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PLANNING, DESIGN & ACCESS STATEMENT

PROPOSAL : CHANGE OF USE OF 3 FLATS INTO A SINGLE DWELLINGHOUSE

ADDRESS : 24 FOUNTAIN STREET, LEEK, STAFFORDSHIRE, ST13 6JR

APPLICANT : MR SHENTON

DATE : AUGUST 2023 JOB No. : 2022-2718

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1.0 INTRODUCTION

This statement is submitted in support of a full planning application which seeks consent for the change of use of 3 apartments into a single dwellinghouse at 24 Fountain Street, Leek. The application has been submitted by Sammons Architectural Ltd on behalf of Mr Shenton and is accompanied by drawing numbers 2022-2718-04, 2022-2718-05A and 2022-2718-06 which should be read in conjunction with this statement.

This statement analyses the site, the proposals and the policy context within which the proposals are made. Thereafter, it provides justification for approval of the proposed development on the basis that it would provide an appropriate residential use within an accessible and sustainable location without adversely impacting upon the character and appearance of the application building or wider area, harming residential amenity adversely or being detrimental to highway safety. The proposed development therefore accords with the provision of local and national planning policy and should be approved without delay.

2.0 SITE DESCRIPTION

The application site comprises of a three storey end terrace property which sites at the junction of Fountain Street with Cross Street. Constructed from red facing brickwork under a plain clay tile roof the property was previously used as a ground floor office for a mortgage broker with 2 self contained apartments above. Planning permission to change the ground floor office into a self contained apartment was recently approved under application number SMD/2022/0169. This permission has now been implemented and the building is currently used as three self contained apartments.

The application building lies outside the town centre as defined within the Local Plan within an area which is predominately residential punctuated by occasional business uses, such as a funeral directors, chip shop, butchers etc. For the purposes of the Development Plan the application site lies within the town settlement boundary where there is a general presumption in favour of development.

3.0 PROPOSAL

This is a full planning application which seeks change of use from 3 apartments to a single dwellinghouse. The proposed development would provide a kitchen with separate living room, utility room, and downstairs w.c. at ground floor with a mater bedroom with walk in wardrobe and ensuite at first floor level and a further bedroom, walk in wardrobe and bathroom on the second floor. A small yard area will provide amenity space.

The application does not propose any external changes to the application building and internal alterations are limited to the blocking up of doorways and provision of stud partition walls to provide the required internal layout.

4.0 POLICY

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The National Planning Policy Framework (NPPF) was revised in July 2021. It is the Government's clear intention that the document should be considered as a material consideration and as such carries particular weight where development is not addressed by planning policies in the existing Development Plan.

The NPPF confirms that at the heart of the guidance is a presumption in favour of sustainable development (para 11) and that for decision making this means approving development proposals that accord with the Development Plan without delay unless material considerations indicate otherwise. It goes on to seek to significantly boost the supply of new housing throughout the country and sets out requirements for Local Authorities to maintain a five year deliverable supply of housing at all times. It also sets out guidance inter alia in respect of making effective use of previously developed land, securing high quality design and assessing impacts on highway safety. The content of this document has been taken into account in the preparation of this application and the most relevant sections of the NPPF are considered to be:-

- 1 Introduction paragraphs 1-14
- 2 Achieving sustainable development
- 4 Decision making
- 5 Delivering a sufficient supply of homes
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well designed places

The Development Plan for the Staffordshire Moorlands comprises of Local Plan which was adopted in September 2020. The main policies of relevance to the determination of this application are as follows:-

S01 (Spatial Objectives); SS1 (Development Principles); SS1a (Presumption in Favour of Sustainable Development); SS2 Settlement Hierarchy; SS5 (Leek Area Strategy); H1 (New Housing Development); DC1 (Design Considerations) and T1 (Development and Sustainable Transport). For the sake of brevity these policies are not quoted in full but they are referred to where appropriate in the following section.

In terms of Supplementary Planning Guidance Council's adopted Design Guide and Space About Dwellings publications are also important in the consideration of this application.

5.0 ASSESSMENT

As set out above this is a full application which seeks consent for the change of use of the existing building which provides 3 self contained apartments to a single dwellinghouse. The key issues are considered to be:

- The Principle of development
- The impact upon the character and appearance of the area
- Residential amenity
- Highway safety

- Biodiversity

Principle of development

Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) 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 (2021) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a 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 (2021).

In its general approach the Council expects the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. When considering development proposals the Council will in accordance with policy SS1 take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with the policies in Local Plan shall be approved without delay, unless material considerations indicate otherwise.

