

PLANNING, HERITAGE IMPACT & DESIGN & ACCESS STATEMENT

**PROPOSAL : CHANGE OF USE OF COMMERCIAL
PROPERTY TO FORM CHARITY
ACCOMMODATION AND ASSOCIATED
OPERATIONAL DEVELOPMENT**

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

APPLICANT : MR GRESTY

DATE : SEPTEMBER 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 charity accommodation 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 2022-2699-04D, 2022-2699-05 and 2022-2699-06 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 charity accommodation and its associated operational development. External alterations would comprise of alterations to the existing shop front whilst internally alterations would comprise of alterations to existing and formation of new timber 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:-

- Section 2 - Achieving Sustainable Development
- Section 6 - Building a Strong and Competitive Economy
- Section 8 – Communities
- Section 7 - Ensuring the Vitality of Town Centres
- Section 9 - Promoting Sustainable Transport
- Section 11 – Making Effective use of Land
- Section 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), E3 (Existing Employment Areas and Premises), 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. Planning permission has recently been granted (SMD/2022/0373 – Sept 2022) to convert the building into two separate one bedroomed flats however following the submission of that application the applicant has been approached by the Samaritans who wish to use the building for charity accommodation. The Samaritans have had a presence in the town since 1966 where they were first housed in a small room in the basement of Trinity Church in Russell Street. Ten years later they re-located to a terraced house in Fountain Street where they remained until October 2017 when they moved again, this time into a ground floor unit in the Alexandra Mill on Queen Street. Given the recent changes to the use class order it is considered that the use of the ground floor of the building would not require planning permission as the use class would be the same however since the first floor has historically been used as storage in association with the podiatry clinic it is considered that this would require the benefit of planning permission for change of use. The submitted plans show that the ground floor accommodation would comprise of a face to face meeting room, breakout room, office space and visitor toilet whilst the first floor would be used solely for staff members and comprise of an office with separate meeting / training room with 2 toilets and small tea station.

Local Plan Policy C1 seeks to protect “community facilities” and whilst a chiropodist/podiatry practice is not specifically listed as such “health services” are. The proposed development would not only protect and enhance the community facility offering in the town. 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. 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 & impact upon heritage assets

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.

Policy DC2 requires heritage assets and their setting to be enhanced and gives protection to designated and non-designated heritage assets. Whilst not located within it the application site abuts the Leek Conservation Area which was first designated in July 1970. Originally it encompassed the historic shopping centre but has since been extended in 1989, 1994, 2004 and 2013 to include the large mills and the streets of terraced workers' housing and attractive Victorian and Edwardian housing, much influenced by the Arts and Crafts Movement. A Character Appraisal published in 2017 separated the town into five distinct zones (the application building is in the eastern zone with Getliffe's Yard and London Mill) and specifically highlighted the use of historic detailing and natural materials in the Conservation Area. Because of the range of periods during which the town has grown these vary depending on the age of the property.

The application site sits on the southern side of Buxton Road and comprises of a mid terraced property which would formerly have been occupied by workers in the silk mills that operated in the town in the 19th Century. It forms one of the many attractively detailed modest housing which is associated with the town's historic weaving industry. For the last 40 years however the building has been used in conjunction with a podiatry practice as confirmed in a certificate of lawfulness application under reference number SMD/1992/0453. There are however no records of when the shop front and projecting first floor bay window were added.

Whilst the timber shop front will be retained its appearance will be improved by providing transom windows as indicated on the submitted elevational drawings. A small step from the passageway onto the adjacent pavement will be lowered to allow level access through the undercroft to the rear yard area. These are the only external changes proposed and due to their modest scale and design are considered to have little if any visual impact upon either the character and appearance of the host building or the wider area within which it is located including the adjacent conservation area. The proposed internal changes which are limited to the provision or alteration of existing timber partitions to form rooms are easily reversible. Overall the proposed changes integrate well with the street scene and will not affect the character and appearance of the Conservation Area and therefore accord with policies DC1 and DC2 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.

The Samaritans don't have any full time staff. It is run by volunteers who do shift work answering calls from the public. Shifts can last 3, 4 or 6 hours throughout the whole day, including nights and early mornings. On each shift there are a minimum of 2 volunteers on the premises (there is never anyone sole working except a cleaner and possibly the director or maintenance) but there can be up to 4 people on each shift.

The training room and other rooms are used infrequently for training and meetings. These would occur during the day, including weekends, or early evening. Although the premises are used 24 hours a day the type of work undertaken is not noise generating. It should be noted that prior to

their current location the Samaritans operated from a small terraced property on Fountain Street with residential properties either side, which is very similar to the proposed arrangement, without any issues being raised. 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 application proposes a sustainable form of development which would protect and enhance an existing community facility. The changes to the character and appearance of the area are modest and would not harm or materially affect the host building or the 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, C1, 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 charity accommodation. Given the former use of the application building as a podiatry clinic it is

considered that this would maintain the nature and character of the site and would integrate well and not unduly harm the neighbouring land uses.

AMOUNT

The area of the site measures approximately 117 sq metres in area with the building having a floor area of 106 sq metres. The proposed development would be carried out within the shell of the building without any extension.

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 only alterations proposed are to the existing timber shop front and the lowering of a small step to provide level access via the existing passage through the undercroft to the rear yard area.

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.