

DELEGATED DECISION REPORT

SMD/2021/0741
Valid 15/11/2021

LOCK UP GARAGES
BROAD STREET
LEEK

APPLICATION FOR
APPROVAL OF ACCESS
FOLLOWING OUTLINE
APPROVAL SMD/2018/0528

(RESERVED MATTERS -
MINOR)

MAIN ISSUES

Impact on highway safety

DESCRIPTION OF SITE

The application site comprises a number of lock-up garages that are surrounded by dwellinghouses to the north, east and west and commercial properties to the south, that front onto Broad Street. The site is accessed from Broad Street by an existing access located between a car showroom to the west and a car repair garage and a chip shop to the east. The application site is located within the Development Boundary of Leek.

PROPOSAL

Outline planning permission with all matters reserved was granted on 27th June 2019 for the demolition of the existing garages and the construction of dwellinghouses. This application seeks reserved matters approval for 'access'.

The reserved matters of landscaping, appearance, layout and scale are therefore still required to be submitted for consideration.

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

The site has a long planning history, with the only application of relevance to this application being:

SMD/2018/0528 Outline planning permission with all matters reserved for the demolition of the redundant lock up garage, construction of dwellings with landscaping and parking
Approved 27/06/2019

CONSULTATIONS

Publicity

Site Notice expiry date: 04/01/2022
Neighbour consultation period ends: 07/12/2021
Press Advert: N/A

Public Comments: None

Town / Parish Comments: Leek Town Council recommend approval subject to the following comment: not unneighbourly.

SCC Highways:

First Comments: No objection subject to conditions

Second Comments (after the submission of an amended drawing showing the internal access roads): The additional detail doesn't change initial highway response.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) 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 (2021) 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 (2021).

The principle of the redevelopment of the site has been accepted by the approval of outline application SMD/2018/0528. Therefore it is not necessary to re-visit this policy consideration.

Access

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

The application, as submitted, contained details in respect of the proposed access onto Broad Street. However, no details were submitted in respect of the internal access arrangement, that is required when determining the reserved matter of 'access'. A revised drawing was therefore submitted (RLM1054/1-Rev C). This was assessed by the Highway Engineer, who raised no objection. Subject to 2no. conditions requested by the Highway Engineer in their first response, it is considered that the proposed development will not have a detrimental effect on highway safety.

The proposed development is therefore considered to comply with policies DC1 and T1 of the Local Plan (2020) and the NPPF (2021), in respect of highway safety.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above, the proposed development (as shown on the revised drawing, is considered to accord with the relevant policies contained in the Staffordshire Moorlands Local Plan (2020) and the NPPF (2021). As such the application is recommended for approval.

OFFICER RECOMMENDATION: APPROVE subject to Conditions

Case Officer: Ailsa Berry

Recommendation Date: 14/02/2022

X *J Curley*

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council