

Gladman Developments Limited
Gladman House
Alexandria Way
Congleton
Cheshire
CW12 1LB

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Application no: SMD/2014/0618

Determined on: 19/12/2014

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure)(England) Order 2010**

REFUSAL OF PLANNING PERMISSION

Location of Development:

Land At MILLTOWN WAY LEEK STAFFORDSHIRE

Description of Development:

Outline application for up to 90 dwellings, with associated public open space, ecological management area and landscaping, with all matters reserved except for access

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: 5122-L-03 for the reason(s) specified below:-

1. The proposed housing development, by virtue of its siting, would cause significant harm to the rural setting of Leek Conservation Area and also the historic parkland character setting of the Grade II Listed Building, Pickwood Hall. The Council's "Historic Environment and Character Assessment" (Aug 2010) considers the landscape area in which the site lies as having high heritage value and this document states that medium to large scale development may not be appropriate particularly in the north of the zone (in which the site lies). The proposal therefore would not comply with policies DC2 and DC3 of the Council's Core Strategy Development Plan Document (Adopted March 2014) which seeks to protect the historic environment and the landscape setting of settlements such as the town of Leek. The proposal is also therefore contrary to Chapter 11 of the National Planning Policy Framework (NPPF).

2. The proposed development would create increased traffic congestion and therefore highway safety problems at the Ashbourne Road/Springfield Road junction. Furthermore, there is insufficient information relating to emergency access routes for the proposed development. The proposal is therefore considered to have a harmful impact on the level of highway safety and convenience of the surrounding highway network and would therefore not comply with policy T1 of the Council's Core Strategy which seeks to ensure that all new

development is located where the highway network can satisfactorily accommodate traffic generated by the development.

3. The submitted development necessitates the completion of a S106 Obligation in order to secure the delivery of affordable housing on this site in perpetuity, a financial education contribution and the provision of off-site public open space facilities. No such agreement has been put in place by the applicant and accordingly there is no mechanism to ensure the delivery of affordable housing on this site or the contribution towards the provision of education and public open space facilities in the locality. The application is accordingly considered to conflict with the requirements of policies H1, H2, C1 and C2 of the Council's adopted Core Strategy and national planning guidance contained in NPPF.

4. Overall, the benefits of the residential scheme when considered together would not be sufficient in this case to significantly and demonstrably outweigh the harm identified above contrary to Policies SS1, SS1a, SS5a, H1, H2, C1 and C2 of the Adopted Core Strategy Development Plan Document; Adopted Developer Contributions SPG and the NPPF.

Informative

1. It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF

Signed 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.
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. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs. The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

3. 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.