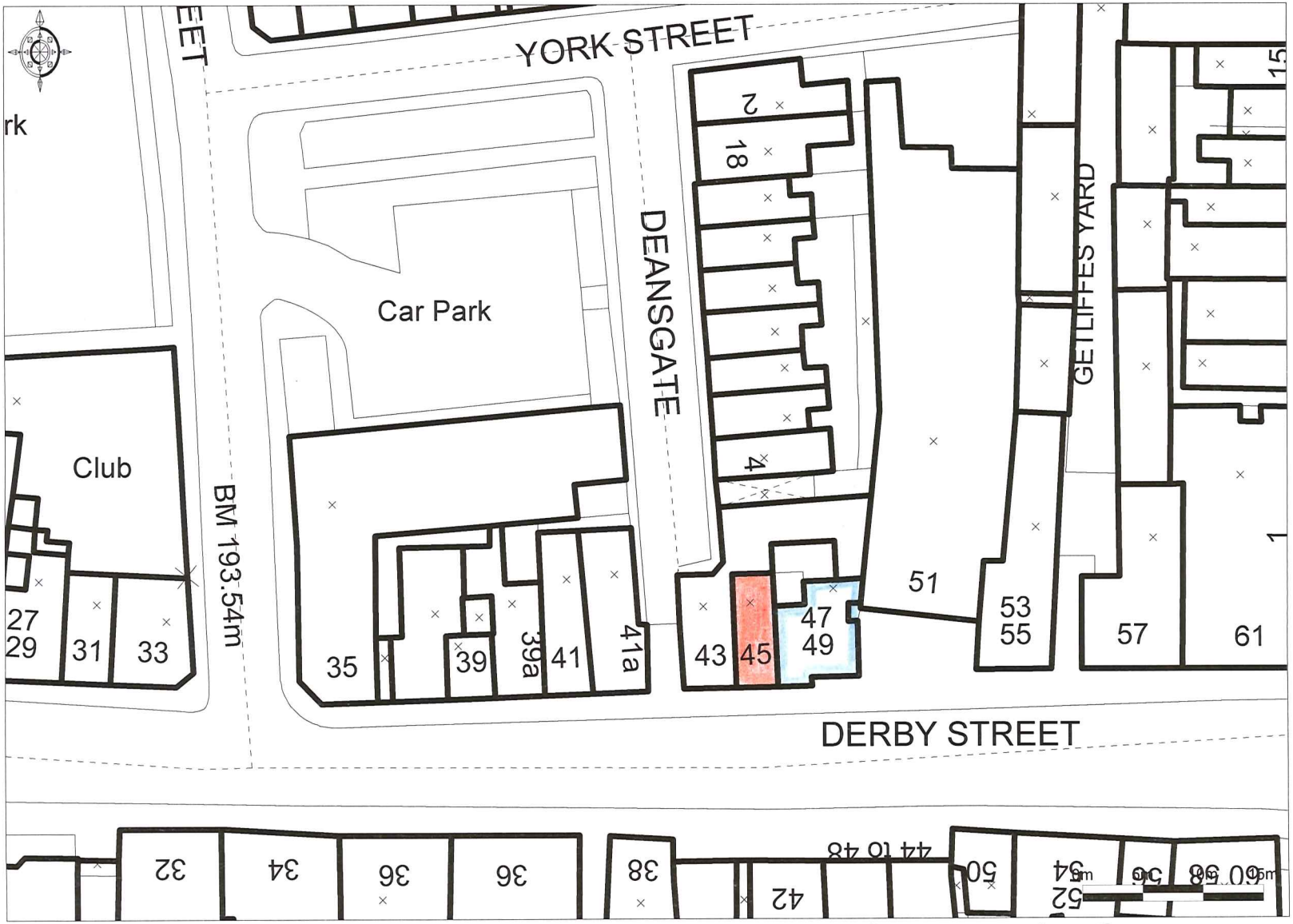

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Location & Site Plan

08/01724/

STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
Planning Service

MOORLANDS HOUSE, STOCKWELL STREET, LEEK, STAFFORDSHIRE
MOORLANDS. ST13 6HQ TEL: (01538) 483550 FAX: (01538) 483586

Town and Country Planning (General Development Procedure) Order 1995

NOTICE UNDER ARTICLE 6 OF APPLICATION FOR PLANNING PERMISSION

(to be published in a newspaper or to be served on an owner or a tenant**)*

Proposed development at *(a)* .....
45 Derby St Leek
.....

