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

Sammons Architectural Limited
10 Cawdry Buildings Fountain Street
Leek
Staffordshire Moorlands
ST13 6JP

Mr Allen

Application no: SMD/2018/0711

Determined on: 28/01/2019

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

REFUSAL OF OUTLINE PLANNING PERMISSION

Location of Development:
Highfield Highfield Leek Staffordshire ST13 8SG

Description of Development:
Outline planning permission with all matters reserved (exept access) for the erection of dwellings

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: 2016-2149-08,
2016-2149-09D,
2016-2149-10A for the reason(s) specified below:-

1. The application site is divorced from the settlement boundary and presents a poor relationship to the built-up area of Leek. Development of this site is likely to present an uncharacteristic urban form of development that would appear divorced from the town and incongruous in this location. As such this application is considered contrary to Staffordshire Moorlands Core Strategy policies DC1, DC3 and R1, and Section 12 of the National Planning Policy Framework.

2. The development would result in significant impact on trees arising from the proposed access arrangements, involving the felling and removal of trees that are protected as Groups and Woodlands under a Tree Preservation Order reflecting their significant contribution to the character and landscape structure of the former Highfield House and the visual amenity of the area generally. In this regard the application is contrary to Policy DC1 of the Staffordshire Moorlands Core Strategy, the provisions of the NPPF and Section 2.2.6 of the Council's Tree Strategy.

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3. The traffic generated by the proposed development would be likely to result in an increase in highway danger owing to increased use of the existing access which affords restricted visibility to the north for drivers emerging from the access. This application is therefore in conflict with NPPF paragraph 108; in conflict with SMDC Core Strategy policy DC1; and contrary to the interests of highway safety.

Informatives

1. This application does not constitute a sustainable form of development and as such fails to accord with the objectives of the NPPF.

2. The recommendation of refusal by Staffordshire County Council Highways would not prejudice consideration by that Authority of a further application at a later date if the access improvements as formally proposed under SMD/2017/0635 is included in the application. However, the applicant is advised that whilst the second access outlined under planning reference: SMD/2017/0635 would overcome Staffordshire County Council Highways objection; it would not be supported by the District Council on forestry grounds.

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.