

PLANNING POLICY COMMENTS

Date: 19/06/2023

Application Number: SMD/2023/0191 / SMD2023/192 (LBC)

Location: London Mill, Ashbourne Road, Leek

Proposal: Conversion of former textile mill (Grade II listed) to provide 34 one bedroom (single person) residential apartments including internal and external alterations and associated works.

Background / History: Building previously had consent for conversion to flats SM91-0946. SMD/2016/0113 approved change of use from mill to B1 (Business) to deliver a hub of 21 managed workspace units for the creative industries. Neither of which were implemented. Site is located in the conservation area and Grade II listed.

Main Policy Considerations:

National Policy (NPPF July 2021)

Paragraphs of particular relevance include:

Para 11 - 'Plans and decisions should apply a presumption in favour of sustainable development.....For decision-taking 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 most important for determining the application are out-of-date⁸, granting permission unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

⁷ The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

⁸ This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

Para 68 - Planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:

- a) specific, deliverable sites for years one to five of the plan period³⁴; and
- b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.

³⁴ With an appropriate buffer, as set out in paragraph 74. See Glossary for definitions of deliverable and developable.

Para 74 - Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies.....

Para 81....significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities and productivity.....

Para 123 – Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans where this would help to meet identified development needs. In particular, they should support proposals to: a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework...

Para 190 – Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.

Para 195 – Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal....

Staffordshire Moorlands Local Plan (September 2020)

Policies of particular relevance include:

Policy SS3 Future Provision and Distribution of Development – Provision will be made for at least 6080 additional dwellings to be completed in the Staffordshire Moorlands during the period 2014-2033 and annual average of 320 homes per year. Provision will be made for at least 32 hectares of additional employment land up to the year 2033.

Policy SS4 Strategic Housing and Employment Land Supply – In terms of housing Leek is identified to provide 30% of the District total which will be met from sites allocated in Policy H2, a large windfall site allowance (15 per year) and a small sites allowance of 10 per year. In terms of employment Leek is identified to provide 30% of the District total which is 7.12 hectares of land.

Policy SS5 Leek Area Strategy - (Part 1) Continue to meet the housing and community needs of Leek and its rural hinterland by: increasing the range of available and affordable

house types, including for first time buyers and older people; and supporting the development of new housing on sustainable sites within the development boundary.

(Part 2) encouraging mixed use development on larger redevelopment sites, particularly within or near to the more accessible town centre locations, on former employment premises, and in mill buildings within the town centre where consistent with wider Policies including E1.

(Part 4) – Promote Leek's special character and heritage by conserving and enhancing buildings, sites and areas of heritage and cultural importance, including heritage assets, complemented by new distinctive, sensitively designed, high quality, sustainable buildings.

Policy SD1 Sustainable Use of Resources - (Part 5) The Council will require applicants for all major-scale planning applications (10 or more residential units) to demonstrate that they have considered the energy efficiency, water conservation, sourcing of construction materials and the site orientation aspects of the scheme, and where possible the feasibility of integrating micro-renewables.

Policy E1 New Employment Development – within town centres and on existing employment sites where redevelopment for other uses is proposed, mixed use schemes will be promoted. Mixed use schemes should accommodate employment generating uses of a scale and nature appropriate to their location.

Policy E3 Existing Employment Areas, Premises and Allocations - Employment areas, premises and allocations that:

- are well located to the main road and public transport network; and
- 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; will be safeguarded for such purposes.

Development of such areas that will lead to a loss of employment will not be permitted unless:

a) the site is identified in the Local Plan for development for non-employment uses; or,
b) it can be demonstrated that the site would not be suitable or viable for any continued employment use having regard to the above criteria and evidence can be provided that no suitable and viable alternative employment use can be found, or is likely to be found in the foreseeable future; or

c) substantial planning benefits would be achieved through development for non-employment uses which would outweigh the loss of the site for employment use (including for example funding to support off-site employment provision); and

d) In the event that b) or c) applies preference will be given to a mixed use scheme which retains as much employment floorspace on the site as possible (to be demonstrated by evidence). The Council will consider "enabling" development proposals (required to support improvements to existing employment premises or supporting infrastructure) on their individual merits. In such cases, a viability appraisal should be submitted to demonstrate that a change of use or redevelopment of the site is required to fund the improvements; and in all cases the Council will seek to retain as much employment floorspace on the site as possible.

Policy H1 New Housing Development – (Part 1) Provide for a mix of housing sizes, types and tenure including a proportion of affordable housing as set out in Policy H 3, and where appropriate housing for special groups, to meet the needs and aspirations of the current and future population having regard to the Area Strategies.

(Part 3) Proposal will be assessed according to extent to which it provides for high quality, sustainable housing and to which it meets identified housing needs, having regard to the location of the development, the characteristics of the site and the economics of provision.

In addition:

a) Housing for special groups, particularly for older people and others identified in the SHMA or should be of a scale and in a location which is appropriate to its needs.

b) Housing proposals of 10 dwellings or more will be required to provide a mix of housing in terms of size, type and tenure on the site unless viability or other circumstances exist. The final mix will be negotiated with the developer based on housing needs as informed by the SHMA or successor document and other relevant factors such as available supply and market demand.

c) All housing development should be at the most appropriate density compatible with the site and its location, and with the character of the surrounding area. Higher densities will generally be appropriate in locations which are more accessible by public transport and which have good access to services.

d) All new dwellings should aim to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space in line with the NDSS and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations. This will be determined on a site-by-site basis subject to considerations such as viability and design.

e) All new dwellings must be of sufficient size to provide satisfactory levels of amenity for future occupiers of the dwellings whilst respecting the privacy and amenity of occupiers of existing dwellings.

