

Daniel Matthias
Daniel Matthias Architecture Ltd
New Inn Newcastle Road
Sandbach
Cheshire
CW11 2TG

Kay O'Connor
145 High Lane
Brown Edge
ST6 8RT

Application no: SMD/2021/0842

Determined on: 24/11/2022

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

145 High Lane Brown Edge Staffordshire ST6 8RT

Description of Development:

Single storey side extension and part loft conversion.

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:

DMA850_E001-A3L Existing Ground Floor Plan
DMA850_E002-A3L Existing Elevations
DMA850_E003-A3L Location & Site Plan
DMA850_PA-001 A3L Existing Ground Floor Plan
DMA850_PA-002-A3L Proposed First Floor Plan
DMA850_PA-003 A3L Proposed Elevations

for the reason(s) specified below:-

1. The windows in the rear elevation of the proposed extension will lead to overlooking of 'The Mount' which contains a principal window in it's side elevation facing the site. This will impact upon the privacy of 'The Mount'. As such this will be in breach of the Staffordshire Moorlands Local Plan Policy DC1 and the Staffordshire Moorlands Space About Dwelling Supplementary Planning Document and advice in the NPPF.
2. Due to the siting of the dwelling and proposed extension relative to it's neighbour at 147 High Lane, the proposal will result in a breach of the 45 degree line from the principal windows in the rear elevation of this neighbouring property and will have an overshadowing and overbearing impact upon No. 147 High Lane and it's garden area.

As such this will be in breach of the Staffordshire Moorlands Local Plan Policy DC1 and the Staffordshire Moorlands Space About Dwelling Supplementary Planning Document and advice in 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 as the applicant has declined to amend the application.

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.
- 1.