



FOREFRONT

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APPEAL STATEMENT

Proposed single storey rear/side extension forming store room

at 28-30 Tunstall Road, Biddulph. _____

Site Location and Setting

The appeal site is an off license and convenience store, 'Bargain Booze', at the far southern end of Biddulph High Street. The property appears is red brick and dates from the mid to late 20th Century, and adjoins the end of an Edwardian terrace of houses. The property faces Tunstall Road and lies on a corner site at the junction with Lorena Close.

The property is 2 storey consisting of a shop, with a first floor flat or office. The shop front lies in the eastern elevation. To the rear (west) of the property is a single storey element with a catslide roof that extends from the main rear roof slope. This part of the building exhibits the same brick corbel and verge decoration as the main building. In addition there is a small flat roof addition providing cooled storage.

The single storey western elements provide a kitchen and WC for the shop staff, the entrance door and staircase to the upper floor premises and a small shop store.

Beyond the existing western elements of the buildings is an open yard area, enclosed by a dwarf brick wall providing open storage space for the waste bins. It is available for use for used for parking of one car by staff/residents.

To the south of the building, within its curtilage is an area of hardstanding lying parallel with Lorena Close. This provides parking for two customer cars.

The site does not contain protected trees and does not lie within a Conservation Area. There are no biodiversity assets on the site.

Planning History

88/00816/OLD Change of use and extension of dwellings to form shops with offices over.

92/00750/OLD Change of use of office to first floor flat. Approved.

02/00049/FUL Rear extension to provide storage. Refused.

03/00187 single storey rear extension. Approved

Proposed Development

The plans propose a store room addition to the rear (west) of the property on the open yard area. This would provide a stock room for the retail premises and include a roller shutter door on the south elevation.

The extension would adjoin both the catslide roof and flat roofed elements of the building. Due to the differing roof shapes, it is not possible to add a pitched roof to the proposed extension. The roof design is flat behind false pitch roof sections.

There would be an open gap around all sides of the proposed extension, and space would be retained between the extension and the western boundary for waste bins to be sited.

The customer parking spaces on the southern part of the site would remain.

The planning application the subject of this appeal was refused planning permission by Staffordshire Moorlands Council for the following reasons:

1. The proposal does not represent good design. The development would relate and connect poorly with the existing building and introduce unattractive and obtrusive building form in an exposed and prominent, shared space, location. Here, it would adversely affect the character and appearance of the area and residential environment. The proposal is therefore contrary to policies SS6 and DC1 of the Staffordshire Moorlands Local Plan and the Council's Design Guide.
2. The development would adversely affect the outlook from the neighbour's adjacent residential window, harming the amenity enjoyed by this neighbour to an unreasonable degree. A 45 degree sight line would be breached by the side flanking wall of the development, within close proximity of the centre of this window, resulting in a significant breach of the Council's 'Space About Dwellings' guidance, and a contravention of the Staffordshire Moorlands Local Plan Policy DC1 in these regards.
3. The development would result in the loss of a parking space and the increased likelihood of cars associated with, or visiting the property, parking on the roadside. This would cause congestion and obstruction from parked vehicles and a reduction in highway safety for users of the highway. The development would therefore, contravene policy DC1 and T1 of the Staffordshire Moorlands Local Plan.

Planning Policy Appraisal

National Planning Policy Guidance

Local Planning Policy

Local Plan Development Plan Document (Adopted 2020)

The following Policies and Objectives are relevant to the appeal;

SO3. Spatial Objective - Economy and Employment

SS1 Development Principles

SS6 Biddulph Area Strategy

E1 New Employment Development

DC1 Design Considerations

T1 Development and Sustainable Transport

Planning Policy Analysis

The Local Planning Authority in the officer's report on the planning application do not refer to Spatial Objective SO3 nor Policy E1. This is considered to be a serious omission and indicate that little attention has been given to the commercial needs of the business and policies aimed at supporting local businesses.

Local Plan Policy E1 states;

“In general the Council will endeavour to support the expansion of existing businesses and new businesses in the District, subject to the provisions below.

In addition:

All proposals should help maintain or enhance an appropriate range of employment premises and sites across the District in terms of their scale, location and type.

The sustainable redevelopment, intensification or improvement of existing employment sites for new business and industrial developments will be supported provided it would not have an unacceptable impact on the amenities, character or appearance of the area.

To support the growth of the economy, the Council will:

Encourage provision for small-scale and start-up businesses.”

The supporting text to Policy E1 states

“7.30 This policy also supports local businesses many of which are located outside main settlements or designated industrial estates, are within rural locations or are tightly hemmed in by housing or other development. For those businesses wishing to expand and remain on their current sites, there needs to be a careful balance between protecting the countryside or surrounding land uses, maintaining the openness of the green belt and allowing these firms to provide the additional floorspace that they require.”

