STAFFORDSHIRE moorlands DISTRICT COUNCIL
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Mr David Morrey
Hulme Upright Manning
Queens Gardens Business Centre 31A
Ironmarket
Stoke On Trent
Staffordshire
ST5 1RP

Mr Powell
62 Rakeway Road
Cheadle
Staffordshire
ST10 1QH

Application no: SMD/2023/0369

Determined on: 23rd November 2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
62 Rakeway Road Cheadle Staffordshire ST10 1QH

Description of Development:
Proposed Ground floor extension, first floor balcony, and 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:
N1173 AL 003
N1173 AL 003B
N1173 AL 004
N1173 AL 004B
N1173 AL 005
N1173 AL 005B
N1173 AL 006
N1173 AL 006B
N1173 AL 007B for the reason(s) specified below:-

1. By virtue of their design and positioning on the property, the proposed front extension and balcony would appear as dominant, awkward and incongruous features which would detract from the character and appearance of the original dwelling and create a disharmonious visual composition. The increase in the roof height of the dwelling would be a disproportionate addition which would overwhelm the original property and would also detract from the well balanced proportions of the existing elevations, all to the determinant of the street scene contrary to Staffordshire Moorlands Local Plan Policy SS1, and Policy DC1; the adopted Staffordshire Moorlands Design Guide and the NPPF

2. The proposed Juliett balcony to the side elevation and the proposed balcony to the front elevation would result in both actual and perceived overlooking of the adjoining property at 58 Rakeway Road, which has principal windows facing towards the application site. Furthermore,

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the proposed roof lights, in the rear elevation, due to their height would result in unacceptable overlooking of the rear garden areas of 12 and 14 Derwent Drive all to the detriment of residential amenity and contrary to Policy DC1 of the Staffordshire Moorlands Local Plan, the Space About Dwellings, Supplementary Planning Document and the NPPF.

Informatives

1. In determining this application for refusal consideration has been given to the Development Plan in particular policies SS1, and DC1; the Council's adopted Design Principles SPD; and the National Planning Policy Framework. The proposed development would be of poor design, and by its design and scale would result in the loss of the original property identity. By its design the proposal would adversely impact upon the street scene and public amenity. Such matters have been discussed with the applicant with a view to seeking solutions however no amendments were received.

2. The submitted plans also contain errors, amendments were sought, however no amended plans were received.

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.

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