

DELEGATED DECISION REPORT

SMD/2022/0253
Valid 16/05/2022

STATION WORKS STATION
STREET
LEEK

FULL APPLICATION FOR THE
ERECTION OF A BUSINESS
UNIT FOR CLASS B2, B8 AND
E USES.

(FULL - MINOR)

MAIN ISSUES

- Principle of development
- Design and visual impact
- Neighbouring amenity
- Highway safety
- Flooding and Drainage

DESCRIPTION OF SITE

The application site is located within an existing commercial yard in Station Street forming part of the wider Station Works. The site is currently used as additional parking associated with the existing buildings. These buildings are commercial units that are either side of the site. Residential dwellings on Geoffrey Street form the rear (south east) boundary to the site. In terms of location with site is within a built up area of Leek.

PROPOSAL

Consent is sought to erect a building for B2, B8 and Class E uses within an existing commercial yard. The proposed building which would measure 14.7 m x 7.2 m would be positioned alongside the rear (south eastern) boundary of the application site. The proposed building will have a monopitched design measuring 4.5m at the eaves and 5.75m at the ridge. The building will be grey painted block walls with a grey steel sheeting roof.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS2 Settlement Hierarchy
DC1 Design Considerations
T1 Development and Sustainable Transport
SS 5 Leek Area Strategy
E 3 Existing Employment Areas, Premises and Allocations

National Planning Policy Framework
Section 12: Achieving well-designed places

SITE HISTORY

None relevant

CONSULTATIONS

Publicity

Site Notice expiry date: 18/06/22
Neighbour consultation period ends: 11/06/22
Press Advert: N/A

Public Comments

4 letters of representation have been received from two addresses with the following objections

- Previous engineering use caused constant noise and worked outside of reasonable hours and often at weekends and the residents of Geoffrey avenue were unable to use their gardens because of noise levels.
- Noise nuisance
- Site used to be industrial, but the area is not residential so it's now not suitable

Town / Parish Comments

No objection

Staffordshire County Council Highways

No objection subject to a condition relating to parking and turning areas

Severn Trent waters

No objection subject to condition relating to drainage plans

Environmental Health

Comments received 13.12.2022

No objection subject to conditions three of these conditions are pre commencement. The conditions recommended relate to noise attenuation, fumes, construction, outdoor noise, timings, land contamination and delivery timings.

OFFICER COMMENTS

Principle of Development

The application site is located within the development boundary of Leek. Policies SS2 seek to focus future growth within the settlement boundary for Leek and to strengthen its role as a service centre.

For Leek Policy SS5 states that the Council and its partners will seek to consolidate the role of Leek as the principal service centre and a market town and support its regeneration.

Policy E3 requires that new premises should be well located to the main road and public transport network; provide, or are physically and viably capable of providing through redevelopment, good quality modern accommodation attractive to the market without harm to the amenity of nearby residents; and are capable of meeting a range of employment uses to support the local economy;

The application seeks consent for B8 (storage) B2 (general industrial) and Class E which includes a range of uses. The site is considered to be appropriate for light industrial uses, but other uses such as retail may harm the vitality of the town centre, given the peripheral location. Therefore, it is considered that a condition should be imposed to limit the permission to B2, B8 and E(g) classes.

Accordingly, the general principle of development is considered to be acceptable subject to other materials considerations including design, impact on residential amenity and highway safety.

Design

Section 12 of the NPPF places an emphasis on the requirement for development to be of high quality design as good design is considered a key aspect of sustainable development.

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

The proposed building would provide an additional floor space of 93sqm with a maximum height of 5.8m therefore it is considered that the proposal provides a modest sized building. When viewed from the adjacent highway the building would be set back within the site and would therefore not be afforded a high level of visibility. When visible the building would be viewed in context with the adjacent buildings and therefore the building would not dominate the street scene. The proposal will be constructed in concrete block, then rendered and painted grey. The roof will be grey composite steel profile roof sheeting. The doors to the front elevation will be steel roller shutters with a black personnel door. The design is typical for an industrial building and the materials are considered appropriate.

