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Moorlands Architectural Design Ltd
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Application no: SMD/2014/0076

Determined on: 04/04/2014

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)(England) Order 2010**

REFUSAL OF PLANNING PERMISSION

Location of Development:

390 ASH BANK ROAD WERRINGTON STAFFORDSHIRE ST9 0JR

Description of Development:

Extension & Alterations

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: Location plan, Block plan, 29-01-01, 29-01-02, 29-01-04A, 29-01-05A for the reason(s) specified below:-

1. The height and massing of the proposed rear extension would result in an overbearing and oppressive development, adversely affecting the amenity of the current and future occupants of no. 388 Ashbank Road, Werrington. In particular the development would have an unacceptable and overbearing impact upon the rear facing principal windows of the above property. The application is contrary therefore to Adopted Local Plan Policy B13, Supplementary Planning Guidance (SPG) 'Space About Dwellings', Policy DC1 of the Adopted Core Strategy Development Plan Document and the National Planning Policy Framework (NPPF).

Informative(s)

1. Prior to the determination of the application, the Council advised the applicant that the principle of such development is unsustainable and did 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.

Signed 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. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
3. 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.