DELEGATED DECISION REPORT

SMD/2019/0284	**LYNDHURST HOUSE**	**SINGLE STOREY REAR**
Valid 02/05/2019	**39 QUEEN STREET**	**EXTENSION AND DEMOLITION**
	LEEK	**OF SCREEN WALL**
		(FULL - MINOR)

MAIN ISSUES

- Heritage – Leek Conservation Area
- Design
- Amenity

DESCRIPTION OF SITE

The premises are a long established Funeral Undertaker's occupying a corner property at 39 Queen Street with vehicular access off Portland Street to the east side of the premises. Lyndhurst House is a two storey property with two storey rear out rigger and a relatively more recent single storey flat-roofed side extension and a flat roofed rear extension providing garages set back from Earl Street with a forecourt. In 2010 consent was granted for a customer car park to the rear with further access off Earl Street. In 2017 consent was granted for a small single storey flat-roofed extension of c.7m2 to form a guest entrance at an angle across a corner position between the existing side elevation and existing garages. Both these latter have been implemented.

PROPOSAL

Demolition of an existing wall which screens the entrance to the morgue and constructing to a slightly bigger footprint over the area previously contained and screened by the wall a covered entrance in effect extending the morgue by 3m. The side (easterly) elevation facing Earl Street would not be seen from the street as there is a tall dense coniferous hedge and a moderately high brick boundary wall along the rear of the street pavement edge. The proposal would be flat roofed as is the existing morgue it extends.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5a Leek Area Strategy
DC1 Design Considerations

DC2 The Historic Environment
T1 Development and Sustainable Transport

Local Plan Submission Version (February 2018)
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5 Leek Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
T1 Development and Sustainable Transport

National Planning Policy Framework July 2018
Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 11 – Making effective use of land; 12 – Achieving well designed places;; 16 – Conserving and enhancing the historic environment.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
SMD/2014/0341 – installation of one illuminated fixed fascia sign – approved advertisement consent

SMD/2017/0652 – Erection of single storey rear extension to form guest entrance – approved – built

CONSULTATIONS

Publicity
Site Notice expiry date: 4th July 2019
Neighbour consultation period ends: 4th June 2019
Press Advert: 13th June 2019

Public Comments
None

Town / Parish Comments
Leek Town Council – approve subject to not being found unneighbourly

SMDC Conservation Officer
Advises that there is no heritage impact on the character and appearance of the Conservation Area.

OFFICER COMMENTS

Principle of Development

In its general approach in accordance with policies SS1 and SS1a, the Council expects the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. When considering development proposals the Council will take a positive approach that

reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with the policies in the Core Strategy shall be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application, or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise – taking into account whether: (a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or (b) specific policies in that Framework indicate that development should be restricted.

Relevant to this proposal SS5a(3) provides support for strengthening the role of the town as a principal service centre whilst at the same time conserving its special character and heritage.

Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 places a statutory duty on the LPA in assessing planning applications in respect to any land or buildings in a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In reaching its decision the LPA has to demonstrate that the Section 72 Duty has been applied and discharged. Section 72 (and Footnote 6 of para.11 of the NPPF) creates a strong presumption in favour of the preservation of Conservation Areas and their setting.

An LPA can only discharge its duty if it has carried out a proper assessment of the impact on a Conservation Area and/or a Listed Building, is conscious of the duty and has demonstrably applied it in assessing the proposal. This assessment extends to setting, the surroundings in which a heritage asset is experienced.

NPPF paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, “great weight should be given to the asset’s conservation”.

Paragraph 194 goes on to say that: “Hany harm or loss [to a heritage asset] should require clear and convincing justification.”

NPPF paragraph 196 states that: “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.”

The site located within the settlement of Leek, whereby in accordance with Policy SS5 development which enhances and provides for community facilities will be supported. As such the principle of development is considered to be acceptable, subject to other policy considerations relating to the impact on heritage assets and neighbouring amenity.

Design and Heritage Asset Considerations

The site lies within the Leek Conservation Area, where new development proposal are subject to Policy DC2. As a small extension to an existing flat-roofed building it would not be appropriate or particularly feasible to try to introduce a pitched roof over this small part. The scheme is in-keeping with the older flat roofed elements and as a result of the existing boundary wall to the street edge and the high dense evergreen hedge any impact to the street scene would be negligible.

The Conservation Officer advises that there would be no impact on the Conservation Area, no doubt a view reached because of the small scale nature of the proposal and its close affinity with the existing structure. Accordingly it is considered that the development would not harm the character and appearance of the conservation area and would continue to sustain it.

Amenity
As a result of the location of the proposed extension and its overall scale, there would be not harm to any surrounding neighbour.

There are no highway objections to the development, as such the extension would not harm the safe operation of the highway and therefore complies with Policy T1.

CONCLUSION / PLANNING BALANCE
An undertaker's is an important service provision for a community and its proximity to the population by reason of its location within a town as a main service centre, is valuable. With no adverse impacts identified either for the heritage asset, street scene or neighbour amenity the application is recommended for approval.

OFFICER RECOMMENDATION : Approve

Case Officer: Arne Swithenbank
Recommendation Date: 4th July 2019

X

Signed by: JaneC

On behalf of Staffordshire Moorlands District Council