DELEGATED DECISION REPORT

SMD/2018/0341 **Valid 30/05/2018**	**102 ASHBOURNE ROAD** **LEEK**	**PROPOSED CHANGE OF USE OF PART GARDEN TO 102, ASHBOURNE ROAD FOR ERECTION OF GARAGES, REGULARISATION OF RECENT GARAGE ERECTED AND PERMISSION FOR ERECTION OF NEW GARAGES ON LAND TO REAR CURRENTLY USED FOR EXISTING GARAGES SITE.** **(FULL - MINOR)**

MAIN ISSUES

- Design
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The application site comprises a thin parcel of land to the rear of 102, Ashbourne Road, Leek. The site comprises a single access that extends from Ashbourne Road at its northern edge alongside the side elevation of No.102 Ashbourne Road to a series of single storey flat roof garages, south east of No.102.

No.102 Ashbourne Road is a red brick building which comprises redundant commercial premises at ground floor level and residential accommodation at first floor level. A small garden area lies to the rear bordered by a timber fence and small hedgerow.

As shown on the submitted Block Plan (Drawing Ref: RLM896/1), three rows of garages shaded green exist on site which were approved under SMD/1976/0001. A row of six garages (Nos. 22-27) sits northwards of two other rows of garages (Nos. 1-12 & Nos. 14-21) with the access track heading south eastwards arriving at a turning area in the far south eastern corner of the site. The garages are constructed of a brick, have roller shutter doors and a corrugated flat roof.

Beyond the garages approved under the 1976 application are two further rows of flat roof garages (Nos. 28-33 & Nos. 35-36) shaded blue on the Block Plan which are stated as being erected prior to 2004. The plan shows that two former garages permitted and constructed under the original consent were demolished to make way for these garages.

To the side of garage No.33 is a newly constructed garage (Garage A) which has been recently constructed without planning permission.

The existing garages each measure approximately 3.4m in width and 5.8m in length. The Planning Statement accompanying the application states that 40% of the garages are used for parking of cars, with the remainder used for storage.

To the north of the row of garages lie an Auto Repair Centre and the residential curtilage of two detached residential properties, Nos. 106 and 108 Ashbourne Road. Both have large rear gardens of some 20m in length, with each boundary defined by a large hedgerow.

The south eastern boundary borders the rear garden of No.110 Ashbourne Road which has a length of approximately 43m. The two boundaries meet some 17m distant from the rear elevation of this property. To the south of the site are a row of detached two storey properties which stand to the north of Meadow Close some 25m from the site boundary, whilst to the west are the site of the former Wren Cottages, as marked on the Block Plan.

PROPOSAL

The application seeks to regularise the site, following an enforcement complaint, by applying for planning consent for the unauthorised garage (Garage A), and two further garage blocks, as highlighted in yellow on the submitted Block Plan.

Garage Block B comprises a row of four flat roof garages and is shown to be located to the rear of No.102 Ashbourne Road, and would involve the re-defining of the garden area by relocating the boundary by virtue of a timber fence. Garage Block C is shown to lie in the far southern corner of the site, and also comprises four flat roof garages.

The elevation plans submitted with the application show that Garage A spans a width of 3.3m and a length of 4.8m. The garage is shown to have a dual pitch roof with an eaves height of 2m and an overall height of 2.8m.

Garage Blocks B & C are of identical design. Each of the four garages has a metal up and over door with a timber fascia above which spans the width of the block. The external walls of both blocks are to be finished in Derbyshire spar dashing. Each block of four garages spans a width of 9.4m and a depth of 4.8m, reaching a height of 2.1m.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The local development plan for this site comprises the Saved Policies of the Staffordshire Moorlands Local Plan (1998); Staffordshire Moorlands Core Strategy

(adopted 26th March 2014) and any relevant Supplementary Planning Documents (SPD's).

The National Planning Policy Framework (NPPF) published in March 2012 sets out the Governments planning policies for England and how these are expected to be applied. As stated in paragraph 2 of the NPPF, the document is a material consideration which must be taken into account in planning decisions.

