

DELEGATED DECISION REPORT

SMD/2023/0024
Valid 17/01/2023

**62 THE OLD STONE
HOUSE ST EDWARD
STREET
LEEK**

**LISTED BUILDING CONSENT
FOR PROPOSED DRILLING
5MM HOLE FOR
INSTALLATION OF FIBRE
BROADBAND SERVICE**

**(LISTED BUILDING CONSENT -
ALTERATION)**

MAIN ISSUES

- Impact on the preservation of the building or its setting or any feature of special architectural or historic interest which the Listed Building possesses, in line with Section 66(1) of the Town & Country Planning (Listed Buildings and Conservation Areas) Act 1990

DESCRIPTION OF SITE

The application site is No. 62 St Edwards Street, Leek; a Grade II Listed Building that sits within a row of characteristic three storey buildings to the West of the public highway, many of which are also listed. The Old House was built in 1724 and was first listed in 1951. It is in the Leek Conservation area and the Leek Article 4 area. The site is enclosed by neighbouring buildings to the North, South-East and West. No. 58, No. 58A, No. 58B and No. 58C St Edward Street are situated to the North of the site and No. 64 St Edward Street is located to the South-East. The rear curtilage of the site adjoins the rear curtilages of No. 21 and No. 26 Eversley Avenue to the West. The site adjoins the St Edward Street highway to the East.

PROPOSAL

The proposed development comprises of drilling a 5mm hole for the installation of fibre broadband service on the principal elevation of a Grade II Listed dwelling. The hole would be drilled into the front elevation of the dwelling which is constructed from stonework, south-West of the ground floor bay window on the principal elevation.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

SS1 Development Principles

1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS5 Leek Area Strategy
DC1 Design Considerations
DC2 The Historic Environment

National Planning Policy Framework

Paragraph(s) 1 – 14
Section(s) 4 – Decision making, 12 – Achieving well designed places, 16 -
Conserving and enhancing the historic environment

Staffordshire Moorlands Design Guide SPD

Part 5 – Alterations, Extensions and Conversions

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1999/0219 – Change of use from office to residential. Approved.
SMD/1999/1259 – Change of use from office to day care nursery and residential accommodation. Approved.
SMD/2003/0054 – Change of use to wine bar / restaurant. Refused.
SMD/2009/0987 – Internal alterations. Approved.
SMD/2009/1130 – Retrospective consent to replace window, door and French door at ground floor rear elevation. Withdrawn.
SMD/2010/0228 – Alterations to windows and doors in rear elevation, construction of brick garden store, rear wall, brick outbuilding, front metal railings and provision of two access gates. Approved.
SMD/2010/0354 – Alterations to windows and doors in rear elevation, construction of brick garden store, rear wall, brick outbuilding, front metal railings and provision of two access gates. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 04/03/2023
Neighbour consultation period ends: 09/03/2023
Press Advert: 22/02/2023

Public Comments

No public comments have been received.

Town / Parish Comments

Leek Town Council do not object to the proposed works.

Conservation Officer

"No issues with this intervention.

However, from the photos on the Design and Access statement I can see moisture ingress and biological growth in the area the hole is proposed to be drilled, and what looks like a cut black pipe partially off the property. A new hole being drilled in this location will see interior damp and moisture ingress exacerbated at this location. It is advised any rainwater goods are correctly managing water away from the building and that drains are clear.

Secondly, it is imperative that generic silicone or expanding foam is not used to bung the gaps at the hole once the new cable is installed. This is not appropriate and both will recede away from the stone in varying weather conditions, damaging and posing further moisture ingress into the fabric. Lime putty will suffice.

Traditional lime must be used for mortar repointing. Similarly, generic silicone or expanding foam must not be used to fill gaps where the old cable is removed from. If gaps from old cable are near timber frames then lime putty will suffice, or oakum and burnt sand mastic would be appropriate."

OFFICER COMMENTS

Policy Context

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in assessing planning applications the Local Planning Authority has a duty to have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest.

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

In accordance with Policies SS1 and SS2 of the Staffordshire Moorlands Local Plan the Council expects all new development to make a positive contribution towards the sustainability of communities and to protect and where possible enhance the environment. A concentrated focus on future growth is to be directed to larger settlements, including Leek. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

In compliance with Policy SS5, new development should be directed to the most sustainable locations. The site lies within the market town of Leek, which is one of the main urban areas where the focus of new development will be directed, with the aim of crafting all development to enhance the character and appearance of the town.

The principle of development can only be deemed acceptable if the existing character and appearance of the listed building will be sustained or enhanced.

Impact on the character and appearance of the Grade II listed buildings.

Policy DC2 states that the Council will safeguard and where possible, enhance the historic environment by resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance; promoting development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area; and preventing the loss of buildings and features which make a positive contribution to the character or heritage of an area through appropriate reuse and sensitive development.

Policy DC1 seeks to ensure that all development is well designed and of a high quality, contributing to local distinctiveness and harmonising with sense of place. The Council's Design SPD outlines the Council's expectations in respect of design and states that alterations should harmonise with the parent building.

Paragraph 199 of the NPPF (2021) 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 of the NPPF (2021) states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The site is one of a run of Grade II Listed buildings, built in 1724 and Listed in 1951. The building has a number of characteristic features, notably its date in deeply

moulded arched stone with a gilded monogram above. The wall to be drilled into is constructed from coursed and squared stone.

The proposed development comprises of drilling a 5mm hole for the installation of fibre broadband service on the principal elevation of the Grade II Listed townhouse. The hole would be drilled into the front elevation of the dwelling which is constructed from stonework, south-west of the ground floor bay window on the principal elevation. As referred to in the heritage statement, the hole would be sited in the mortar joint between the stone courses, enabling the cable to be removed at a later date if desired and the hole to be refilled with appropriate mortar. Thus, it is considered to be sympathetic to ensure that no historic fabric would be lost as a result of the works. Furthermore, a first floor level external copper cable would be removed from the principal elevation of the dwelling, due to the installation of the fibre cable providing a replacement for the existing copper telecommunications services. As this copper cable is so close to the gilded monogram, a feature of great historic interest, its removal would enhance the character of the front of the building, as mentioned in the heritage statement. Therefore, it is considered that the proposed alteration would safeguard and enhance the special character and historic heritage of the Listed Building, in accordance with Policy DC2.

The Conservation Officer of the Council has no objections to the proposed works. However, a number of recommendations have been made to ensure that interior damp and moisture ingress are not exacerbated at this location, including keeping efficient rainwater goods, clear drains, using traditional lime for mortar repointing and using lime putty to bung the gaps at the hole once the new cable is installed. The use of traditional lime for mortar repointing and the use of lime putty can be controlled by an appropriate condition.

The proposal, by virtue of its size, scale and siting sustains the character of the Listed dwelling and area. The proposal would therefore accord with the provisions of local plan policies DC1 and DC2 and section 12 of the NPPF in this regard.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above, the proposed development is considered to accord with the relevant policies contained in the Staffordshire Moorlands Local Plan (2020) and the NPPF (2019). As such the application is recommended for approval.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins

Recommendation Date: 10/03/2023

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council