STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr Ian Ankers
Ian Ankers Architecture
Ryecroft Farm
Rushton Spencer
Cheshire
SK11 0RP

Mr Abberley
29a Queen Street
Leek
Staffordshire
ST13 6LS

Application no: SMD/2017/0345

Determined on: 22/09/2017

Planning (Listed Buildings and Conservation Areas) Act 1990
The Planning (Listed Buildings and Conservation Areas) Regulations 1990

REFUSAL OF LISTED BUILDING CONSENT

Location of Development:
29a Queen Street Leek Staffordshire ST13 6LS

Description of Development:
Listed Building Consent for Renovation and Alteration Works to House.

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **HEREBY REFUSE LISTED BUILDING CONSENT** for the works described above in accordance with plans ref:

29AQS-01;
29AQS-02;
29AQS-03 REV A;
29AQS-04 REV A;
29AQS-05;
29AQS-LP,

for the reasons specified below:

1. The removal of the kitchen wall and the outside store will represent a loss of historic fabric, harm to the historic floor plan and loss of features of interest. The removal of loadbearing walls will result in structural works to support the walls above which constitutes further harm to the integrity of the Grade II Listed Building. The harm of the proposed development is considered to be less than susbstantial however it is considered that there are no public benefits which outweigh this harm and refusal of the proposal will not harm the viability of the building's use. The development is not considered to comprise sustainable development and therefore fails to comply with

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policies DC1 and DC2 of the Core Strategy Development Plan Document (adopted 26th March 2014) and the National Planning Policy framework including Section 12: Conserving and Enhancing the Historic Environment.

X

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council

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NOTES

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building consent for the proposed works, or to grant consent subject to conditions, he may appeal to the Secretary of State in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. The Secretary of State has power to allow a longer period for the giving of a notice of appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Planning Authority in regard to the proposed works are in progress.

2. If Listed Building consent is refused or granted subject to conditions whether by the Local Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the District Council in which the land is situated, a Listed Building purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

4. If you want to appeal against your local planning authority's decision listed building consent 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