This application is therefore considered to be in accordance with Policy DC1 of the Local plan.

Impact to neighbouring amenity

Policy DC1 seeks to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.

Firstly the impacts of the proposed building in terms of its scale and size will be assessed and its impact on these neighbours in terms of loss of light, privacy and outlook. The neighbours with the most potential to be affected by the development are no 17 and no 19 Geoffrey Avenue.

The front of the building measures approximately 5.8m in height sloping to 4.6m at the rear. The building measures 14.7m therefore it extends the full width of both no 17 and no 19s rear gardens. The building is proposed to be sited approximately 1m from the boundary between the site and these neighbours and a separation distance of 31m will be achieved between the building and the rear elevations of these neighbours. The ground level of the rear gardens for these properties are significantly higher than the ground level of the development site therefore only the roof of the building will be visible from these rear gardens and therefore the building would not have an undue impact on the rear gardens. For this reason it is considered that the size of the building is considered acceptable.

In relation to the use of the building for B2 (general industrial) B8 (storage and distribution and Class E (commercial, business and services). Concerns were raised by neighbours and the Environmental Health Department in terms of the impact an industrial use would have on the amenity of nearby residential receptors.

National Planning Policy Guidance on noise states that 'noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment'.

A noise impact assessment was requested and subsequently the applicants agent has submitted a noise impact assessment. The assessment sets 46dB La90 as a representative background for the nearest residential properties. The predicted impact of noise when considered under BS4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound is a rating level is between 78dB and 85db (including character correction +6dB). This would cause a significant adverse impact unless mitigation is used in the development. The assessment proposes that wall, roof and door noise reduction is enhanced (section 6) so that background noise levels are not compromised. There is no specific scheme proposed so a condition will be attached that requires a site specific scheme for mitigation is submitted prior to development commencing which complies with the requirements set out in the assessment(condition).

Further conditions will also be attached to protect neighbourhood amenity including site timings, plant and machinery noise restrictions and delivery timings. Due to concerns regarding noise in the early morning a condition will also be attached so that the site only operates during daytime hours 08.00 – 18.00 Monday

to Friday, 08:00- 13:00 Saturday and closed on Sundays and bank holidays. These conditions are required to ensure neighbour amenity is protected

Taking the above into account, this application is therefore considered to be in accordance with Policy DC1 of the Local plan.

Highway Safety

Policy T1 of the Local Plan states that permission will only be granted for development incorporating adequate and satisfactory parking provisions.

The property benefits from off highway parking as there is an existing carpark. The highways authority considers that the number of parking spaces available for the proposed building and the existing units is acceptable, subject to a condition requiring the parking and turning areas to be made available before the building is brought into use. The condition also requires the parking and turning area to remain unobstructed for the lifetime of the development.

As such, the proposal will not have a detrimental impact on the adopted highway. This application is therefore considered to be in accordance with Section 9 of the NPPF and Policy T1 of the Local Plan.

Flooding and Drainage

The development does not raise concerns regarding flooding. However, the applicant has not provided sufficient information relating to the site and drainage layout. Severn Trent Waters require these details to be submitted prior to commencing the development. Therefore, a pre commencement condition will be attached to the permission.

The building over team have reviewed the application and consider that there may be there are no public sewers in the immediate area but there maybe unmapped transferred public sewers on property. Should public sewers be located on site the applicant should refer to protective strips detailed within their comments.

CONCLUSION

The proposed building is located on an existing commercial site adjacent to residential properties. As such the main consideration is the impact on the use of these neighbouring dwellings. The proposal is consideration to have an acceptable impact subject to appropriate attenuation mentioned with the noise report submitted with the application. The development is therefore acceptable subject to a number of conditions that aim to protect neighbour amenity.

It is for the above reasons and having regard to all material considerations and matters raised that I recommend accordingly.

OFFICER RECOMMENDATION :

That planning permission is granted subject to conditions.

Case Officer: Rebecca Bowers

Recommendation Date: 15.12.2022

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council