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ST13 5QZ

Application no: SMD/2021/0847

Determined on: 17th June 2022

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Brampton, Cheddleton Road, Leek, Staffordshire, ST13 5QZ

Description of Development:

Extension and alterations

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in plans ref: 01075 - AL(0)03 D, 01075 - AL(0)04 D, 01075 - AL(0)05 D, and 01075 - AL(0)06 D that were submitted with the application; revised plans ref. 01075 AL(0)03 E, 01075 - AL(0)04 E, and 01075 - AL(0)05 E that were submitted on the 22nd February 2022; or 01075 AL(0)06 E, 01075 - AL(0)05 F, 01075 - AL(0)04 F and 01075 - AL(0)03 F, that were submitted on the 15th June 2022, for the reason(s) specified below:-

1. The proposals do not represent good design that is respectful of local distinctiveness and the character and appearance of the area. They would create development that is at odds with the original character of the dwelling and those in the locality. The alterations to the dwelling's front elevation and the introduction of a new garage building and retained parking area would be at odds with the vernacular or more conventional character of the dwellings each side, appearing obtrusive and unduly prominent because of the property's elevated height and the dwelling's three storey presence. This would fail to reinforce local distinctiveness and be harmful to the character and appearance of the area when viewed from Cheddleton Road below. In these respects the development would be contrary to policies SS5 and DC1 of the SMDC Local Plan and the Design Guide for the area.
2. The two storey side wall of the addition to the rear elevation, positioned adjacent to the southern garden boundary of the neighbour at Four Winds, would overshadow and block light to a significant area of the neighbour's garden and their conservatory. The side wall would appear imposing, overbearing from this neighbour's property. This would adversely and unreasonably affect the amenity enjoyed by this residential neighbour. The development would therefore be contrary to policy DC1 of the SMDC Local Plan in these regards.

Informatives

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. In accordance with paragraph 38 of the NPPF the applicant was provided with a critique and opportunity to revise the scheme accordingly. However, it was considered that subsequent revisions did not overcome the principle concerns.

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.