(Part 4) Housing development on sites not allocated for housing will be supported on unidentified (windfall) sites within the development boundaries of the towns subject to compliance with the Spatial Strategy and wider Local Plan policies.

Policy H3 Affordable Housing – (Part 1) Residential developments of 10 dwellings or more shall provide 33% affordable housing. Where justified, the Council will consider a lower level of provision taking into account the Local Plan and Site Allocations Viability Study, other up-to-date viability evidence and other contributions. Affordable housing should normally be provided on-site. Provision off-site or through a commuted sum payment in lieu will only be considered where it will be of broadly equivalent value to on-site provision and it can be robustly justified in delivering affordable homes through mixed and balanced communities.

(Part 2) Unless circumstances dictate otherwise and in agreement with the Council, 60% of all affordable dwellings provided on each site will be social / affordable rented housing with the remaining 40% being intermediate / starter homes.

Policy DC1 Design Considerations – All development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design Guide SPD. New development should be of a high quality and add value to the local area and be designed to respect the site and its surroundings and promote a positive sense of place and identity.

Policy DC2 The Historic Environment – Protection will be given to designated heritage assets and their settings and all applications likely to affect heritage assets will require the submission of a heritage statement.

Policy T1 Development and Sustainable Transport – Consideration of appropriate parking provision on a case by case basis with recourse to the parking guidance set out in Appendix

2.

Leek Town Centre Masterplan SPD 2014 – sets out the Council’s vision and strategy for Leek’s town centre. The application site is identified as an opportunity site and part of a larger area known as the Eastern Mill Quarter. Positive support and encouragement is given to refurbishing and regenerating this important historic area, much of which remains intact, in a mix of uses. The Masterplan recognises that there are a number of mills in this area, including London Mill which are vacant, disused and deteriorating and detract from the areas potential to act as a key and attractive gateway into the town centre from the east. London Mill is a prominent landmark building which helps to define this gateway.

Comments

Key policy issues are:

- Loss of employment. Policy E3 of the adopted Local Plan states that development resulting in the loss of existing employment areas and premises will not be permitted unless it can be demonstrated that the site is not suitable for any continued employment use and evidence can be provided or that substantial planning benefits would be achieved through the development of non-employment uses which would outweigh the loss. In the event that either of these apply preference will be given to a mixed use scheme which retains as much employment floorspace as possible. Policy SS5 also encourages mixed use development in mill buildings where consistent with wider policies and Policy E1 also refers to mixed use schemes. Despite the building being empty for a long period of time and the reference to the previous scheme being unviable the planning statement doesn’t appear to address the loss of employment use or consideration of a mixed use scheme. No viability evidence appears to have been submitted. Note that the unimplemented residential permission pre-dates Policy E3 of the adopted Local Plan (2020).
- 5 year land supply. The most recent published 5-year land supply statement confirms that the district has a supply of 3.71 years on 1st April 2022. Para 11 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Where policies relating to the supply of housing are out-of-date (as a result of not having a five year supply of deliverable housing land), para 11d) i) applies which states that permission should be granted unless ‘the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed’⁷; The site is subject to this specific protection set out in footnote⁷ as it is a ‘designated heritage asset’.
Policy SS4 makes a large windfall site allowance of 15 dwellings per year within the Leek development boundary. The scheme would therefore go some way towards this and would be a significant benefit given the Council does not have a 5-year land supply.
- Affordable Housing. Policy H3 sets out the affordable housing requirement. There is no reference to affordable housing provision as part of the scheme. Vacant Building Credit may apply but no information or viability information is provided.
- Housing mix. The application proposes 34 one bedroom single person units. Policy H1 requires proposals of over 10 dwellings to provide a mix of housing in terms of size, type and tenure on the site unless viability or other circumstances exist. Policy H1 states that the final mix should negotiated with the developer based on housing needs as informed by the SHMA and other factors such as available supply and market demand. Below is

the ward based census data with a calculation of the percentages of dwellings for Leek E Ward and the property size and type recommended by the SHMA.

2021 census merged ward	All categories: Number of bedrooms	1-bed	2-bed	3-bed	4-bed +	
Leek E	2,373	270	734	818	551	
% of housing stock	100%	11%	31%	35%	23%	

SHMA recommendations	Property type and size
1-bed flat / house / bungalow	60%
2-bed flat/house/bungalow	
3-bed house/bungalow	40%
4-bed house	

34 one bedroom units would bring the housing stock closer to the SHMA recommendations however there is no mix provided within the scheme. The proposed apartments meet the recommended NDSS for 1 bedroom 1 person units (some only just meet the recommended size) and presumably the apartments would be limited to the use of just one person by means of the lease or deed. None of the units meet the minimum NDSS 1 bedroom 2 person unit size.

- Car parking. As the site is constrained no car parking is proposed. It is noted that cycle parking would be provided. The site is located in a sustainable location in the town centre however the creation of 34 apartments which are aimed at 'young professionals' could cause significant pressure on on-street and off-street parking in the immediate area. The views of the highways authority should be sought.
- Listed Building / Conservation Area. Please seek the advice of the Building Conservation Officer.
- Regeneration. The benefits of bringing this unused mill back into use in a sustainable location close to the town centre are clear but this needs to be balanced with the other policy considerations above.
- Leek Neighbourhood Plan. Please note that there is an intention to prepare a Leek Neighbourhood Plan however this has not yet advanced.

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