

Mr Adam Gregory
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C/o Agent

Application no: SMD/2021/0647

Determined on: 14/01/2022

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

28 30 Tunstall Road, Biddulph, Staffordshire, ST8 6HH

Description of Development:

Erection of a single storey rear/side extension to form a store room

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in both the details and drawings submitted with the application, and those revised drawings numbered 21-123-04 and 21-123-02B, that were submitted on the 15th December 2021, for the reason(s) specified below:-

1. The proposal does not represent good design. The development would relate and connect poorly with the existing building and introduce unattractive and obtrusive building form in an exposed and prominent, shared space, location. Here, it would adversely affect the character and appearance of the area and residential environment. The proposal is therefore contrary to policies SS6 and DC1 of the Staffordshire Moorlands Local Plan and the Council's Design Guide.
2. The development would adversely affect the outlook from the neighbour's adjacent residential window, harming the amenity enjoyed by this neighbour to an unreasonable degree. A 45 degree sight line would be breached by the side flanking wall of the development, within close proximity of the centre of this window, resulting in a significant breach of the Council's 'Space About Dwellings' guidance, and a contravention of the Staffordshire Moorlands Local Plan Policy DC1 in these regards.
3. The development would result in the loss of a parking space and the increased likelihood of cars associated with, or visiting the property, parking on the roadside. This would cause congestion and obstruction from parked vehicles and a reduction in highway safety for users of the highway. The development would therefore, contravene policy DC1 and T1 of the Staffordshire Moorlands Local Plan.

Informatives

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. The applicant was provided with opportunity, but ultimately it is considered that he is unable to overcome such principle concerns and thus amendments made to the drawings cannot be granted planning permission.

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.