

DELEGATED DECISION REPORT

SMD/2022/0495
Valid 06/10/2022

**THE OLD BARNs, CHAPEL
STREET, CHEADLE,
STAFFORDSHIRE**

**DEMOLITION OF TWO
WORKSHOP BUILDINGS AND
THE CONSTRUCTION OF TWO
DWELLINGS**

(FULL - MINOR)

MAIN ISSUES

- Principle of Development
- Design and visual impact on conservation area
- Neighbour amenity
- Impact on highway safety
- Coal
- Environmental Health

DESCRIPTION OF SITE

The application site is derelict with two workshop buildings positioned within the site, (to the rear of 7 Chapel Street) near to Cheadle Police Station and the Wheatsheaf Hotel. The dilapidated buildings occupy a backland location. Both buildings will be demolished.



For the purposes of planning policy consideration, the application site is located within the Cheadle Development and Churnet Valley Masterplan Boundary, the Cheadle Conservation Area and is within a low-risk coal development area.

PROPOSAL

Full planning permission is sought for the demolition of two detached brick workshop buildings and the construction of a two storey, dropping to single storey, new building that would now contain two dwellings. Initially the submission was for three one-bed

dwelling, but due to concerns raised regarding the massing, this was amended to two – with the building reduced in size.

	Existing small building	Existing larger building	Proposed building
Eaves height	3.525m	4.250m	4.250m
Ridge height	4.850m	6.185m	5.825m max

The proposed building would occupy the rear part of the site and form an L shape along the north and east boundary. Amenity space would be provided in the small courtyard at the front of the building. Unit 1 would be located in the single storey section and part of the two storey, to comprise a 2-bed dwelling with kitchen-diner, 2 bedrooms with ensuites, and living room. Unit 2 would be located in the two-storey section and comprise of an open plan living area incorporating lounge, kitchen-diner on the ground floor with bedroom and shower room above.

The proposed site plan shows both bin store and cycle shelter to the south side of Unit 1.

The site has an existing restricted vehicular access onto Chapel Street, in light of this the DAS states that it is proposed not to provide any permanent parking facility within the site.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS7 Cheadle Area Strategy
H1 New Housing Development
TCR Development in the Town Centres
DC1 Design Considerations
DC2 The Historic Environment
T1 Development and Sustainable Transport

Supplementary Planning Guidance

Design Principles for Development in the Staffordshire Moorlands

Supplementary Planning Document

Staffordshire Moorlands Design Guide

National Planning Policy Framework

Including sections -

- 2: Achieving sustainable development
- 5. Delivering a sufficient supply of homes
- 6: Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 9: Promoting sustainable transport
- 11. Making effective use of land
- 12: Achieving well-designed places
- 16. Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 4 November 2022
Neighbour consultation period ends: 16/11/2022

Public Comments

2 Representations received:

NFU Mutual are immediate neighbours and whilst not objection to the application, they express concerns regarding the potential of unauthorised access over the private car park in order to facilitate demolition and build of this project.

This is based on current unauthorised activity over the private car park by the the owners of the site who, when they need access, take one of the NFU's fence panels out and park their vehicles on the NFU carpark although they have no authority to do so.

A condition is requested should the application be approved requiring the developer to make their own access into the site over land they own (and not take the easy route over the NFU carpark).



9 Chapel Street

Clarification sought on the following concerns:

Loss of daylight into No 9 Chapel Street house and garden – in response, the council has minimum space and distance standards, and any approval will have to adhere to these. The standards are devised to agree an accepted window to blank gable distance of 13 metres.

That there will be no windows inserted in the east elevation, post approval – in response, it will be conditioned that no additional windows be inserted at first floor level without further permission.

The rear of 9 Chapel street has a right of way for access (includes ability for 'wheelie bin' access at all times) which must be retained throughout the building process and permanently thereafter – in response, this is a civil matter – however, it will be conditioned that a CEMP be provided to outline how the build will be managed and how neighbours right of access will be part of that management plan. In addition, the applicant has stated that no vehicles parking will be on site and the highways authority has requested the existing space no longer be available for parking or deliveries.

Safety concerns as to how the building of these new properties can be managed as safely as possible given the restricted access and size of the plot – in response, again the submission of a CEMP sufficiently detailed will be conditioned for approval prior to any demolition or build taking place.

