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# PLANNING, & DESIGN & ACCESS STATEMENT

**PROPOSAL : CHANGE OF USE OF COMMERCIAL PROPERTY INTO TWO FLATS AND ASSOCIATED OPERATIONAL DEVELOPMENT**

**ADDRESS : 30, BUXTON ROAD, LEEK, STAFFORDSHIRE, ST13 6EE**

**APPLICANT : MR GRESTY**

**DATE : JUNE 2022 JOB No.: 2020-2699**

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## INTRODUCTION

This statement is submitted in support of a full planning application for the change of use of an existing commercial property into 2 self contained flats and associated operational development at 30 Buxton Road, Leek. The application has been submitted by Sammons Architectural Ltd on behalf of Mr Gresty and is accompanied by drawing numbers 2022-2699-01 2022-2699-02B and 2022-2699-03 which should be read in conjunction with this statement.

## SITE DESCRIPTION

The application site comprises of a two storey end terraced property constructed from brick under a plain clay tile roof which lies on the southern side of Buxton Road, Leek, close to its junction with Ball Haye Street. It lies within an area of mixed development with Moorland Medical Centre adjoining the western boundary of the site and Park Medical Centre and the Lloyds Pharmacy to the north west on the opposite side of the highway. To the north east lies the Lidl supermarket with the remainder of the terraced row to the east, all of which are currently in residential use. The application building has for a substantial period of time been used as a podiatry practice but this has recently ceased and it is now currently vacant.

For the purposes of the development plan the application site lies in the town's development boundary where there is a general presumption in favour of development. It lies outside of but adjacent to the town's conservation area and outside the protected retail shopping frontage.

## PROPOSAL

This is a full application which seeks consent for the change of use of the commercial property into two self contained flats and its associated operational development. External alterations would comprise of replacing the existing shop front with a more domestic treatment, the provision of an external staircase to facilitate access to the first floor unit and sub division of the rear garden to provide dedicated outdoor amenity space for each unit. Internally alterations would comprise of removal of the internal staircase and alterations to existing internal partitions in order to facilitate the new room layout.

## PLANNING POLICY

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.

The National Planning Policy Framework (NPPF) which was published on 27th March 2012 and revised in 2021 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.

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. The NPPF confirms that at the heart of the guidance is a presumption in favour of sustainable development (para 11) and that for decision

making this means approving development proposals that accord with the Development Plan without delay unless material considerations indicate otherwise. The NPPF also sets out requirements in respect of housing delivery and securing high quality design. The following are considered to be the most relevant chapters:-

- Chapter 2 - Achieving Sustainable Development
- Chapter 6 - Building a Strong and Competitive Economy
- Chapter 7 - Ensuring the Vitality of Town Centres
- Chapter 9 - Promoting Sustainable Transport
- Chapter 11 – Making Effective use of Land
- Chapter 12 - Achieving Well Designed Places

The Development Plan for the Staffordshire Moorlands comprises of the adopted Local Plan (September 2020) and the Saved Local plan Proposals Map / Settlement Boundaries (1998). The most relevant policies of the adopted Local Plan are considered to be SS1 (Development Principles); SS1a (Presumption in Favour of Sustainable Development); SS5 (Towns) SS5a (Leek Sub Area Strategy), DC1 (Design Considerations); C1 (Creating Sustainable Communities), H1 (New Housing Development), T1 (Development and Sustainable Transport) and T2 (Other Sustainable Transport Measures). For the sake of brevity these policies are not quoted in full but they are referred to where appropriate in the following section.

## ASSESSMENT

### Principle of Development

The application site is located within the development boundary of Leek. Policy SS2 seeks to focus future growth within the settlement boundary for Leek and to strengthen its role as a service centre. Policy SS5 refers to the Leek Area Strategy in which there is support for increasing the range of available and affordable house types and higher market housing, including for first time buyers and families.

