

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

C/O Sammons Architectural Ltd

Application no: SMD/2024/0221

Determined on: 05/07/2024

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

REFUSAL OF PLANNING PERMISSION

Location of Development:

Silk Mill 3 Market Street Leek Staffordshire ST13 6HX

Description of Development:

Installation of 6 rooflights

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above in accordance with plans ref:

- 2023-2829-05A location and block plans
- 2023-2829-07A proposed plan and elevations
- Planning HIA and Design and Access Statement
- Product-Sheet-Conservation-Rooflight-Sept-2023_LR
- Cross section plan SN_CRCS_LS_EE

for the reason(s) specified below:-

1. By virtue of its scale and excess of rooflights along the southern roof slope (facing a public car park), the proposal would fail to preserve the special architectural and historic interest of the listed building (23-25 Derby Street) and setting of the Conservation area within a prominent location of the Town Centre of Leek. Whilst the harm to the heritage asset would be less than substantial, it would not be outweighed by public benefits contrary to Local Plan Policies DC1 and DC2 of the Staffordshire Moorlands Local Plan (2020), relevant paragraphs under Chapter 12 of the NPPF, and relevant restrictive paragraphs relating to heritage conservation under Chapter 16 of the NPPF, underpinned by Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

2. The application also fails to provide a heritage statement that is concise and complete to make any confident conclusion of the scheme. This would fail to satisfy the requirements of the Act, paragraph 200, 201, 205, 206 of the Framework and conflict with policy DC2 of the Local Plan in so far as the require good design and the protection of heritage assets. As a result, the development is not in accordance with the development plan and the NPPF.

Informatives

1. The Local Planning Authority have where possible worked in a positive and proactive manner with the applicant to overcome and address all outstanding planning issues to achieve sustainable development as required by the National Planning Policy Framework. However, in this case, due to the retrospective nature of the development, and the identified harm to the heritage asset, it has not been possible to suggest revisions to overcome the identified issues, resulting in the application being refused.

Rachel Limplin

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On behalf of Staffordshire Moorlands District Council

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.
1. 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.
2. 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.
3. 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.
4. 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>
5. 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.
6. 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.
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