STAFFORDSHIRE
moorlands
DISTRICT COUNCIL

ACHIEVING · EXCELLENCE

Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr David Oulsnam
Style Matters
Victoria Mill Buxton Road
Bakewell
DE45 1DA

Mr Yeter
22-24 Getliffes Yard Derby street
Leek
Staffs
ST13 6HU

Application no: SMD/2019/0054

Determined on: 18th April 2019

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

REFUSAL OF PLANNING PERMISSION

Location of Development:
Getliffes Yard 25-27, Derby Street, Leek, Staffordshire, ST13 6HU

Description of Development:
Material change of use from a wedding shop (Class A1) to a drinking establishment (Class A4) with associated operations to alter the front elevation and afix structures and surfaces within the area of the yard.

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above and shown in plans numbered 96719 01A; 96719 02A; 96719 03C; 96719 04B; 96719 06 for the reason(s) specified below:-

1. The development would introduce a new use that has the potential to generate significantly more noise near to the adjacent noise sensitive properties. There is a high probability of this causing harm to the amenity of the residential neighours. The application does not include any evidence to demonstrate that noise would be less than anticipated or that noise 'break out' could be reduced with suitable mitigation. The development would therefore conflict with policies SD4 and and DC1 of the Staffordshire Moorlands Core Strategy and Section 12 'Achieving well-designed places' and Section 15 'conserving natural environment' para. 180 of the National Planning Policy Framework (NPPF).

2. The development, that would see significant alterations to a principal elevation and the introduction of fixed structures in the yard, would not conserve and enhance a highly significant and important part of the Leek Conservation Area and the setting of the adjacent Grade II listed silk weavers cottages. The development therefore would harm the significance of 'designated heritage assets' adversley affecting their setting and appearance. While the harm to the 'designated hertiage assets' would be less than substantial, there is no public benefit that would outweigh that harm. In these respects, the development has been considered against paragraphs 190, 193 and196 of the NPPF and is contrary to emerging policy DC2 of the 'submission version' of the yet to be adopted Staffordshire Moorlands Local

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Plan.

Informatives

It is not obvious or clear how the applicant might address and overcome such principle concerns and thus they were not asked to amend the application or provide additional evidence.

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.