DELEGATED DECISION REPORT

SMD/2019/0538	**POST OFFICE HIGH**	**PROPOSED REPLACEMENT**
Valid 03/09/2019	**STREET**	**ENTRANCE SHOPFRONT,**
	LEEK	**NEW SIGNAGE AND LIGHTING**
		(FULL - MINOR)

MAIN ISSUES

- Impact upon heritage assets / Design
- Amenity
- Highways

DESCRIPTION OF SITE

The application site comprises The Old Court House, located on the western end of High Street, Leek. The building is currently occupied on the ground floor by the Post Office with the front northern elevation facing the public highway and pedestrian footpath.

The site is located within the development boundary of Leek and within the Leek Conservation Area.

PROPOSAL

The application seeks planning permission for a proposed replacement entrance shopfront, new signage and lighting.

The proposed changes to the shopfront involve replacing the existing timber conventional double doors with an automatic aluminium sliding door finished in white. The signage would involve:

- Like for like replacement of existing fascia sign over shop windows.
- Extending the fascia sign over the adjacent infilled window opening
- Adding black banner vinyls to the top of the shop windows
- Adding 2 poster frames to the infilled window opening.

The applicant has agreed in email correspondence to remove from the proposal a large window graphic vinyl to the right hand shop window.

A separate advertisement consent application has been submitted to the council for the signage under SMD/2019/0539.

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.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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) was updated in February 2019 and 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
DC1 Design Considerations
DC2 The Historic Environment

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

> "…decision-takers may also give weight to relevant policies in emerging plans according to:
>
> - the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
>
> - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
>
> - the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was "sound". Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public is ongoing in order to determine whether the Local Plan is sound and legally compliant. Hearing sessions were conducted in October 2018 and the Inspector issued his initial post-hearing advice in January 2019 which set out some actions for the Council and a range of modifications that would be necessary to make the plan sound. The full schedule of modifications was the subject of public consultation between 18th September 2019 and 31st October 2019. The schedule consisted of modifications that the Inspector has so far deemed necessary to make the Local Plan sound. Following the consultation, the Inspector is expected to consider the responses before issuing his final report. Depending on the recommendations in the report, the Council may then be in a position to adopt the Local Plan.

In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination.
- The extent to which there are unresolved objections to relevant policies this varies depending on the policy in question.
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

<u>Emerging Policies</u>

The following policies are considered to be relevant to this application:

SS1	Development Principles (Moderate)
SS1a	Presumption in Favour of Sustainable Development (Significant)
SS5	Leek Area Strategy (Limited)
DC1	Design Considerations (Moderate)

National Planning Policy Framework

Achieving Sustainable Development	Paragraphs 1-17
Requiring Good Design	Chapter 7
Conserving and enhancing the historic environment	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2017/0612	Change of use from B1 (business) to A1 (shops) including new signage and new condensing unit to rear (Approved 08/11/17)
SMD/2017/0638	Proposed new fascia sign, projecting sign and poster sign (Approved 08/11/17)
SMD/2017/0739	Installation of Bank of Ireland ATM with reflective Advertising collar surround. ATM to be installed within the glazing of the front elevation (second pane along from the main entrance door) in an ATC. - Approved
SMD/2017/0780	Installation of Bank of Ireland ATM with reflective Advertising collar surround. ATM to be installed within the glazing of the front elevation (second pane along from the main entrance door) in an ATC. See also advert ref SMD/2017/0739 - Approved

CONSULTATIONS

Publicity

End of public consultation period 7th November 2019

Public Comments

It would be a shame to lose another wooden shop front. Aluminium shop fronts do not sit well in a conservation area environment. If the main purpose of the new shop front is to improve access could the existing wooden doors not be fitted with power assistance? For example the NatWest on Derby Street has done this recently; I think on theirs you press a button to operate the doors but I believe you can also get variations which operate on sensor etc.

Town / Parish Comments

None received

Conservation Officer

25th September 2019

No objection to the changes to the shopfront but consider that the poster frames should be omitted from the right-hand blank wall (as these will introduce unnecessary signage clutter) and we should resist the window vinyls if we can. No objection to the changes to the doorway or trough lighting. The new sliding door needs to be recessed in the opening to provide some depth and interest

18th November 2019

The most offending part of the proposal was the large vinyl which would have covered a whole window. I could live with the black banner vinyls. Poster frames: I assume that these are going to be glazed boxes fixed onto the outside of the building – I'm not entirely sure. Is there are reason why this information can't be displayed in the window so we don't have these things fixed to the outside? Concern that they add clutter.

SCC Minerals and Waste

No comments to make

Severn Trent Water

No objections

Staffordshire County Council Highways

There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-
1 No direct source of light shall be visible to drivers on the highway. The intensity of the illumination of the advertisement permitted by this consent shall not exceed 1200 candelas per square metre.

Informative Table:

Illumination Areas m2	Luminance cd/m2 In Lit Areas	In Unlit Areas
Up to 0.49	2000	1000
0.5 - 1.99	1600	800
2.0 - 4.99	1200	600
5.0 - 10	1000	600
Over 10	800	400

REASONS: To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

NOTES TO PLANNING OFFICER

Application form section 22 states that fascia sign 1 will be externally illuminated but will have 0cd/m2 illuminance level. Hence condition above based on sign 4.75m x 0.7m in a lit area. Site visit 05/09/2019

OFFICER COMMENTS

Principle of Development

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 11 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 building is currently operated by the Post Office (A1 Use) and is within the built up area of Leek and an area of mixed commercial and residential uses. However it is located within the Leek Conservation Area and as such the application is subject to policy DC2 of the adopted Core Strategy and restrictive policies relating to heritage conservation located within Chapter 12 of the NPPF.

