

Mr Jason Knight
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Newcastle-under-Lyme
ST5 8DP

S & A Edwards
3 Hazel Grove
Biddulph Moor
Staffordshire
ST8 7NY

Application no: SMD/2024/0302

Determined on: 21st August 2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

3 Hazel Grove, Biddulph Moor, Staffordshire, ST8 7NY

Description of Development:

Proposed extensions and alterations to provide additional accommodation

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in plans submitted with the application ref: Planning Drawing 5206_2 Rev A - A1, for the reason(s) specified below:-

1. The proposed householder development would adversely affect the living conditions and amenity of neighbouring properties to the rear (4 Willow Place), and to the east side (5 Hazel Grove). Due to the size, number and height of the proposed first floor windows and the proximity of the neighbour's garden and ground floor rear facing window, at the rear, the proposed first floor windows would cause unreasonable overlooking and loss of privacy for that neighbour. Due to the height and massing of the proposed side wall, its proximity to the boundary and the extent to which it would extend beyond the rear wall of the neighbour's rear elevation, the proposed development would cause unreasonable overshadowing and appear unreasonably obtrusive and overbearing from the neighbour's property at the east side. The development would fail to respect the site and its surroundings and protect the residential amenity of the area in terms of satisfactory daylight, visual impact, sunlight, outlook, and privacy. In these regards there would be conflict with policy DC1 of the adopted SMDC Local Plan 2020 and a breach of standards set out in the Council's adopted 'Space About Dwellings' SPG.

Informatives

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle 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

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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