STAFFORDSHIRE moorlands DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Mrs Teresa Critchlow
Sammons Architectural
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr & Mrs Sinaguglia
34 Basnetts Wood Road
Endon
ST9 9DQ

Application no: SMD/2022/0512

Determined on: 13/01/2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
34 Tregarn Basnetts Wood Road Endon Staffordshire ST9 9DQ

Description of Development:
Retrospective application for replacement veranda.

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: 2022-2371 03A and 02E for the reason(s) specified below:-

1. The existing replacement veranda, by virtue of its siting, scale and height, is leading to a high degree of overlooking into the rear windows and rear windows of the residential property to the south of the site, ""Kaseme"" to the detriment of the level of privacy at that property and that this is significantly harming the residential amenities of that property. The works proposed to the development in the form of a 1.8m high screen on one side of the structure, would not significantly reduce the level of harm as the perception of being overlooked would remain together with the potential for noise and disturbance that would normally result from such forms of raised outdoor sitting area structures. The development would remain as an intrusive form of development continuing to harm the residential amenities of that neighbouring property. The application is therefore contrary to Policy DC1 'Design Consideration' of the Council's Local Plan which requires that all development, inter alia, protects the residential amenities of the area. The application is also therefore contrary to Section 12 of the government planning guidance contained in the National Planning Policy Framework (NPPF).

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Informative

1. It is considered that the development is unsustainable and does not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such concerns and thus no amendments to the application were requested.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffsmoorlands.gov.uk Tel: 0345 605 3010
All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.

disability confident EMPLOYER

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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.