

DELEGATED DECISION REPORT

SMD/2021/0318
Valid 19/05//2021

GARAGE AND PREMISES
MILL STREET
LEEK

RETROSPECTIVE
PERMISSION FOR A
PROPOSED EXTENSION AND
RE-ROOFING AND RE-
CLADDING OF EXISTING
WORKSHOP / GARAGE

(FULL - MINOR)

MAIN ISSUES

- Impact on the character and appearance of the surrounding area.
- Impact on neighbouring amenity.
- Impact on highway safety.

DESCRIPTION OF SITE

The application site comprises a parcel of land located on the southwestern side of Mill Street, within the Development Boundary of Leek. The site is used as a mechanical garage/workshop and comprises a detached building set back from the road with a small forecourt. The building previously comprised 2no. adjoining garages, both with mono-pitch roofs of differing heights. The building has been subsequently extended and altered without planning permission and currently comprises one single building with a mono-pitch roof. Work stopped on site once the applicant learnt that planning permission was required.

The surrounding area comprises a mix of uses including residential properties to the rear, a former car sales use with a Chinese take-away beyond to the northwest, a vacant plot of land that was previously granted permission for residential apartments to the southeast and the A523 Mill Street to the northeast. A small parade of shops and residential apartments are located on the opposite side of the road.

PROPOSAL

Retrospective Full planning permission is sought for alterations and extensions to an existing workshop/garage building. The level of demolition of, and re-building to, the original building means that the development is more akin to a new building.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS1 Development Principles

1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS5 Leek Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 4, 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 29/06/2021
Neighbour consultation period ends: 16/06/2021
Press Advert: N/A

Public Comments: One comment has been received asking what the hours of opening will be and whether an existing tree will be felled.

Town / Parish Comments: Leek Town Council raise no objection to the application subject to the comment: Not unneighbourly. They do raise concern that planning permission was not obtained before the work started.

Severn Trent Water: No objection to the proposals and do not require a drainage condition to be applied.

SCC Highways: No objection on highways grounds to the application.

Environmental Health: No objection subject to conditions.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF, 2019) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly

and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF (2019) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible, enhancing the environment. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF (2019).

The application site is located within the Development Boundary of Leek; a 'town' as identified by Local Plan policies SS2 and SS5. Part (2) of the policy SS5 seeks to *'create employment growth and increase the diversity of employment opportunities to meet existing and future needs'*. The policy then goes on to list a number of aims that includes:

- *'Supporting the retention and growth of existing businesses within the town; and*
- *Providing facilities and sites for new start-up businesses and expanding the service sector, in particular small B1(a) and B1(b) uses, knowledge-based and creative industries'*.

The application site comprises an existing mechanical garage/workshop that has traded since 1963 and ceased in 2019 when the applicant purchased the land with a view to redevelop the site but to continue operating as a garage/workshop. The applicant's son-in-law will operate the business. He is currently employed at another garage within Leek but his employer has decided to sell their business. The development is therefore considered to comply with part (2) of policy SS5. The principle of the development is acceptable.

Design

Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

Paragraph 127 of the NPPF (2019) requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

The building on the site previously comprised 2no. single storey garages that were joined together. They were both brick built with large wooden garage doors located to the front elevation. The left hand building was lower in height than the right hand building, with the left hand building having a steeply pitched mono-pitch roof and the right hand building having a shallower mono-pitch roof.

The work that has been undertaken to the building includes the almost total demolition of the original building, with the exception of the northwestern external

brick built wall. The replacement walls of the building have been erected with concrete blockwork. The eaves height of the lower building has been increased from 2.6 metres to 4.5 metres and the roof of the higher building has been increased from 4.4 metres to 5.2 metres. The building now has one single mono-pitch roof. It is proposed to clad the walls and roof of the building in dark grey plastic coated steel. One large roller shutter door in the same colour and material as the walls and roof will be positioned within the front elevation.

The building will allow the garage/workshop to work to modern practices and allow for the installation of a mechanical car lift. The external materials of the building are acceptable for the commercial use of the premises. The surrounding area comprises a mix of residential and commercial uses. Whilst the predominant building material is brick, render is also present on some of the buildings. Given the small scale of the building which is set back from the road frontage, it is not considered that the proposed materials will detract from the character or appearance of the existing street scene.

It is for these reasons that the development is considered acceptable in design terms and will comply with policy DC1 of the Local Plan (2020) and the NPPF (2019).

Amenity

Core Strategy policy DC1 and paragraph 127(f) of the NPPF (2019) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The application site has operated as a mechanical garage/workshop since 1963 with no restrictions in terms of hours of openings etc. Residential properties are located to the rear of the application site, residential apartments are located on the opposite side of the road, and the vacant land to the southeast has been the subject of planning approval for residential apartments (although this permission has since lapsed). The use therefore has the potential to cause amenity issues to these residents through noise and odours.

Whilst the application site was formerly used as a garage/workshop, the increase in the size of the building will allow for machinery to be installed that could not be accommodated within the former building. The new building could also lead to an intensification of use. It is for these reasons that it is agreed with Environmental Health that conditions in respect of lighting, hours of operation and plant and machinery noise. The condition recommended by Environmental Health in terms of the use of machinery outside the building is not enforceable and therefore cannot be attached should permission be granted.

The dwellinghouses to the rear of the application site are located on a higher ground level and therefore the mono-pitch roof of the building does not exceed the height of these property's rear boundary treatment. The development therefore does not have an overbearing effect or loss of light on the amenity of these properties.

It is for these reasons that the proposed development will have an acceptable impact on neighbouring amenity and it will comply with policy DC1 of the Local Plan (2020) and the NPPF (2019).

Highway Safety

Policies DC1 and T1 seek to achieve a level of parking and an access that is appropriate to the development it serves.

The Highways Engineer has assessed the application and made the following comments:

Application is for extension and re-roofing and re-cladding of existing workshop/ garage. The small scale extension to improve facilities for staff and re-roofing will not have a severe impact on the highway. The building is an existing mechanics workshop/garage and has been for a number of years. No parking layout is shown, but the proposal will not affect the existing parking layout or parking requirement. Double yellow lines are present in the vicinity of the site preventing parking on the carriageway, layby and footway. Legal parking is only possible within the curtilage of the site. Current records show that there were no Personal Injury Collisions on Mill Street within 50 m either side of the access in the previous five years.

It is therefore not considered that the proposed development will have a detrimental effect on highway safety and it will comply with policies DC1 and T1 of the Local Plan (2020) and the NPPF (2019).

Other Considerations

A comment was raised regarding an existing tree on the site and whether it is to be retained. A tree is located to the rear of the building and was in-situ when the Planning Officer undertook their site visit. The tree is not TPO protected nor is it located within a Conservation Area. It is envisaged that the tree will be retained however, the Council cannot control its retention if the applicant chooses to fell it at a later date.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above, the proposed development is considered to accord with the relevant policies contained in the Staffordshire Moorlands Local Plan (2020) and the NPPF (2019). As such the application is recommended for approval.

OFFICER RECOMMENDATION: APPROVE subject to Conditions

Case Officer: Ailsa Berry

Recommendation Date: 14/07/2021

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council