I give notice that *(b)* ..... Whitaker & Biggs Ltd .....

is applying to the *(c)* ..... Staffordshire Moorlands District ..... Council

for planning permission to *(d)* ..... Change the Use of the premises ...
from a shop unit to a Professional Service Use

Any owner* of the land ~~or tenant**~~ who wishes to make representations about this application should write to the Council at the Planning Department, Staffordshire Moorlands District Council, Moorlands House, Stockwell Street, Leek, Staffs. ST13 6HQ

by *(e)* ..... 30.9.08 .....

* 'owner' means a person having a freehold interest or a leasehold interest, the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

** 'tenant' means a tenant of an agricultural holding any part of which is comprised in the land.

Signed .....

† On behalf of ..... Whitaker & Biggs Ltd

Date ..... 9.9.08 .....

Statement of Owner's Rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of Agricultural Tenant's Rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

† delete where inappropriate

08 1724

Insert:

(a) address or location of the proposed development
(b) applicant's name
(c) name of Council
(d) description of the proposed development
(e) date giving a period of 21 days beginning with the date of service, or 14 days beginning with the date of publication, of the notice (as the case may be)

PLANNING STATEMENT

ACCOMPANYING APPLICATION

FOR CHANGE OF USE

AT 45 DERBY STREET, LEEK

FOR

WHITTAKER & BIGGS LTD

BY

Michael Sutcliffe & Associates
Chartered Town Planners

September 2008

INTRODUCTION

This is a full application for the Change of Use of 45 Derby Street, Leek from an A1 use (retail) to an A2 use (financial services).

The Applicant, Whittaker & Biggs Ltd are Chartered Surveyors and Valuers, based in Leek located at 47/49 Derby Street and wish to extend into the neighbouring vacant shop unit.

SITE LOCATION AND DESCRIPTION

No. 45 is a 2 storey vacant shop unit on the north side of Derby Street and Conservation Area. The premises were formerly a Pie Shop an A5 use, which relocated across Derby Street and only for a short time were used as a gift shop and have been vacant since July this year.

The owners have confirmed that there has been no interest shown in the tenancy by retail businesses.

Compared to other shop units in Derby Street, No. 45 is extremely small having a frontage of 3.5m sufficient only for a personnel door and modest display window.

THE PROPOSAL

Whittaker & Biggs require additional office space and wish to re-join the application premises to their existing offices by means of an interconnecting door. The shop frontage will be retained as it is, although the door will not be in use, as access will be gained through the door at No. 47. The shop windows will be retained for display purposes.

The attractive ground level tiled floor will be retained and the premises painted to reflect the house style of the business and visually re-unify them with the existing offices.

PLANNING CONSIDERATIONS

The main issue in this case is the effect of the proposed development on the retail character of the town centre shopping area. In the adopted Local Plan the premises are shown as being within the town centre shopping streets identified on the proposal's map. Policy S7 of the adopted Local Plan protects these shopping frontages by giving support to retail uses (A1 uses). Derby Street was also described as a Primary Shopping street in the Local Plan revised document in 2003.

In addition to the Local Development Plan, it is also necessary to pay regard to national advice in Planning Policy Statement 6 – Town Centres.

This states that a diversity of uses in town centres makes an important contribution to their vitality and viability.

A further important issue is the location of the premises in the Town Centre Conservation Area where the Council has a duty to ensure that development preserves or enhances its character and appearance.