Given the nature of development and policy context set out above, the principle of development is considered to be acceptable providing the application can demonstrate that it would not result in any adverse harm to the character and appearance of the building and conservation area as a whole.

Impact upon heritage assets / Design and Appearance

Policy SS1 of the adopted core strategy sets out a number of development principles which new development should adhere to in order to contribute positively to the social, economic, and environmental improvement of the Staffordshire Moorlands.

Policy DC1 of the adopted core strategy sets out a list of design considerations that new development should incorporate into any new scheme. It states that all development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area.

Policy DC2 of the adopted Core Strategy seeks to safeguard and where possible enhance the historic environment by resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance and promoting development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area.

Paragraphs 189-192 of the NPPF set out how a local authority should assess the significance of a heritage asset and how to assess any potential impact of a development proposal upon such an asset.

Paragraph 195 of the NPPF states that where a proposed development will lead to substantial harm, local authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve public benefits that outweigh that harm or loss. Paragraph 196 of the NPPF 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.

The proposed replacement shop front / door is largely a like for like replacement of a relatively modern timber double door. The Conservation officer has request that it is recessed into the opening. However, the applicant has advised that he is not willing to make this change as it is not feasible to set back the door as weatherproofing the floor and columns each side would be difficult; also the existing doorway is not set back.

Turning to the proposed signage, the fascia signs over the two remaining window openings are like-for-like replacements albeit that the lettering itself will be slightly larger. Nevertheless this is not considered to have a detrimental effect on the appearance of the shop front. Similarly, extending the fascia over the now in-filled shop window at the right hand side of the frontage is also acceptable as it would merely be placed over an existing, somewhat unsympathetic high level window.

There is currently no lighting to this section of the building. The Indian Restaurant to the right-hand side adjacent to the Post Office has several projecting wall lights to illuminate their fascia sign. The new LED lighting will be subtle external trough lighting and will be similar to those above the Dominos Pizza restaurant on St Edward Street. The lights will be positioned centrally within each section of fascia, continuing the symmetry of the existing building. The Conservation Officer has raised no objection to this aspect of the scheme.

The Conservation officer has indicated that the black banners are acceptable and as noted above the applicant has indicated that he would be willing to omit the large window graphics from the right hand window.

Some concern remains regarding the poster frames and the Conservation Officer has expressed the view that this could lead to advertisement clutter and queried why this information could not be displayed inside the windows. The applicant has stated that he is not willing to remove these as the notice frames are required for the requisite Post Office posters, it being important to advertise the available products, and the notice frame would obviate the need for A frames which would be a hazard for elderly and disabled customers.

Having regard to the above, it is considered that the majority of the proposals are acceptable. However, some harm would occur to the Conservation Area, as a result of the lack of “set-back” of doorway and the addition of the poster frames. However, the degree of harm is considered to be “less than substantial”.

The NPPF advises 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, where appropriate, securing its optimum viable use. In this case it is acknowledged that the Post Office is an important community facility in Leek and it’s viability is dependent upon being able to offer a wide variety of products and services to customers and this is in turn dependent upon effective advertising. It is also important that the building itself is accessible to those with mobility problems. Accordingly, in this case it is considered that the public benefits arising from the scheme, outweigh the limited harm which has been identified to the character and appearance of the Leek Conservation Area,

in accordance with policy DC2 of the Core Strategy and restrictive policies contained within Chapter 12 of the NPPF.

However, it is considered to be prudent to attach a condition requiring detail of the poster frames to be provided prior to their installation.

Highway Safety

Advertising, and especially illuminated advertisements have the potential to adversely affect highway safety. However, in this case the County Highway Engineer has considered the proposals, undertaken and site visit and raises no objections subject to conditions. In the light of this it is considered that the proposals complies with Core Strategy policy in respect of highway safety.

Amenity

As noted above the site is within a mixed commercial and residential area. There are residential properties opposite. It is not considered that the proposed shop front changes would have any impact, and given that the signage is largely like for like replacement and would be seen in the context of the adjacent restaurant uses with illuminated signage it is not considered that any other amenity impacts would arise. The proposal therefore accords with Policy DC1 in terms of amenity.

CONCLUSION / PLANNING BALANCE

The application is seeking planning consent for a new shop front and signage on the front northern elevation of the Old Court House, High Street, Leek. The site is currently occupied by the Post Office and lies within the boundary of the Leek Conservation Area.

A separate Advertisement Consent application for the signage has been submitted under SMD/2019/0539.

An assessment of the application has found that the proposed shop front advertisements would be for the most part an appropriate design and scale which is, in accordance with policies SS1 and DC1 of the Core Strategy and would not result in any harm to the character and appearance of the Conservation Area. However, the proposed poster frames and lack of “set-back” to the shop door would cause some less than substantial harm. However, in this case it is considered that this is outweighed by the public benefits of assisting the viability of an important community facility and is therefore in accordance with policy DC2 of the Core Strategy and restrictive policies contained within Chapter 12 of the NPPF.

Overall, the application is considered to accord with all national and local planning policies and constitute a sustainable form of development. In line with policies SS1a of the Core Strategy and paragraph 11 of the NPPF, the application is recommended for approval subject to conditions.

OFFICER RECOMMENDATION : Approve with conditions

Case Officer: Lisa Howard
Recommendation Date: 18th November 2019

X

Signed by: JaneC

On behalf of Staffordshire Moorlands District Council