

Mr Rob Duncan
28 Ferndale Road
Lichfield
Staffordshire
WS13 7DJ

Mr Murray
C/o Agent

Application no: SMD/2024/0341

Determined on: 18/10/2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

LAND OFF Cheddleton Park Avenue Cheddleton Staffordshire

Description of Development:

Erection of detached dwelling

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: 2018 2296 60 Revision E, 2018 2296 61A, 2018 2296 62 and 2018 2296 63 for the reason(s) specified below:-

1. The proposed development, by virtue of its scale, form and in particular its siting in relation to existing development to the east and adjacent open land to the west, which is considered to contribute positively to the character and appearance of the area and the character of the setting of the village, would be harmful to the overall character and appearance of the area and the historic and rural setting of the village and would therefore not comply with policies H1 'New Housing Development', DC1 'Design Considerations' or DC3 'Landscape and Settlement Setting' of the Council's Local Plan (adopted Sep 2020) and is not in line with Section 12 of the National Planning Policy Framework (NPPF).
2. The proposed dwelling, by virtue of its scale, height and design, would lead to significantly intrusive overlooking of the entire rear garden of an adjacent dwelling, No.79 Cheddleton Park Avenue, to the extent that the privacy of the occupants of that property and therefore their overall residential amenities, would be significantly harmed. The proposal would therefore not comply with Policy DC1 of the Local Plan or Section 12 of the NPPF.

Informative

1. 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 *J Colley*

Signed by: Jane Colley Signature

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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