

Mr Philip Plant
P4 Architecture
Lodge Hill Wallbridge Drive
Leek

Ms Willis
3 Rochford Close
Leek
ST13 8JH

Application no: SMD/2021/0501

Determined on: 25th February 2022

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

3 Rochford Close Leek Staffordshire ST13 8JH

Description of Development:

Linked Detached Dwelling

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:

- SANI/PP/01/001
- SANI/PP/01/002
- SANI/PP/01/003
- SANI/PP/01/004

for the reason(s) specified below:-

1. The proposed dwellinghouse will not accord with the Nationally Described Space Standards, contrary to part (3d) of policy H1 of the Local Plan. The proposed dwellinghouse will therefore provide a substandard level of amenity for future occupiers and will be contrary to policy DC1 of the Local Plan (2020) and the NPPF (2021).
2. The proposed dwellinghouse will erode the spacious and attractive character of the street scene by removing the large side garden from the existing dwellinghouse and erecting a two-storey dwellinghouse in close proximity to the road. The proposed dwellinghouse will be shoe-horned into the side garden, requiring a substantial amount of excavation and will appear cramped. The dwellinghouse will result in an erosion of the uniform character of the row of 3no. houses on the southern side of Rochford Close, reducing the spaciousness between plots and adversely affecting the character of this part of the street scene. The proposed dwellinghouse and the resulting plot for No. 3 Rochford Close will not reflect the plot sizes of the row of three dwellings on this side of the road. The proposed development will therefore be

contrary to policy DC1 of the Local Plan (2020), the Design Guide SPD and the NPPF (2021).

3. The Local Planning Authority currently does not have a 5-year housing land supply and therefore the 'tilted balance' is engaged. The impacts of the development in respect of amenity and design are relevant to other Development Plan policies that are generally consistent with the NPPF and significant harm and conflict has been identified. The provision of a house in this location will only benefit and contribute to the economy, local community and housing supply in a very small way and those benefits carry limited weight in favour of the proposal. These benefits would be significantly and demonstrably outweighed by the adverse impacts of the development on amenity and design. Although the 'tilted balance' is engaged, this should not be at the expense of approving development that is substandard, especially when the NPPF places great emphasis on creating beautiful places and the Government has now included a requirement for new dwellinghouses created via the Prior Approval route to meet the Nationally Described Space Standards. The proposal therefore does not constitute sustainable development in accordance with paragraph 11 d) ii) of the NPPF.

Informatives

It is considered that the proposals are unsustainable and do 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.

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.