STAFFORDSHIRE moorlands DISTRICT COUNCIL

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Isacc Ryder-French
Architecture & Interior Design Ltd
51 Colehill Road
Birmingham
B36 8DT

Mr Singh
321-325 Uttoxeter Road
Blythe Bridge
Staffordshire
ST11 9QA

Application no: SMD/2023/0398

Determined on: 06/02/2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
321 - 325 Late Shop Uttoxeter Road Blythe Bridge Staffordshire ST11 9QA

Description of Development:
2 STOREY ADDITION TO EXISTING BUILDING FOR THE CREATION OF 6 SELF CONTAINED FLATS. FIRST FLOOR AND LOFT 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: 2023-

2023-114 Drg No. 1.0 Rev A (Site and Location Plan);
2023-114 Drg No. 2.0 Rev A (Existing Ground Floor);
2023-114 Drg No. 3.0 Rev A (Existing Elevations);
2023-114 Drg No. 4.0 Rev A (Proposed Ground Floor);
2023-114 Drg No. 5.0 Rev A (Proposed First Floor);
2023-114 Drg No. 6.0 Rev A (Proposed Second Floor);
2023-114 Drg No. 7.0 Rev A (Proposed Front and Rear Elevations);
2023-114 Drg No. 7.0 Rev A (Proposed Side Elevations);
2023-114 Drg No. 8.0 Rev A (Proposed Roof Plan);

for the reason(s) specified below:-

1. The proposed extension due to its size and positioning at first floor level will have a significant adverse amenity impact upon surrounding residential dwellings including the St. Peter's Lane dwellings to the north. The extension would be overbearing, create a sense of enclosure and cause overshadowing to the detriment of the neighbour's enjoyment of their property, especially the gardens and principal windows serving the dwelling known as Montabaur, 5 St. Peter's Lane. The application is therefore contrary to the provisions of policies SS1 and DC1 of the Staffordshire Moorlands Local Plan and the National Planning Policy

Framework including section 12 'Achieving well-designed and beautiful places.'

2. The proposed extension would not comply with the council's adopted Space About Dwellings (SPG) standards in relation to separation distances between principal windows. A separation distance of 22m is required in order to maintain privacy and prevent overlooking. This is not achieved between the principal bedroom windows serving flats 1 and 2 and the principal roadside fronting windows of the Wesley Street terraces to the west. Non compliance with this standard and the positioning of the buildings would result in adverse neighbour amenity impact, contrary to the SPG, policies SS1 and DC1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework including section 12 'Achieving well-designed and beautiful places.'

3. Due to its overall height and positioning of principal windows within its front elevation, the proposed residential development would overlook the principal rear windows and garden/patio areas of the Uttoxeter road terraces to the south to the detriment of the amenity of the occupants, contrary to policies SS1 and DC1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework including section 12 'Achieving well-designed and beautiful places.'

4. By reason of its location and raised height, the proposed external amenity space at first floor level would be harmful to the amenity of the St. Peter's Lane dwellings to the north by reason of the likelihood of noise and comings and goings which cannot be controlled by planning conditions. The raised level amenity space would result in an intrusive form of development by the continuous impression of overbearing, contrary to the provisions of policies SS1 and DC1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework including section 12 'Achieving well-designed and beautiful places.'

5. All residential developments should be designed so as to provide satisfactory living conditions including the provision of natural light, especially within principal rooms. The proposal is unacceptable in that there are no windows serving the kitchen/living area of flat 1. The application is therefore contrary to policies SS1 and DC1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework including section 12 'Achieving well-designed and beautiful places.'

6. There is no information provided on the current noise environment and the suitability of the site for the intensive residential development as proposed. The application is therefore contrary to policies SS1, H1 and DC1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework including section 12 'Achieving well-designed and beautiful places.'

7. The application does not demonstrate that sufficient parking space can be provided for the apartments whilst taking into account the number of spaces needed to serve the convenience store. The application is therefore contrary to policy T1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework including section 9 ‘Promoting Sustainable Transport.’

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Informative

1. The application has been assessed against adopted Development Plan policies including the National Planning Policy Framework and any other material considerations. No amendments to the proposal have been sought as there are fundamental objections to first floor development at this premises and amended plans would not be able to overcome this issue.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
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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.