STAFFORDSHIRE moorlands DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Mr Andrew Dukesell
DBD Architectural Consultancy Ltd
50 Broad Street
Leek
Staffordshire
ST13 5NS

Mr and Mrs McGill
87 Sandon Street
Leek
Staffordshire
ST13 5QS

Application no: SMD/2022/0626

Determined on: 16/01/2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
87 Sandon Street Leek Staffordshire ST13 5QS

Description of Development:
Extension over first floor to raise the roof and provide habitable rooms in the new roof space.

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:

PL01 site plan
PL03D plans as proposed
PL04A street scene profile

for the reason(s) specified below:-

1. In scale and massing the raised roof height in combination with attached dormers would create an intrusively overbearing development for the occupiers of neighbouring dwellings in particular for the occupiers of 89 Sandon Street for whom there would also be increased sense of shading and reduced openness to light. The proposal is thus found contrary to Local Plan policies SS1; SS5 and DC1 including with consideration given to the Council's Adopted Space About Dwellings Guidance and to the NPPF.

2. The inclusion of significant rooflight windows in the side facing roof slopes to serve habitable rooms in the development – a music room and/or bedrooms – and windows in the dormers all overlooking the neighbouring gardens would result in significant loss of privacy and/or sense of intrusive overlooking including potential for angled views back and down towards principal room windows in rear elevations of neighbours again in particular no. 89 Sandon Street. The proposal is thus found contrary to Local Plan policies SS1; SS5 and DC1 including with consideration given to the Council's Adopted Space About Dwellings Guidance and to the NPPF.

3. With the inclusion of side dormers the visible height and massing of the extended dwelling in the street scene would seem at odds and out of kilter with the general height trend and roof massing of the street scene neighbours. The proposal is thus found contrary to Local Plan policies SS1; SS5 and DC1 with consideration also to the Council's adopted Design Guide and to the NPPF.

Informatives

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has nonetheless met the requirement in Paragraphs 38 of the National Planning Policy Framework.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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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.

2. 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.

3. 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.

4. 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.

5. 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

6. 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.

7. 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.

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.

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