STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
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Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Gladman House Alexandria Way
Congleton
Cheshire
CW12 1LB

Application no: SMD/2016/0413

Determined on: 23/03/2017

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:
Land At MILLTOWN WAY LEEK STAFFORDSHIRE

Description of Development:
Outline planning application for up to 25 dwellings, with associated open space and community park, ecological management area, woodland planting and landscaping with all matters reserved except vehicular and pedestrian access.

In pursuance of their powers under the above mentioned Act, Staffordshire Moorlands District Council, **HEREBY REFUSE PERMISSION** for the development described in the above application, in accordance with plans ref: Location Plan 5122-L-03 rev B and Indicative Masterplan 5122-L-01 rev AG and Proposed Access Arrangements 1332/01 for the reason(s) specified below:-

1. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard shall be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest that it possesses. Notwithstanding the increased buffer planting that the scheme offers in relation to the setting of the Grade II listed building Pickwood Hall, it is still considered that there would be a 'moderate' amount of harm, which would result to the significance of Pickwood Hall's setting. This would be 'less than substantial' in the terms of the NPPF requiring the identified harm to be weighed against the public benefits of the proposal. In addition, the scheme would result in an inappropriate urban expansion to harm the character and appearance of the local landscape setting.

2. Overall, it is clear that the revised scheme provides for clear social and economic benefits associated with the delivery of up to 25 dwellings, as well as net biodiversity benefits and the provision of a community park. Such benefits, however, are not considered to be great enough to outweigh the 'moderate' amount of harm, which would result to the significance of Pickwood Hall and impact to local landscape setting,

particularly given the very limited contribution which the development would make to overall housing land supply. Taken together, these factors substantially and demonstrably outweigh the benefits that have been described above. As such, the amended proposal would not amount to sustainable development in the terms of the National Planning Policy Framework (NPPF) and therefore would not benefit from the presumption in favour of sustainable development as set out in NPPF paragraph 14. The proposed development would also be contrary to the Adopted Core Strategy Development Plan document policies SS1 and relevant parts of SS5a, as well as DC2, DC3 and SS7.

Informative(s)

1. The revised scheme is considered to be unsustainable in the terms of the National Planning Policy Framework (NPPF).

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

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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.
8.