Town / Parish Comments

Recommend that a Planning observation be made in order to highlight concerns relating to parking provision and vehicle access.

Coal Authority

Object - The site falls within the defined Development High Risk Area and that a Coal Mining Risk Assessment, or equivalent report, is required to be submitted to support this application.

A Coal Mining Risk Assessment was produced and the coal authority reconsulted. The Coal Authority now raise no objection to the development proposal, subject to conditions,

An informative note is to be attached to the decision notice (in the event of permission being approved).

SCC Environmental Health

Insufficient information has been provided.

1. Construction and Demolition Impacts (Condition)
2. Land Contamination (Condition)
3. Artificial Lighting (Condition)
4. Sound insulation and Commercial Noise (Noise assessment required)

SCC Highways

Conditional –

1. No development shall take place, until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority.
2. The development hereby permitted shall not be brought into use until details of the reinstatement of the existing site access to footway with full height kerb, which shall include the access crossing between the site and carriageway edge considered redundant as a consequence of the development have been first submitted to and approved in writing by the local planning authority.

To comply with NPPF Paragraph 111; to comply with SMDC Local Plan Policy DC1; on the interests of highway safety

SMDC Ecology

Advice refers to the guidance within Planning Application Validation: Staffordshire Requirements For Biodiversity and Geological Conservation Including Criteria and Indicative Thresholds Revised: January 2011

A bat survey (including birds and Barn Owl assessment) was undertaken and the report submitted concluding that:

At the current time neither of the buildings are deemed to be in use by roosting bats, therefore a licence will not be required in order to carry out the proposed demolition works. However, as bats are a mobile species and will move roosts throughout the year it is recommended that the developer follows the list of reasonable avoidance measures provided within the report.

Severn Trent

No comments received - Informative information regarding sewer protection and how to access information.

SMDC Conservation Officer

Concern expressed about the impact of any works undertaken on site could be detrimental to the vicinity. The single carriageway of Chapel Street is lined on the south side with the Grade II listed Churchyard Wall and respective Gates to St Giles Church, there is concern this listed element will be vulnerable to works traffic and exacerbated general traffic during the works.

Consider the site over developed - recommend a revision of the scheme, taking into account the traditional scale and massing of the historic streetscape to thoroughly inform the design.

It would also be pertinent to see annotations of roofing heights and the scale of the scheme in sectional drawing against the existing dwellings of Chapel Street, to

demonstrate context and avoid any conflict in regard to amenity and potential overbearing.

OFFICER COMMENTS

Principle of Development

Staffordshire Moorlands Local Plan policy SS7 (Cheadle Area Strategy) outlines the types of developments which can be supported within the town. Relevant to this application is part 1, the expansion of the housing market by increasing the range of available and affordable house types.

The application site is located within the confines of the Cheadle Town Development Boundary and within a well-established, built-up, and sustainable location. The surrounding area consists of residential, commercial, and service development. A planning history search does not reveal any applications directly relating to this site. Although the precise planning history of the site is unknown, it is not particularly crucial in respect of determining this application.

Within a built-up area such as this, there are no 'in-principle' objections to the redevelopment of the site. The site is backland and the proximity of other residential properties ensures that this proposal is not out of place. There are services/facilities within easy walking distance of the property and whilst there is no on-site parking, there is a public car park and on street unrestricted parking nearby.

The support for redevelopment is however dependant on the planning balance showing minimal harm caused to existing properties and uses nearby and satisfying other material planning considerations. In this instance matters to consider include the CEMP and practical matters of demolition and build without adversely impacting on neighbours or the surrounding environment, coal mining risk, design and visual impact, neighbour amenity, light, contamination, noise, parking provision and highway safety.

The NPPF identifies three dimensions to sustainable development as being economic, social, and environmental. In accordance with policies SS1 of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible, enhancing the environment.

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Design & Visual Impact

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. Policy DC2 sets out that the Council will conserve and where possible enhance heritage assets in a manner appropriate to their significance.

The NPPF requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

The Council's Design SPD outlines the Council's expectations in respect of design and states that 'alterations need to be undertaken with care.

The application raises no concerns in terms of either design or visual impact. The massing is not as great as the footprint illudes, given that it is two storey furthest away from the rear of the Chapel Street properties and then drops to single storey of similar eaves height as the existing building.