The application site is ideally positioned within a sustainable location close to the town centre and within easy reach of public amenities and services such as shops, cafes, restaurants and employment opportunities as well as being easily accessible to public transport including the town's bus station and within walking distance to several car parks. The application building, would, prior to its current commercial use have been a residential dwelling and its reversion back to domestic use as two self contained flats constitutes a natural transition. There are numerous other commercial properties within the town centre and whilst the loss of the commercial premises is unfortunate it will not adversely impact upon the town's vitality or viability, rather it will enhance it by bring the redundant and vacant premises into a new residential use in a sustainable location. Accordingly it is considered that the principle of the development is acceptable subject to other material considerations including design, impact on residential amenity and highway safety.

### Design

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

The removal of the shop front provides the opportunity to restore the character and appearance of the original building and should be welcomed. The proposed external staircase would be located

at the rear of the building and positioned against a two storey retaining wall. There would therefore be no public views of this element of the scheme. Overall the proposed changes integrate well with the street scene and therefore accord with policy DC1 of the adopted Local Plan and advice contained within the NPPF.

**Impact on residential amenity**

National planning policy dictates that at the heart of its core principles, planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This is further re-iterated in CS Policy DC1, which seeks to protect residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping as informed by the Council's 'Space about Dwellings' SPG.

It is not considered that the proposed external staircase, which is required to facilitate the use of the first floor flat by provision access would give raise to any adverse amenity or overlooking issues having regard to the fact that it would be located against a large solid brick wall forming part of a two storey extension to the adjacent Medical Centre. The staircase does not involve or make provision for any balcony or raised platform and therefore will only be accessed intermittently and for relatively brief periods whilst someone accessed the flat.

The existing yard area would be subdivided to provide dedicated outdoor amenity space for each of the proposed users. On this basis it is considered that the proposal accords with such requirements in relation to LP Policy DC1 and the NPPF.

**Highway Safety**

Paragraph 32 of the NPPF states: 'Plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe' as is reflected within LP Policy T1 'Development and Sustainable Transport'.

Whilst no off street parking is provided the application site lies within a sustainable town centre location which is easily accessible by a means of alternative transport options. It is a short walk from the town's bus station and several public car parks are located within walking distance. On street parking is also provided within the vicinity. It is not therefore considered that the lack of car parking raises any concerns for this proposal. Having regard to the above it is concluded that there would be no adverse impact on highway safety and accordingly there is no conflict with LP policy T1 or with the guidance of the NPPF.

**CONCLUSION**

The Framework sets out that there should be a presumption in favour of sustainable development and indicates that to achieve that, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

The application site lies within a sustainable town centre location. The proposed change of use from commercial to residential with associated operational development is deemed to be a sustainable form of development that respects the scale and character of the existing property, application site or wider surrounding area including the Conservation Area which lies adjacent to

the site. Furthermore, it is not considered that it would be prejudicial to the reasonable enjoyment of the existing residential properties nor would it affect neighbouring land uses. It lies within a very sustainable location close to public transport links and easily accessible on foot and bicycle. In this respect the proposal is considered to be an acceptable form of development and compliant with policies SS1, SS1a, DC1, and DC2 of the adopted Local Plan as well as guidance contained within the NPPF.

The Local Authority is therefore respectfully requested to grant full planning permission for the proposed development in accordance with the presumption in favour of sustainable development.

## 7.0 DESIGN & ACCESS STATEMENT

### USE

The application proposes the change of use of the commercial property into two self contained flats. This form of development is considered to reflect the nature and character of existing development which surrounds the site.

### AMOUNT

The area of the site measures approximately 117 sq metres in area. Each of the proposed units would be one bedroomed two person units with Flat 1 having a gross internal floor area 42 sq metres and flat 2 having a gross internal floor area of 52 sq metres

### LAYOUT

The layout is shown on the submitted drawing accompanying the application.

### SCALE

No alterations to the scale of the application building are proposed as part of this application.

### LANDSCAPING

No landscaping is proposed as part of this proposal.

### APPEARANCE

The removal of the existing shop front and its return to a more domestic appearance would restore the character and appearance of this row of terraced properties.

## ACCESS

The site is located within a sustainable town centre location well located to existing local facilities and public transport links are easily accessible to the site and other parts of the Staffordshire Moorlands as well as the neighbouring city of Stoke on Trent.