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Planning and Heritage Statement incorporating Design and Access Matters

PROPOSED CHANGE OF USE OF FORMER WEDDING SHOP (A1 USE CLASS) TO DRINKING ESTABLISHMENT (A4 USE CLASS) AT 25-27 GETLIFFES YARD, DERBY STREET, LEEK, ST13 6HU

1.0 INTRODUCTION

1.1 Leek Bar & Grill operates from 29-31 Getliffes Yard as a restaurant and bar. It has a frontage onto both Getliffes Yard and Bath Street. The application building is adjoining this and is intended to operate as an extension of the business, providing a drinking facility separate from the restaurant. It is located at the "head" of Getliffes Yard and has openings onto the yard.

1.2 This is a resubmission of planning application SMD/2019/0054 which was refused for reasons relating to potential noise problems and the level of changes to the appearance of the application building and the yard itself.

1.3 To address these matters, the application is supported by an independent Acoustic Report, and the proposed alterations to the building have been scaled down.

2.0 THE APPLICATION BUILDING AND ITS CONTEXT

2.1 Getliffes Yard was constructed in the middle of the 1800's at right angles to Derby Street as a group of three storey weavers' cottages and warehouses either side of a narrow passage. The buildings on the Eastern side of the passage are Listed Buildings (Grade II). The buildings on the Western side and the end (including the application building) are not Listed. The site is located in the Leek Conservation Area.

2.2 This group of buildings are currently used for retail and food and drink establishments. The application building is currently empty but was last used as a wedding shop.

3.0 THE PROPOSAL

3.1 This is a Full Planning Application for the change of use of an empty shop (formerly a wedding shop) to a bar.

3.4 The site is located on the edge of Leek town centre where there is a liberal mix of commercial uses.

3.5 The application building has three openings onto Getliffes Yard comprising a central window, and either side of this, a door and side window of door height. The application proposes changing the central window into a door that will be the main entrance to the premises. The existing door on the right hand side is to be rehung to open outwards to act as an emergency exit. An internal dividing wall is to be removed to provide a single large room, and the staff toilet will be removed. Toilet facilities will be provided at the main restaurant.

3.6 The intention is for the application building to be used as a bar for the restaurant, where customers can take a drink before or/and after their meal.

4.0 PLANNING POLICY

4.1 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.
4.2 The National Planning Policy Framework (NPPF) was published in February 2019 and replaced a significant proportion of central government planning policy advice with immediate effect. It is the Government's clear intention that the document should be considered to be a material consideration and as such carries particular weight where development is not addressed by planning policies in the existing Development Plan.
4.3 Whilst the recently published NPPF does not change the statutory status of the Development Plan as the starting point for decision making it does provide guidance to LPA's and is a material consideration in determining planning applications (para 2). The NPPF confirms that at the heart of the guidance is a presumption in favour of sustainable development (para 10) and that for decision making this means approving development proposals that accord with the Development Plan without delay unless material considerations indicate otherwise. The Development Plan for the Staffordshire Moorlands comprises of the adopted Core Strategy Development Plan Document (March 2014) saved policies of the Staffordshire Moorlands Local Plan (1998), saved policies of the Minerals Local Plan (1999) and the Staffordshire & Stoke on Trent Joint Waste Core Strategy (March 2013).
4.4 The most relevant policies of the adopted Core Strategy are considered to be SS1 (Development Principles); SS1a (Presumption in Favour of Sustainable Development); SS2 (Future provision of Development); SS3 (Distribution of Development); DC1 (Design Considerations); C1 (Creating Sustainable Communities). For the sake of brevity these policies are not quoted in full but they are referred to where appropriate in the following section.

5.0 KEY PLANNING ISSUES

5.1 The key issues for consideration in the determination of this application are considered to be: -

- the principle of the development
- impact on the heritage asset of the building
- impact on the Conservation Area
- impact on the character and appearance of the area
- impact on neighbouring land uses

5.2 The site is located within the town of Leek which is one of the three towns of the Staffordshire Moorlands, which the Local Plan Core Strategy sees as the receiver of the majority of new development in the life of the local plan. The application site lies within the town development boundary where there is a general presumption in favour of development. The application site comprises a sustainable location for new development that is within easy walking and cycling distance of the town's housing supply and Leek Bus Station which offers regular links with the other two market towns of Biddulph and Cheadle. The Local Plan recognises Leek as an important centre for shopping and commerce and supports, in principle, the development of this site for retail and service purposes. The proposed development is therefore considered to be acceptable in principle.
5.3 The National Planning Policy Framework states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Local Planning Authorities are therefore encouraged to take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; and the desirability of new development making a positive contribution to local character and distinctiveness.
5.4 The impacts that the proposal will have on the character and appearance of the area and the historic assets of the nearby Listed Buildings and the Conservation Area are covered in the Heritage Assessment that forms part of this Statement (Section 6).
5.5 The proposed use is as a bar that will operate in the daytime and at night. There is therefore a risk that the use will disturb adjacent residential properties by virtue of noise and disturbance. This

issue was raised by the Council in the last application. The current proposal addresses this by including an Acoustic Report that assesses the structure of the application building, the activities that will take place in it and whether this might disturb residential neighbours. The report concludes that:-

1. The applicant has been operating at 29-31 Getliffes Yard for a period of 3 years without complaints from neighbours;
2. Providing the proposed glazing in the rear roof slope is designed to control patron and music noise levels to suitable levels, no disturbance will be experienced by neighbours to the rear (the application proposes that these be sealed closed);
3. Amplified music speakers should be isolated from the application building structure and a noise limiter installed to avoid disturbance to neighbours to the side; and
4. No amplified music to be played after 23.00 hours.

