

Sammons Architectural Ltd
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mrs Bode
Oakwood Cottage Kiln Lane
Leek
ST13 8LJ

Application no: SMD/2021/0155

Determined on: 11th August 2023

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Land To Rear Of Rosedale 403 Cheadle Road Cheddleton Staffordshire

Description of Development:

Demolition of existing attached garage and erection of 4 detached dwellings

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 submitted with the application

2020-2541-08 PLANNING PROPOSAL - LOCATION PLAN(1)
2020-2541-03A PLANNING PROPOSAL - PLOT 1 HOUSETYPE(1)
2020-2541-04A PLANNING PROPOSAL - PLOT 2 HOUSETYPE(2)
2020-2541-05A PLANNING PROPOSAL - PLOT 3 HOUSETYPE(1)
2020-2541-06A PLANNING PROPOSAL - PLOT 4 HOUSETYPE(2)

Revised Plan submitted on the 29th June 2021

2020-2541-07B PLANNING PROPOSAL - GARAGE PLANS AND ELEVATIONS

Revised Plans submitted on the 28th March 2023

2020-2541-02E- SITE PLAN
2020-2541-10A PLANNING PROPOSAL - DRAINAGE PLAN

for the reason(s) specified below:-

1. Due to its scale, density, layout, siting and design, the proposal would result in a cramped form of development which would be out of keeping with and would detract from the spacious character and appearance of the area. This overdevelopment of the site would create access and parking issues within the site as well as a loss of amenity for neighbouring dwellings, including the existing dwelling on the application site, by virtue of loss of daylight, privacy, outlook, and overbearing visual impact, all contrary to policy DC1 of the Staffordshire Moorlands Local Plan 2020 and advice within the NPPF.

Informatives

1. Amended plans were agreed with the agent in the course of the determination in accordance with the principles of negotiation and amendment as advocated in the National Planning Policy Framework paragraph 38. However, these were not considered to be sufficient to overcome the harm identified above.

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.
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