

Mr Nick Felstad
The Plan Company
Station Street
Stoke on Trent
Staffordshire
ST6 4NA

Mr Preston
8 Southlowe Road
Cellarhead
Staffordshire
ST9 0HR

Application no: SMD/2024/0209

Determined on: 9th January 2025

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

8 Southlowe Road Cellarhead Staffordshire ST9 0HR

Description of Development:

First floor side extension.

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: 1555_A1_01 Rev E.

for the reason(s) specified below:-

1. By virtue of its design and positioning on the property, the proposed side extension would detract from the amenity of neighbours at Number 2 The Oval by way of overbearing effect, overshadowing, and loss of sunlight. The increase in the mass of the dwelling on this elevation would create an overbearing and overshadowing feature in the immediate garden of neighbours, all to the detriment of residential amenity contrary to Staffordshire Moorlands Local Plan Policy SS1, and Policy DC1; the adopted Staffordshire Moorlands Design Guide and the NPPF.
2. The design of the proposed development is not in keeping with local design styles and would result in an incongruous addition to the host building which would be harmful to the street scene given its prominent corner location. The proposal is therefore contrary to the Staffordshire Moorlands Design Guide and Design Principals for Development SPD's, as well as Local Plan Policy DC1, and the NPPF.

Informatives

1. The Local Planning Authority (LPA), in reaching this decision, has followed the

Moorlands House, Stockwell Street, Leek, Staffordshire Moorlands, ST13 6HQ.
www.staffs Moorlands.gov.uk Tel: 0345 605 3010

All correspondence to Staffordshire Moorlands District Council, P O Box 136, Buxton, SK17 1AQ.



guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. However, the submitted amendments were insufficient to overcome the concerns outlined above.

X 

Signed by: Jane Curley

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.
- 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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