

Mr David Byatt
Byatt Oliver Limited
Etruria Methodist Church
Etruria Old Road
Stoke on Trent
Staffordshire
ST1 5PE

Mr Hammond
C/o Agent

Application no: SMD/2021/0793

Determined on: 15/07/2022

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

128 Churnet Valley Road Kingsley Holt Staffordshire ST10 2BQ

Description of Development:

Proposed Demolition of existing bungalow & development of 3 dormer bungalows.

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:

5705-002 Rev B – Existing Conditions Elevations

5705-003 Rev D Site Location Plan Proposed

5705-004 Site Location Plan Existing;

5705-006 Rev B – Proposed conditions scheme 3 – Site Layout Plan, floor plan and elevations;

5705-007 Street Scene

for the reason(s) specified below:-

1. The application site is clearly viewed in the context of the linear arrangement of dwellings on either side (north and south) of the plot which stand within generously sized grounds, facing towards the road and respecting the building line. The result of the close proximity of each of the three dwellings to each other, their heights and deep gables will result in a development which would appear cramped within the plot and take on a terraced affect which would be at odds with the prevailing character of the existing line of dwellings. Furthermore, the large swathes of hardstanding in front of the dwellings would have an harmful visual impact and cannot be considered to be good design. The application is therefore contrary to policies H1, DC1 and DC3 of the Staffordshire Moorlands Local Plan as well as the National planning Policy Framework including section 12 'Achieving well-designed places.'

Informative

1. During the course of considering the application, the architect/applicant was made aware of initial concerns including design and layout of the proposed dwellings. Amended plans were received which addressed some concerns. It was suggested that a reduction in the number of proposed units may make the application acceptable however the applicant declined to do this and requested that the application was determined based on 3 dwellings. The council has therefore complied with the NPPF requirements to work proactively with applicants to secure sustainable development proposals. Unfortunately in this case not all of the concerns could be addressed.

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.