward of the established building line into an open-plan front garden will result in a prominent and incongruous feature that will adversely affect the character and appearance of the existing dwellinghouse as well as the street scene. The proposed extension will not appear subordinate to the existing bungalow, as required by the Design Guide SPD. The proposed extension will therefore be contrary to policy DC1 of the Local Plan (2020), the Design Guide SPD and the NPPF (2021).

2. The proposed development will result in the existing off-street parking provision being displaced. The proposed Parking Plan indicates that 2no. parking spaces will be provided on land outside the site edged red, which is also land outside the applicants' ownership and on land that forms part of the highway. The proposed development does not demonstrate that 2no. off-street parking spaces of the required dimensions can be provided within the application site. This will result in a danger to highway safety due to vehicles parking on the public highway. The proposal will be contrary to policies DC1 and T1 of the Local Plan (2020), Appendix

2: Parking Standards 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

Signed by: Jane Colley Signature

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.

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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.