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5 Towns
SS5a Leek Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Achieving Sustainable Development	Paragraphs 1-17
Requiring Good Design	Paragraph 56

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1976/0001 Retention of lock up garages (Approved)

CONSULTATIONS

Publicity

Site Notice expiry date: 6th July 2018
Neighbour consultation period ends: 25th June 2018
Press Advert: N/A

Public Comments

No public comments received

Town / Parish Comments

Leek Town Council – No comments received at time of writing

Severn Trent Water

No objections to the proposals and do not require a drainage condition to be applied.

Staffordshire County Council Highways

No objections

OFFICER COMMENTS

Principle of Development

The site is located within the development boundary of Leek and is not constrained by any sensitive statutory designation. Leek is the largest town within the District and sits at the top of the settlement hierarchy as set out within policies SS5 and SS5a of the Core Strategy, and can facilitate and accommodate appropriate forms of development.

The accompanying Planning Statement shows aerial photographs demonstrating that the garages shaded blue on the Block Plan have been built prior to 2004 and therefore do not require planning permission due to the time that has elapsed.

Given the nature of development, and planning policy context set out above, the principle of development is considered to be acceptable, subject to all relevant material considerations.

Design

Policy DC1 of the adopted core strategy sets out a list of design considerations that new development should incorporate into any new scheme. In particular new development should be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

The existing garage (Garage A) which has recently been constructed without planning permission is of a similar scale, layout, height, massing and visual appearance to the other garages on site. Similarly the proposed garage blocks (B & C) are positioned in a way which relates well to existing development on site and is of a scale, height, layout, massing and visual appearance which is in keeping with the sites existing characteristics.

In light of the above, it is considered that the existing and proposed garages would be in accordance with the design principles set out within policies SS1 and DC1 of the Core Strategy and paragraph 56 of the NPPF.

Amenity

Policy DC1 of the adopted core strategy states that new development should protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, and privacy.

The site shares part of its boundary with neighbouring residential gardens which are defined by mature hedgerows. Due to the modest scale of the existing and proposed garage blocks, and the distance between the proposed development and neighbouring properties, it is not considered that any neighbouring property would be adversely affected by way of overbearing of overlooking impacts, loss of sunlight, outlook or privacy, in line with policy DC1 of the Core Strategy.

Whilst the use of the site would intensify by the addition of a total of 9 garages, one of which has already been constructed, they sit adjacent to other garages and in part close to other commercial buildings. Given the mix use of buildings in the locality for both commercial and residential purposes, it is considered that although vehicle movements would increase, any harm by way of noise and general disturbance would not significant enough to warrant refusing this application.

Highway Safety

Policy T1 of the Core Strategy requires all new development to be located where it can be satisfactorily accommodated within the existing highway network. Paragraph 32 of the NPPF requires safe and suitable access to development and states that applications should only be refused on highway grounds where the impacts are found to be severe.

The proposed development would introduce eight off street car parking spaces within an area which is already used for such a purpose and with adequate turning to allow vehicles to manoeuvre in and out of the garages. The Highways Authority has no objection to this application. As such, it is considered that the proposed development would not result in any adverse impacts with regards to highway safety.

CONCLUSION / PLANNING BALANCE

Policy SS1a of the adopted core strategy reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).

Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with the development plan without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies indicate development should be restricted.

The site lies within the development boundary and is not constrained by any sensitive statutory designation. The application is therefore not subject to any of the restrictive policy areas set out at footnote 9 to paragraph 14 and as such the presumption in favour of sustainable development is engaged.

An assessment of the application has found that the application accords with all relevant local development plan policies and all other material considerations which include the NPPF. In line with policy S1a of the Core Strategy and paragraph 14 of the NPPF, the application is recommended for approval subject to conditions.

OFFICER RECOMMENDATION: Approve with Conditions

Case Officer: James Stannard
Recommendation Date: 10th July 2018

X 

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council