Subject to these measures, the proposed use is considered to be acceptable.

6.0 HERITAGE STATEMENT

6.1 The application property is located close to Grade II Listed Buildings in the Leek Conservation Area. It is a three-storey former warehouse dating from the middle of the C19th. It is within a group of buildings that include other former warehouses and weavers dwellings, all facing Getliffes Yard. After a period of disuse and neglect, the buildings have been renovated and are used for a mix of retail uses.

6.2 The application building is a three-storey brick building with a tiled roof. Its main elevation faces Getliffes Yard and it has openings on all three floors that overlook the yard. The application concerns the ground floor only. It proposes the floor plan to be opened up by the removal of a partition wall and the staff toilet. A bar and servery will be installed in one corner of the ground floor.

6.3 The only eternal changes proposed concern the three openings onto the yard. The central openning is a window at present and this is intended to be changed to a door acting as the main entrance to the building. The two openings either side will stay unchanged other than the door on the RHS will be rehung to open outwards as an emergency exit.

6.4 The contribution the application building makes to the Heritage Assets of the Conservation Area and the Listed Buildings on the Eastern side of Getliffes Yard relates to the historic appearance of its front elevation, and the part it plays in the enclosure of the yard.

6.5 The proposal makes limited changes to the front elevation. The central openning is proposed to be changed to a door by removing the brickwork below the existing window. The two openings either side will remain largely unchanged. This level of change, provided it is carried out in a sensitive way using traditional materials is not considered to harm either the character of the Conservation or the Listed Buildings. Similarly, this minor change will not reduce its contribution to the enclosure of the yard.

7.0 DESIGN AND ACCESS ISSUES

7.1 Use

The application proposes the change of the use of the ground floor to a restaurant and bar (Use Class A4).

7.2 Amount

The ground floor of the application building covers an area of 135sq.m.

7.3 Layout

The layout of the existing building will be changed by the removal of a partition wall and the staff toilet. The proposed use will operate throughout the cleared ground floor.

7.4 Scale

The scale of the application building will be retained. The proposed changes to the front elevation will not alter the scale of the host building.

7.5 Landscaping

Landscaping is not a relevant issue in this application.

7.6 Appearance
In response to the Council's decision on the previous application, changes to the appearance of the building are kept to a minimum. The only frontage change is altering the central opening to from a door.
7.7 Access
The application building is accessed from Getliffes Yard. This will remain unchanged.

8.0 CONCLUSION
8.1 The Government requires that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. It goes on to state 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.
8.2 The proposed development is considered to constitute a sustainable form of development as it introduces a new use to a vacant property, in a highly sustainable location. It complies with the three elements of sustainability (social, economic and environmental) as advocated by the NPPF. Furthermore, the proposal is in accordance with the provisions of the policies listed above in the Staffordshire Moorlands Core Strategy.
8.3 The application is a non-Listed Building, but close to Listed Buildings and within the Leek Conservation Area. The application proposes a limited scale of changes to the application building and therefore supports the character and value of these Historic Assets. The application is supported by an independent report that concludes that the proposed use can operate without harming the occupants of neighbouring properties.
8.4 The Local Planning Authority is requested to support this planning application and allow the change of use of the building and grant planning permission accordingly.

This application seeks permission to extend the existing establishment ‘Leek Bar & Grill’ (22 - 24 Getliffe Yard, Derby Street, Leek) into an adjacent empty retail unit at 25-27 Getliffes Yard.

Leek Bar & Grill is a popular establishment which fronts onto Bath Street, with three sets of double doors to the rear, out into the covered, enclosed courtyard called Getliffes Yard, which features a metal and glass roof supported by 4 metal posts down into the yard itself. Numerous chairs and tables are laid out within the courtyard for use by patrons of Leek Bar & Grill.

This application relates to 25 – 27 Getliffes Yard, which is a former wedding shop which now sits vacant. It is proposed to convert the wedding shop into a new bar area by extending out into Getliffes Yard, with a glazed lean-to roof and sliding folding doors to enclose the new area.

The outer wall is shown removed to form a wide opening to take a new bar area with a new steel beam shown over the opening to support the building above. 7 no. aluminium framed sliding and folding glass doors are shown across the front of the new bar area to make it secure. The doors have a recess to fold away into on the right-hand side. Above the sliding folding doors is a lean-to aluminium framed glass roof which sits behind the two existing round columns.

A new bar and backfitting are proposed within the new opening with a curved end to allow access through to a new internal seating area. To the rear of the bar, a new bottle store is formed which is entered through the existing doorway. The internal seating is to have the flat ceiling removed and a glass rooflight inserted into the lean-to roof above. A WC formed with stud walls to the rear of the building is removed and two runs of fixed seating with loose chairs and tables are proposed internally.

The circular floor area in the courtyard is shown with a feature 1800 dia high granite top table with a feature pendant light above and eight bar stools. The stone paving within the circle is shown replaced with patterned porcelain tiles. New Fixed seating with a feature screen and loose tables and chairs are also shown to the courtyard area.

This application seeks to extend this popular establishment into a vacant retail unit, which is positioned in a difficult location for a shop, right at the end of the courtyard away from other retail units. With access both through Leek Bar & Grill itself, and from the entrance to Getliffes Yard off Derby Street, we feel this area is perfectly suited as an extension to this existing establishment.