The final issue is the particular suitability of the application premises and the lack of suitable alternatives.

ASSESSMENT

a) **Impact on Shopping Frontages**

Appended to this statement is a land use survey showing the application site in context.

Three features are apparent in this part of Derby Street:

- The small size of the application site compared to many of the units around.

- The mixture of uses, not soley retail.

- The presence of large A2 businesses on the north side of Derby Street e.g. Leek United, A.H. Brooks and Britannia Building Society. However, when the south side is considered the position is reversed with retail uses being in the majority.

  Taking both sides together we conclude that the continuity of retail frontages is maintained between the Bus Station and Smithfield Centre and the Market Place and that the generation of footfall will not be seriously damaged by the proposed change of use.

  It is also important to note that the number of A2 uses in this section of Derby Street has reduced with the closure of Reeds Raines and Butters John Bee, and also Haywoods in Stanley Street and these units will be available for compensating retail use.

  It should also be noted that the recent retail use of the premises was short lived and the long-standing use was a Pie Shop, an A5 use. It cannot reasonably be said that the Gift Shop use increased footfall or equally that the non-retail use i.e. A5 use reduced it and of course Estate Agents display windows are an attraction in their own right for the public.

  A final comment is that the application site has such a narrow frontage that it could not be said that an area of 'dead frontage' sufficient to interrupt footfall was being created.

b) Conservation

The existing premises of Whittaker & Biggs, comprises two elements, No. 49 and No. 47 Derby Street. Number 47 is structurally and visually part of one building, divided internally to create No. 45. This is confirmed by the ridge

height and pattern of tiling and the dormer features and their finials to the first floor Derby Street frontage.

We consider that the reunification of the two parts of the building by internal works only and a redecoration in the same style will at the very least preserve the character and appearance of the Conservation Area and that the change of use will provide an opportunity to improve the application property.

c) Vitality and Viability

National Advice in Planning Policy Statement 6: Town Centres (PPS6) states that a diversity of use in centres makes an important contribution to their vitality and viability. Local Planning Authorities should encourage diversification in the Town Centre as a whole. It is our view that an all embracing Valuation and Surveying business which, in addition to its property role, also has a strong impact in the agricultural and antiques sectors, as auctioneers, is a good example of a use that supports the diversity of the Town Centre as advocated by PPS6.

Given the shrinkage in the presence of the A2 use in the Town Centre and the small size of the premises we believe the loss of the retail floor-space on the application site would be insignificant.

d) Suitability

The applicants' existing premises, Nos. 47 & 49, are occupied by nine staff and do not adequately provide for display, office and toilet facilities. They are in the freehold ownership of the applicants and the availability of immediately adjoining premises which exactly match the applicants' needs for additional first floor offices and ground floor display enabling the creation of a meeting room in the existing offices, cannot be found elsewhere in Derby Street,

and even if they were available re-location and disposal of the existing premises would be uncertain and disruptive.

The two other premises vacant in the vicinity in A2 use in the vicinity, Reeds-Rains is only single storey in the freehold ownership of the Britannia Building Society and does not have sufficient floorspace. The Butters John Bees premises are also of inadequate size having only modest storage facilities at first floor level. We reasonably conclude that no other premises exist in the prime location of Derby Street, which are suitable or available.

CONCLUSION

We conclude that the proposed change of use will have no adverse effect on the retail strength of Leek Town Centre or Derby Street because of its small size. Conversely an expansion of this A2 use will help to sustain the vitality and viability of the centre, particularly as it represents a growth in a business sector suffering a contraction.

The proposal will also reunify two parts of one building, which will have benefits for the street scene and the Conservation Area and there are no other suitable available and viable alternatives.

We ask the Council to please approve the application.

Michael Sutcliffe & Associates
18.09.08

Plan 1



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Reference:	08/01724/FUL Leek Town Council



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Description	