DELEGATED DECISION REPORT

SMD/2022/0595 **Valid 03/11/2022**	**123 BALL HAYE GREEN** **LEEK**	**PROPOSED CHANGE OF USE FROM FISH AND CHIP SHOP TO DWELLING WITH ASSOCIATED INTERNAL AND EXTERNAL ALTERATIONS** **(FULL - MINOR)**

MAIN ISSUES

- Suitability for use as a dwelling
- Neighbour impacts

DESCRIPTION OF SITE

Two storey brick and clay tile terraced property until recently operated as a fish and chip shop. Outwardly to the front the building is closely similar to its neighbours in the row most of which are dwellings. All open directly on to the street pavement.



At the rear the property has a narrow linear two storey brick extension with flat roof occupying half the width of the rear yard. There is a further single storey block work extension beyond (also with flat roof) and further yard space. There is also a small flat-roofed extension off the rear ground floor to the main two storey original dwelling.

The property backs on to industrial or other land at the rear but has at least pedestrian access via this area in common with its neighbours.

PROPOSAL

As in the description. Only a few minor external alterations are proposed. The ground floor rear window of the extended rear to the original dwelling is proposed to be changed to French doors.

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
C1 Creating Sustainable Communities
NE1 Biodiversity and Geological Resources
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; 15 – Conserving and enhancing the natural environment; 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

None in recent record.

CONSULTATIONS

Publicity
Site Notice expiry date: 29.12.2022
Neighbour consultation period ends: 07.12.2022
Press Advert: N/A

Public Comments
None

Town / Parish Comments
Leek Town Council – resolved that the application was not un-neighbourly. No objection.

Staffordshire County Council Highways
Notes no space for off street parking to be possible. Normal requirement would be two spaces. Notes within walking distance to Leek town centre and bus routes. Notes previous commercial use would have generated traffic which will now not occur. No objection.

OFFICER COMMENTS

Principle of Development
Within the town development boundary therefore acceptable in principle. The main consideration is whether the building can provide satisfactory living conditions for its occupiers in conversion to a dwelling and without causing undue harm to neighbour living conditions.

Design
The scheme proposes changes to windows and doors inserting new upvc framed units to existing openings. Only one opening is proposed to be altered: as noted, the ground floor rear window of the small single storey extension to the original two storey part of the dwelling is proposed to be made into French doors. This will not be a publicly visible change and will not alter relationships with neighbouring dwellings through overlooking or loss of privacy.

Although a very traditional pre-1900 building prior to the extensions, as the property is not in a Conservation Area or subject to Article 4 controls, the proposed materials to windows can be accepted and would be consistent with typical usage in the current street scene.

The two storey flat roofed element to the rear appear long pre-existing and not recent.

Amenity
There is a c.40m2 area of outdoor yard space at the rear which is below the modern day policy standard of 65m2 but typical of terraced dwellings of this period and similar to the spaces serving most of the dwellings in this row. Within 80m of the property along Ball Haye Green to the north east is a Local Authority maintained play area and a ‘community green’ providing readily accessible outdoor recreation space.

An existing first floor window facing north east along the line of the terrace may give rise to some overlooking of rear yard areas but the nature of the yards eg with their own built-out extensions means this would be unlikely to be intrusive. It can be noted from the plans that it would serve a landing corridor and not a principal room.

Highway Safety
This dwelling could be occupied very readily without reliance on the private car given the proximity to schools, amenities and the town centre. If occupiers choose to have a car and need to find on-street parking they will be limited to parking where it is legal and safe.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above the application can be recommended for approval. It is likely that use of the building as a single dwelling would be less impactful for neighbouring residents than the recent past use as a fish and chip shop. Other than the windows there are no proposals to change the exterior material surface finishes but the sections of the application form which would cover this have not been completed to confirm that wall (or roof) finishes would be unchanged. It would be appropriate for the avoidance of doubt to attach a condition / informative to stipulate / re-iterate that nothing in the consent authorises any changes to the existing exterior material finishes. The majority of the neighbours are of original brick and clay tile finish in the main presenting a traditional appearance which it is appropriate to seek to retain.

OFFICER RECOMMENDATION : approve

Case Officer: Arne Swithenbank
Recommendation Date: 05.01.2023

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council