

## DELEGATED DECISION REPORT

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**SMD/2022/0114**  
**Valid 14/03/2022**

**TRANSFORMER HOUSE**  
**4A WELL STREET**  
**LEEK**

**PROPOSED EXTENSION TO**  
**THE FIRST FLOOR.**

**(FULL - MINOR)**

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### MAIN ISSUES

- Amenity
- Design

### DESCRIPTION OF SITE

Transformer House is a flat roof building on Well Street in Leek. The building is single storey and constructed from red brick with a roller door and personnel door in the front elevation.

The property only has one exposed elevation as the other elevations all abut other neighbouring buildings.

For the purposes of planning policy consideration, the application site is located within the Leek Town Development Boundary. The site does not form part of a Conservation Area however the Conservation Area boundary lies on the other side of the road incorporating the former Mill buildings (some of which are Listed) The building is in use for storage.

### PROPOSAL

It is proposed to add an additional storey onto the flat roof to increase floor space. It is proposed to mirror the neighbouring property in form and massing, with a gable elevation to Well Street. It is proposed to have three evenly spaced windows in the front elevation and the rear elevation would remain blank.

### RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

#### **Core Strategy Development Plan Document (Adopted 2014)**

S01 Spatial Objectives  
SS1 Development Principles  
SS1a Presumption in Favour of Sustainable Development  
DC1 Design Considerations  
T1 Development and Sustainable Transport  
DC 2 The Historic Environment

## **National Planning Policy Framework**

Achieving Sustainable Development Chapter 2

Achieving Well Designed Places Chapter 12

## **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

SMD/2018/0594 permission granted for roller shutter door

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 25 April 2022

Neighbour consultation period ends: 05 July 2022

### **Public Comments**

There have been a number of representations:

Occupier of 4 Well Street

Concerned about access to utilities on the side elevation of her property (this is a private property matter and not a material planning consideration)

Concerned about terracing effect devaluing her property (not a planning consideration).

Occupies neighbouring commercial premises

Concerned proposals will limit access to his flat roof and block gutters.  
Also concerned that the proposal impinges on his property and an area with insufficient internal support. (These are private property matters and not material planning considerations).

Occupier of 7 Portland Street

Concerned that proposal will be overbearing and block light from his property.

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Concerned that proposal will be overbearing and block light from her property.

Cumulative impact of the proposal with other buildings in the area.

Proposal won't enhance the area.

Concerned about possible future changes of use that may be sought.

Would prefer to see a front to rear dual pitch.

Owner 9 Portland Street

Considers the proposal over bearing and loss of light unacceptable.

### **Town / Parish Comments**

Leek Town Council - Approve

### **Staffordshire County Council Highways**

Does not consider the impacts would be greater than the existing – recommends approval.

### **OFFICER COMMENTS**

#### **Principle of Development**

Principle of Development The application site is located within the Leek Town Development Boundary and therefore there are no 'in principle' objections to the proposal subject to all other material planning considerations being satisfied. Matters to consider are those of design, visual impact, neighbour amenity and whether or not there would be any highways implications.

Conditions can be imposed to ensure that permitted development rights are not used to change the use of the building and to prevent further alteration to the building.

#### **Design**

Core Strategy (CS) Policy SS1 sets out a number of development principles which new development should adhere to in order to contribute positively to the social, economic, and environmental improvement of the Staffordshire Moorlands.

CS Policy DC1 sets out a list of design considerations that new development should incorporate into any new scheme. In particular new development should be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

The Council's 'Design Principles' SPD provides further useful guidance for proposed extensions and alterations to dwellings. It states that dwellings should be subordinate to the main dwelling, and respect its existing scale height and visual appearance.

Paragraph 127 states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

The gable front to Well Street would reflect the neighbouring property and would offer considerable benefits to the street scene compared to the existing flat roof structure.

The proposal is well proportioned and the materials would be brick to match the existing. Roof materials are proposed to be plain clay roof tiles which would match the neighbouring property.

The design would enhance the setting of the Conservation Area and the proposal is in line with policies DC1 and DC2 in this regard.

## **Amenity**

CS Policy DC1 states that new development should protect the amenity of the area, including residential amenity, in terms of provision of satisfactory daylight, sunlight, outlook, and privacy and in terms of noise impacts.

The proposed development is in close proximity to residential dwellings and has potential to impact properties.

There is, in particular, a risk of harm to daylight, sunlight, outlook, and privacy to the properties to the rear on Portland Street.

Number 7 Portland Street has a rear amenity space of around 7.5m from the 2 storey elevation of the rear of the property to their boundary. The proposed gable would be 13.5m from their rear elevation which has habitable rooms facing towards the proposed development.

The proposal will have an impact on the properties on Portland Street and will certainly be a prominent and imposing structure. The planning decision is whether that impact will be an unacceptable one.

The SMDC guidance on 'Space About Dwellings' contains advice on this matter. The diagram 'figure 2 Daylight and facing extensions and buildings' includes a test where a 25 degree angle is applied to the affected property and if the proposed development is outside of that envelope the development will not lead to an unacceptable loss of light.

The applicants agent has been directed to this guidance and has produced plan using this formula. This plan demonstrates that the proposal will not lead to an unacceptable loss of light for the residents of Portland Street.

The proposal has no rear windows and will not lead to overlooking. Permitted Development rights can be withdrawn so that no further openings can be inserted into the property.

The proposal will affect residents of Portland Street's view, but views are not a material consideration. The proposed building is 13.5m from the facing rear

elevation windows, and this degree of separation is sufficient to avoid the proposal being overbearing.

The proposal will adjoin the first floor of an adjacent property on Well Street which is in residential use. The Environmental Health Officer has raised concerns that the proposed use may lead to unacceptable noise and disturbance to the occupants of that property.

The EHO recommends that the application is refused because of the lack of information about noise but also recommends conditions. On discussion, it seems that the concerns can be addressed by the imposition of conditions, but conditional requirements for noise attenuation scheme would need to be a precondition. This has been agreed by the applicant.

The risk of noise can be addressed by planning condition.

With conditions attached the proposal is considered to be in line with policy DC1

### **Highway Safety**

Policy T1 of the Core Strategy requires that all development is located and designed where it would not result in any adverse impacts to highway safety and be safely accommodated within the highway network.

The Highway Authority has no objection to the proposal as the existing loading arrangements would be unchanged.

### **CONCLUSION / PLANNING BALANCE**

The impacts of this proposal are finely balanced. The proposal would result in benefits to the character and appearance of the building and wider street scene.

It would result impacts to the residential amenity of neighbouring properties but the applicant has demonstrated that the proposal is within the parameters of the guidance document.

The proposal would not impact negatively on highway safety.

The application is a sustainable form of development and in line with the Core Strategy and NPPF. It is recommended for approval subject to conditions.

**OFFICER RECOMMENDATION :     Approve with conditions**

**Case Officer: Arne Swithenbank c/o Jane Newman**

**Recommendation Date: 27<sup>th</sup> February 2023**

X *B.S. Haywood*

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Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**