

DELEGATED DECISION REPORT

SMD/2021/0524
Valid 18/11/2021

61A ST EDWARD STREET
LEEK

PROPOSED CHANGE OF USE
FROM FIRST FLOOR SHOP
AREA INTO 1 BEDROOM
APARTMENT

(FULL - MINOR)

MAIN ISSUES

- Leek Conservation Area
- Amenity

DESCRIPTION OF SITE

61 A St Edwards Street is a 2 ½ storey red brick terraced building with grey roof tiles and dormer window. The ground floor a furniture and interiors shop, with recessed doorway. The first floor has a 3 over 4 bay window. 61 A St Edwards Street is one of a pair with 57 St Edwards Street, with the shop 'Old Whyte Interiors' occupying the ground floor of both.

The site lies within the Leek Conservation Area. Many listed buildings are located on St Edward Street: 64 St Edward Street (grade 2), 70 and 72 St Edward Street (Grade 2), Spout Hall (Grade 2), 62 St Edward Street (Grade 2), 60 St Edward Street (Grade 2), 56 and 58 St Edward Street (Grade 2), 54 St Edward Street (Grade 2), 69 and 7 St Edward Street (Grade 2), the Quiet Woman public House (Grade 2), the Unicorn Public House (Grade 2), 47 St Edward Street (Grade 2), 43 and 54 St Edward Street (Grade 2), 39 St Edward Street (Grade 2), and 19 St Edward Street (Grade 2).

PROPOSAL

Planning permission is sought to change the use of 61 A St Edwards Street from a shop into a 1 bedroom apartment. No changes will be made to the front or rear elevations of the building. The first floor apartment will be accessed via a shared internal staircase. This staircase is shared with the apartment above 59 St Edward Street (for which permission was granted under SMD/2016/0122)

The first floor will be converted from storage space for the shop to lounge/dining room with open plan into the kitchen. The second floor will be converted from storage space for the shop to a bedroom and a bathroom. Existing internal partition walls are not to be altered.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS5 Leek Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework February 2019

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 6 – Building a strong and competitive economy; 7 – Ensuring the vitality of town centres; 8 Promoting healthy and safe communities; 11 – Making effective use of land; 12 – Achieving well designed places; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1986/0055 – Alterations to shop front APPROVED

SMD/1987/1065 – Alterations and 3 storey extension to form store and W.C. on ground floor saddlery on 1st floor and future use for 3rd floor APPROVED 04/02/1988

SMD/2005/0721 – Re-instatement of shop frontages and new windows APPROVED 27/06/2005

CONSULTATIONS

Publicity

Site Notice expiry date: 19/10/2022

Neighbour consultation period ends: 09/12/2021

Press Advert: 22/12/2021

Public Comments

No Comments Received

Town / Parish Comments

No Comment Received

Staffordshire County Council Highways

The property is a 2 ½ storey building currently for retail use. The proposal is to convert the first and second floors into a residential apartment with 1 bedroom.

The existing shop/retail unit on the ground floor will not be affected by the proposal. No off-highway parking is provided; however, it is considered that residents are likely take up sustainable modes of travel due its location within the town centre and access to public transport. If off highway parking is required several public car parks are within walking distance of the property.

The proposal is considered not to have a detrimental impact on the adopted highway I therefore have no objection (application number SMD/2021/0524).

SMDC Waste

No issues regarding waste collections.

Note: This may be on a bagged refuse collection.

Seven Trent Water

No Comment received

OFFICER COMMENTS

Principle of Development

Leek is one of the Towns recognised in the LP, Policy SS 2 and SS 5. The site lies within the development boundary of Leek. Therefore the principle of the development is acceptable subject to consideration of the following policy.

Although there are permitted change of use options under Class M and Class MA, Part 3, Schedule 2 of the GPDO (2015) these are not found applicable here due – in the case of Class M – to the site being located within a Conservation Area (article 2(3) land). The potential for the change of use to be permitted under MA is subject to a range of further criteria and to a prior approval procedure in a Conservation Area if the ground floor is involved which it is here, at least in so far as gaining access

Design

Section 12 Paragraph 130(c) of the NPPF states that development should be sympathetic to the character and history of the area, while not restricting change.

The application does not propose any external changes to the site. Therefore there are no design considerations to make.

Heritage

As regards the Leek Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 places a statutory duty on the LPA in assessing planning applications in respect to any land or buildings in a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In reaching its decision the LPA has to demonstrate that the Section 72 Duty has been applied and discharged. Section 72 (and Footnote 6 of para.11 of the NPPF) creates a strong presumption in favour of the preservation of Conservation Areas and their setting.

An LPA can only discharge its duty if it has carried out a proper assessment of the impact on a Conservation Area and/or a Listed Building, is conscious of the duty and has demonstrably applied it in assessing the proposal. This assessment extends to setting, the surroundings in which a heritage asset is experienced.

Historic Environment Policy DC2 of the Local Plan is to give protection to designated heritage assets and their settings and non-designated heritage assets as set out in the NPPF.

NPPF paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, "great weight should be given to the asset's conservation".

Paragraph 200 goes on to say that: "any harm or loss [to a heritage asset] should require clear and convincing justification."

NPPF paragraph 202 states that: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

The site is located on St Edwards Street which is noted in the Leek Conservation area Character appraisal as a street of fine quality buildings enhanced by views of two major church (St Edward's Church and St Mary's Roman Catholic Church). A number of grade 2 listed buildings are located on St Edwards Street. The setting of both the conservation area, and the listed buildings are not going to be harmed by the proposed alteration as no external changes are being proposed. The appearance of the site is to remain the same, therefore sustaining the conservation area and setting of the listed buildings.

The change of use for the building is also unlikely to cause any harm as a similar change has been approved and implemented at 57 St Edward Street without causing harm to the conservation area or surrounding listed buildings.

Amenity

Section 12 Paragraph 130(f) of the NPPF states that development should create places with a high standard of amenity for existing and future users.

SMDC Space about dwellings (SPD) states that the distance between front elevations containing principal windows and between rear elevations, containing three or more bedrooms should be at least 22 metres.

There will be no alteration in the position of any windows at the site. There is also no extension being made to the site. Therefore there will be no impact upon the amenity neighbouring residences.

LP Policy H1 (3) d states All new dwellings should aim to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space standard. The total area of the proposed flat would be 58.57 metre squared. The NDSS states that a 1 bedroom, 2 person property such as this one must have a minimum gross internal floor area of 58 metres squared. There is also a built in storage cupboard which is 2.67 metres squared, the NDSS required 1.5 metres squared for this type of dwelling. Therefore the proposed dwelling meets the nationally described space standards (NDSS).

Highway Safety

LP Parking Guidance states that Class C3 (residential Dwellings) should have a number of car parking spaces sufficient for the type of residence. Up to three bedrooms, requires two spaces for residents and visitors within the curtilage of the dwelling. Four or more bedrooms requires three spaces.

The comments of County Highways are noted and it is expected that despite the lack of off-street parking provision the central location to the site will encourage the use of sustainable transport methods such as walking, cycling and public transport. There are also a number of public car parks in the surrounding area which would allow for parking if required.

CONCLUSION / PLANNING BALANCE

The development is considered acceptable in terms of design, amenity and highway safety. In addition the development is not considered to cause any harm to the conservation area or setting of nearby listed buildings. It is in considered to be in accord with the relevant policies put forward in the Local Plan and the NPPF. Therefore this application is recommended for approval.

OFFICER RECOMMENDATION : Approve

Case Officer: Arne Swithenbank c/o Rachel Robinson
Recommendation Date: 20th October 2022

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council