

# PLANNING / DESIGN AND ACCESS & HERIATGE STATEMENT



**PROPOSAL** : Conversion of ground floor to two shop units (Use Classes A1, A2 and A3) and first, second and third floors to 5 self contained flats. Alterations to elevations including demolition of single storey rear extension (Re-submission of SMD/2015/0228).

**ADDRESS** : 14-18 Russell Street, Leek, Staffordshire, ST13 5JF

**APPLICANT** : Taspal Light and Sound Ltd

**DATE** : April 2016

**Job No.** 2010-1716

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## **1.0 INTRODUCTION**

Sammons Architectural Ltd have been appointed by Taspas Light and Sound Ltd to prepare and re-submit a planning application to Staffordshire Moorlands District Council for Conversion of ground floor to two shop units (Use Classes A1, A2 and A3) and first, second and third floors to 5 self-contained flats. Alterations to elevations including demolition of single storey rear extension. This application seeks to address the previous reasons for refusal.

## **2.0 USE**

The ground floor former nightclub is proposed to be used for retail purposes. The upper floors are proposed to be used for residential use.

## **3.0 AMOUNT**

The application proposes two shop units and five 2 bedroom self-contained flats.

## **4.0 LAYOUT**

The layout of the proposal is determined by the size and shape of the application building.

## **5.0 SCALE**

The proposed shop units will have floor space amounting to 546m<sup>2</sup>. Each of the flats will be two bedroom units.

## **6.0 LANDSCAPING**

The site is not capable of accommodating soft landscaping.

## **7.0 APPEARANCE**

The external appearance of the building will largely be unchanged. There will be minor alterations at the rear by the demolition of a flat roof addition and by the installation of two new shopfronts. At the front of the building there is proposed to be a rationalisation of the window openings. However, this proposal does not include the installation of Juliette balconies as proposed on the previous application.

## **8.0 ACCESS**

The site is within easy walking and cycling distance of local and town centre services including shopping, employment, health, education and community facilities. It is also convenient for public transport routes that give access to the nearest towns of Buxton, Macclesfield and Ashbourne, and to The Potteries. The development is not capable of providing occupation for less able people because of the stepped access from the rear.

## **9.0 PLANNING POLICY**

As you will be aware Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that when determining a planning application, the decision maker must make their determination in accordance with the Development Plan unless material considerations indicate otherwise. Given

this obligation, this chapter therefore considers national guidance relevant to the application as well as the Staffordshire Moorlands Core Strategy Development Plan Document (March 2014):

### Core Strategy

SS1 Development Principles  
SS1a Presumption in Favour of Sustainable Development  
SS5a Leek Area Strategy  
TCR1 Development in Town Centres  
DC1 Design Considerations  
DC2 The Historic Environment  
T1 Development and Sustainable Transport

### National Planning Policy Framework

There is considerable planning policy and guidance relevant to the planning application proposal at both local and national levels. The NPPF is significant as it sets out the Government's commitment for a positive response to planning proposals that would deliver sustainable development in order to assist growth to the economy. It has been made clear that the planning system has a key role in facilitating growth and development should be supported with a presumption in favour of granting planning permission. This change of emphasis provides an important background to the application proposal.

National Planning Policy Framework places a strong emphasis on promoting economic growth and sets out policies for the control of development. The Development Plan represents the starting point for the determination of this application, which in this instance is the Core Strategy. The guidance contained within the National Planning Policy Framework is also relevant, in particular the following Chapters:

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
6. Delivering a wide choice of quality homes
7. Requiring good design
12. Conserving and enhancing the historic environment

Within the NPPF it is also worth noting the following relevant paragraphs:

- Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise (para 2).
- Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas, (para 10)
- Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise, (para 11).
- At the heart of the NPPF is a presumption in favour of sustainable development. LPA's should approve proposals which accord with the development plan without delay (para 14).
- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.
- 6. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in

- their area, taking account of the needs of the residential and business communities (para 17)
- The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future (para 18)
  - Recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites (para 23)
  - Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (Para 49)
  - The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (para 56)
  - In determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness (para 131)
  - Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets (para 139)
  - Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (para 134)

## **10.0 HERITAGE ASSESSMENT**

The application building is a non-listed building within the Leek Conservation Area. Its heritage significance relates to its external design and character. The building is four storeys high with a modern front at ground floor. The top three floors maintain the original brick and glazed façade and the “art studio” glazing on the side elevation that is the building's main contribution to the character of the Conservation Area. The upper façade and the window openings within the façade and the side elevation will not be changed by the application. It is proposed to rationalise the mix of window styles. The only internal feature of note is the staircase which will not be affected by the proposal.

The assessment therefore concludes that the proposal will not result in a harmful impact on the building's significance as a heritage asset. Economically, the proposal will give the upper floors a viable use that will aid the building's maintenance and therefore its future contribution to the character of the Conservation Area.

## **11.0 SUMMARY**

The site is located within the settlement boundary of Leek and within a principal frontage in the Leek town centre and also within the Leek Conservation Area.

Staffordshire Moorlands Core Strategy Policy TCR1 applies to Leek and Cheadle town centres. The policy sets out measures that will be used to protect and enhance the viability and vitality of the town centre. Measure 1 focuses and promotes retailing in the town centres and measure 7 promotes the use of upper floors of properties in primary frontages for housing. Spatial Objective SO8 promotes

the protection and enhancement of heritage assets. Policy DC2 seeks to safeguard and enhance the historic environment and promotes development that sustains, respects or enhances buildings and features that contribute to the character or heritage of an area.

Guidance in the National Planning Policy Framework seeks to create sustainable, inclusive and mixed communities and to make efficient use of land. The thrust of the NPPF is to support sustainable development. It seeks to promote competition and customer choice in town centres and has policies that steer new residential development towards sustainable locations such as service centres. Paragraph 128 requires applications to include a description of any heritage asset affected by its proposal. The application building is located in a sustainable location. It is in a town centre location and therefore within easy walking distance of the town's bus station, shopping, employment and leisure facilities.

The Council's Core Strategy encourages enhancements to the town centre's retail and tourist vibrancy by the introduction of additional retail uses, particularly in principal shopping frontages and the use of upper floors of properties within the town centre for residential use. The planning proposal delivers both of these objectives. The lawful use of the building at ground floor at the moment is a D2 Assembly and Leisure use i.e. non-retail. The proposal is to allow the proposed units to be used as either A1 (retail), A2 (professional and financial services) and A3 (restaurants and cafes). These uses, at worst will maintain the status quo of retail use in Russell Street, and at best enhance the retail element.

The property has no car parking attached to it. The proposed residential units however replace office space which itself generated car parking that could not be met on site. Demand for parking for the residential use is largely going to take place at times when demand on public parking (which is very close) is low. The retail element of the proposal will generate additional shoppers parking which is difficult to quantify but replaces a nightclub which will have generated high levels of parking in the evening

## **12.0 CONCLUSION**

The Government has a strong commitment to growth and provides a strong presumption in favour of development and is committed to increasing levels of growth. Paragraph 186 of the NPPF states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. It goes on to state in paragraph 187 that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.

The application is considered to accord with the Development Plan Policies and guidance contained within the National Planning Policy Framework. It is considered that the proposal has incorporated the design suggestions previously expressed by the Council under planning application SMD/2015/0228. For these reasons the Local Authority is therefore respectfully requested to endorse this re-submitted application for this development and grant planning permission accordingly.