Local Plan Policy DC1 Design Considerations states:

“All development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council’s Design Guide SPD. In particular, new development should:

1. be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;
2. be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance;
3. create, where appropriate, attractive, active, functional, accessible and safe public and private environments which incorporate public spaces, green infrastructure including making provision for networks of multi-functional new and existing green space (both public and private), landscaping, public art, ‘designing out crime’ initiatives and the principles of Active Design;
4. incorporate sustainable construction techniques and design concepts for buildings and their layouts to reduce the impact of the development;
5. protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution;
6. promote the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage, where appropriate;
7. provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use; “

Principle of Development

The Biddulph Area Strategy SS6 supports development that enhances Biddulph's role as a significant service centre - seeking to strengthen its role as a retail centre and supporting growth of existing business.

The shop has extremely limited stock storage capacity at present. The development proposed seeks to meet that need by building a store room. In sustainability terms the provision of more storage capacity will reduce the number and frequency of visits to and by suppliers/wholesalers. It would also reduce the total number of vehicles visiting the site. It would meet sustainability aims and policies

It would also meet the LPA strategy to "improve the image and identity of Biddulph" by upgrading the general environment of the town, improving approaches into town from the south.

To that extent, observing the policies of the Local Plan as a whole and the terms of NPPF, this also requires the development to be well designed and to relate well to the character and appearance of the area

Design

Local Plan policy DC 1 requires all development to be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design Guide SPD.

The area surrounding the appeal site exhibits a wide variety of building styles. The appeal site is surrounded by residential properties. As such therefore there is no over-riding style or scale of development. There is no particular theme or pattern of buildings in the vicinity. Neither is the area of heritage value.

Due to the unorthodox shape of the existing building's roof the design choices of the extension are limited. The design with false pitch roof sections on the outer edges of a flat roof will disguise a flat roof in views from the street. Matching materials would be used. The extension will not appear intrusive or overwhelming in the street scene.

Attention is also drawn to the Permitted Development potential described elsewhere in this statement.

Impact on Amenity

The adjoining property to the north is a terraced dwelling. At the rear the dwelling has a principal window that has outlook onto their own yard and is flanked by the commercial premises. The proposed addition would extend beyond the existing store and the neighbour's window increasing the extent and depth of side elevation that would flank, within proximity of the boundary. This would have a limited impact on the residents' amenities However that factor must reflect the fact that's the extension

is single storey, and is set in from the site boundary. Attention is also drawn to the Permitted Development potential described elsewhere in this statement.

Highway Safety

The development would involve the loss of one off-street parking space on the open yard area. This area is also used for open storage and siting waste bins. It is used either by the staff or residents. Its loss would not necessarily preclude the development proposed as neighbourhood shops such as this often do not have staff parking on site.

The customer parking spaces on the site will remain available. It should also be borne in mind that this type of neighbourhood shop serves almost invariably local convenience shopping requirements where traffic demand is likely to be low. The two end to end 'pull in' spaces are considered sufficient for the needs of the commercial premises.

The store room proposed will not enlarge the retail floor space so will not lead to an expansion of the retail business.

The store room will have a roller shutter door facing the road. This allows stock to be brought to the property by wheeled crates etc. There is space for a small delivery vehicle to park sideways on outside the roller shutter door to unload without affecting customer parking spaces or highway safety.

Other factors

The site benefits from Permitted Development Rights under Part 7 Class A which represents a "Fall Back" position. This is a relevant factor as it represents an alternative scheme of work with a real potential of being implemented.

The Town and Country Planning (General Permitted Development) Amendment No.2 Order 2021, came into force on 1st August 2021. Part 7 Class A allows a ground floor extension to commercial premises subject to the following, summarised, restrictions;

- (a) (ii) Gross floor area of the original building not extended by more than 50% or 100 sq.m (whichever is the lesser)
- (b) the height of the building as extended would exceed 4 metres.
- (g) any part of the development would extend beyond the front of any existing building

Conclusion

The retail premises lack storage room and the proposed stock room extension would meet sustainability aims. It would reduce traffic movements to and from suppliers/wholesalers. This would be in accordance with sustainable development

aims and policies. The expansion of the business would also be in accordance with Local Plan Policy E1

The unusual shape of the roof of the existing premises limits the design options for the extension. A single storey addition is proposed as a two storey extension would have potentially had detrimental effect on the adjoining residents.

The flat roofed element would be hidden by section of false pitched roof.

The site would retain 2 off street parking spaces and these are considered sufficient for the parking requirements likely to be generated by this type of neighbourhood convenience shop.

The concerns about the effect on neighbours' amenities and design must also be weighed against the Permitted Development Rights which exist under Part 7 Class A. These allow an extension to be built which would be similar in scale to the appeal proposals.

Accordingly the Inspector is requested to allow the appeal and grant planning permission.