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

Mr Paul Booth
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23 Market place
Fakenham
NR21 9BS

Application no: SMD/2019/0664

Determined on: 17th February 2020

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 South Of Thorncliffe Road Leek Staffordshire

Description of Development:
Outline planning application for residential development, including access with all other matters reserved

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 plan ref: CAL030517 for the reason(s) specified below:-

1. This is a greenfield site which lies outside of the defined settlement boudary of Leek. It consists of open pasture land. There is no physical or visual connection between the site and the built up area of Leek. It is very much part of the open, sweeping Churnet Valley landscape which makes an important contribution to the setting to the Peak District National Park (PDNP). The application would fundamentally change the character and appearance of the site from its present rural/agricultural character to one of a suburban residential development. It would be a notably incongruous feature in the rural landscape and would result in an expansion of Leek into this sensitive landscape beyond the defined ridge to the west which screens views of Leek from the north and east including from within the National Park. It would be viewed as an isolated and stand-alone development rather than being ""well-related to the existing settlement of Leek"". It would significantly harm the high quality character and appearance of the local and wider landscape. This harm is not addressed by the reduced size of the site, suggested design measures or suggested landscaping and management of landscaping features. There is as such conflict with Policy DC3 and SS5 of Staffordshire Moorlands Core Strategy DPD which seek to resist development which would harm the character of the local and wider landscape or setting of a settlement or adversely affect the wider setting of the Peak District National Park. There is also conflict with the NPPF which confirms at Paragraph 172 that great weight should be given to conserving and

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enhancing the landscape and scenic beauty in National Parks noting that the Planning Practice Guidance (PPG) confirms that land within the setting of NPs often makes an important contribution to maintaining their natural beauty.

2. Insufficient information has been provided to demonstrate that the development would not exacerbate the risk of pedestrian/vehicle conflict by reason of inadequate provision for pedestrians leading to an increase in the likelihood of danger to highway users contrary to Polices DC1, T1 and T2 of the Staffordshire Moorlands Core Strategy DPD and the NPPF

3. Whilst it is acknowledged that the Council cannot demonstrate a 5 year supply of housing, and therefore policies which are most important for determining the application are out-of-date it is considered that the benefits of the provision of housing, including the social and economic benefits are significantly and demonstrably outweighed by the environmental harm to the character and appearance of the area including the setting of the Peak District National Park. As such the proposal does not deliver sustainable development and there is conflict with Policy SS1a of Staffordshire Moorlands Core Strategy DPD and the NPPF.

Informatives

It is considered that the principle of such development is unsustainable and does 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.

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.