The conservation officer expressed that there was an excess of development on site that was not reflective of the area, to respond to this matter raised the original submission plans have been amended to reduce the massing, pulling it further away from the Chapel Street properties. The amended plans reflect the interface between existing and proposed properties and consideration of the street pattern of terrace housing with small rear yards. The occupants will effectively have town houses with communal space, the limited amenity space is considered acceptable at this location given the accessibility of public open space within Cheadle. The location of the dwellings is likely to attract occupants who are single, couples or professionals – rather than families.

The backland setting surrounded by high walls/fencing screens the development from the public realm and minimises any potential impact on the character of the conservation area or streetscape. Overall the scheme would sustain the importance of the heritage asset.

Amenity

The site is surrounded by a dense mix of commercial and residential uses. The buildings within the site are visible to and currently dominate the rear outlook of neighbouring properties. The rear gardens of the nearest residential properties create a buffer of separation from the site boundary. The separation distance (window to blank gable) from the neighbours habitable rooms to the proposed building accords with the council's minimum standards, with the gable end of the two storey element of the new build falling in line with the rear boundary of the neighbour's garden. Consideration should be given to the current outlook from the rear of these properties is onto a dominant massing of the existing large building which is positioned closer and directly faces numbers 7 and number 9 Chapel Street. By repositioning the new building further away, it will be the single storey section of the building that will be closest thereby improving the outlook of those properties.

A condition can be imposed preventing further windows being inserted without permission, this will manage the neighbour's amenity and prevent overlooking.

In the event of approval, the new dwelling is a candidate for having its Permitted Development (PD) Rights removed due to the constrained plot size and positioning towards the rear boundary. In this instance the garden depth cannot be achieved due to the positioning of the rear boundary wall, the amenity space is however private and useable. The proposed plot is of a good size and the building not too large, with circulation space around the property and whilst being of a more restricted size compared to other properties permitted development rights will be removed to ensure that the amenity space is maintained and not eroded in the future, without permission being sought.

Environmental Health have commented that to protect neighbour amenity and the amenity of future occupants a condition should be imposed relating to construction and demolition impacts, land contamination and artificial lighting. The CEMP will strictly manage the operations of demolition and build on site so that the amenity of neighbours is protected and any rights of access to the rear of properties is upheld during and after the build process.



The site is close to commercial premises and a noise assessment was originally requested for submission to properly assess the application specifically in regard to the current noise environment and suitability for residential use.

Other residential properties are equally close to the commercial noise sources, and it is considered unreasonable to request a noise assessment be undertaken given the scale of the development, and the enclosed nature of the site. Building Regulations will govern the build and a condition can be imposed requiring the design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. The market decides whether people want to live near to bad neighbour uses.

Highway Safety and Parking

The site is in a town centre and a sustainable location. It is clear there are alternative parking facilities, and that the property is within the town centre, there are alternative means of transport available to future occupants and parking provision away from the site.

The County Highways officer has assessed the plans and comments that the DAS says no parking will be provided onsite due to limitation of space and the sustainable location of the site. A parking space associated with the application site was originally shown to be available for use for deliveries and servicing, however the amended plan has removed the indicative vehicle space and a planning condition will be imposed (in the event of the application being approved) preventing any parking provision within the red line boundary. The redevelopment of the site on the proviso that no parking is provided to residents, makes this space redundant and the kerb is required to be reinstated to full height prior to occupancy of the units.

The constraints to the frontage of this site and its interface with the highway creates a highway safety issue due to the inability to turn and the narrowness of the space that requires reversing into the path of traffic on Chapel Street.

CONCLUSION / PLANNING BALANCE

Whilst some of the SPG amenity standards cannot be met, the SPG is just one of many material planning matters to be considered. All other aspects of the application are considered acceptable as outlined within the report. It is recognised that the application site is within the settlement boundary, close to the centre of Cheadle and can be described as a sustainable location. It is also noted that the Council cannot demonstrate a 5 year supply of housing land and in the absence of any conflict with heritage policies, the development would make a small contribution towards the overall housing land supply position.

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 (2021). As such the application is recommended for approval.

OFFICER RECOMMENDATION:

APPROVAL

Case Officer: P. Twigg

Recommendation Date: 28.12.2022

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council



Source: Google Earth