The application site is located within the settlement boundary for the town. Leek is identified as one of the largest settlements within the district. The spatial strategy seeks to focus future growth in these settlements and to strengthen their role as service centres. For Leek the Leek Area Strategy seeks to consolidate the role of Leek as the principal service centre and a market town and support its regeneration. One of the actions is that development should continue to meet housing and community of Leek and its rural hinterland by increasing the range of available and affordable house types, including for first time buyers and older people. The proposed development provides a single two bedroom unit that is considered to be located in a suitable location close to Leek town centre.

Although the Local Plan includes land allocations which would meet the new housing targets for the District over the plan period, small unidentified "windfall" sites within the development boundaries can still make a valuable contribution to the housing stock. The Development Plan continues to allow new houses within the identified development boundaries of towns and villages providing that all other relevant policies in the Local Plan and the National Planning Policy Framework are complied with.

The application site is situated in a predominately residential area of Leek despite its close proximity to the town centre it lies outside the protected retail areas as defined in the Local Plan. The recent application SMD/2022/0169 which sought to convert the ground floor office use to a self contained apartment considered the loss of the business unit and found it acceptable. Given that this decision was made at the end of last year and that there has been no material change in planning policy or site circumstances it is not considered that a different view would now be reached. The application site comprises of a sustainable location for new housing that is within easy walking and cycling distance of the numerous local services, facilities and employment opportunities on offer within the town. The site lies within the designated development boundary for the town and residential uses are acceptable within the proposed site. Therefore the change of use to a single dwelling would

retain the site within a residential use within a sustainable location and is therefore considered acceptable in principle

The impact upon the character and appearance of the area

Policy H1 "New Housing Development" of the Local plan states that 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.

Policy DC1 of the Local Plan (2020) 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. Paragraph 130 of the NPPF (2021) 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 proposed development does not require any changes to the external appearance of the dwellinghouse to facilitate the conversion. There would therefore be no physical change to the application building or its setting and as such it is considered that the proposed development would not adversely impact upon the character and appearance of the application site or their valued characteristics of the wider surrounding area. In this respect the proposal accords with CS policies H1 and DC1 and the guidance contained in the NPPF more generally.

The impact on residential amenity

Local Plan policy H1 states that 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.

Local Plan Policy DC1 and paragraph 130 of the NPPF seeks to secure development that protects the amenity of the area, including the creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.

The application proposes to provided a two bedroomed unit of accommodation. The proposed dwelling would have an internal floor space of 126.12 sq metres and therefore the property is considered to exceed the Nationally Described Space Standards for a 2 bed 4 person unit. To the rear the property will benefit from a rear yard area that is suitable for storing refuse bins as well as providing a private outside space for the occupiers of the proposed dwellinghouse. The application site lies within a residential area and therefore its use, having regard to its lawful office use would have negligible if any impact on the occupiers of the neighbouring residential dwellings. The submitted layout plan illustrates that the resultant development would be served by adequate standards of amenity in terms of privacy, daylight, sunlight and outdoor amenity space. The proposal therefore accords with the provisions of policies HC1 and DC1 of the Local Plan.

Highways

Paragraph 110 of the NPPF states that development should provide a safe and suitable access for all users with paragraph 111 stating that development should only be prevented or refused on transport grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts of development are severe.

This guidance is reflected in policy DC1 which requires, amongst other matters, for development to provide for a safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use and T1 which seeks to promote and support development which reduces reliance on the private car for travel journeys.

Whilst the application site does not benefit from any off road parking provision it lies within a highly sustainable location with easy access to public transport links and on street parking to the front and side of the property. In conclusion therefore it is not considered that the proposed use would adversely affect highway safety and would therefore be compliant with Policies DC1 and T1 of the Local Plan and guidance contained in the NPPF.

6.0 CONCLUSION

This application should be considered in the context of the presumption in favour of sustainable development as confirmed by the National Planning Policy Framework. The proposed development is acceptable in principle as the site is located within the development boundary for Leek and in a sustainable location with good access to the services, facilities and employment opportunities provided.

The proposal is acceptable in relation to the character and appearance of the area, highway safety and residential amenity. The proposed development therefore accords with the provisions of policies SS1, SS5, DC1, H1 and T1 of the Staffordshire Moorlands Core Strategy and guidance contained within the NPPF. For these reasons it is therefore considered that the proposal is capable of being supported by the Council.

7.0 DESIGN & ACCESS STATEMENT

USE

The application building is currently split into 3 self contained flats. The proposed development seeks to change the use of the building into a single dwellinghouse. The existing use of the building and site is C3 and this would be retained. The application site is located in a predominately residential area and reflects the nature and character of existing development which surrounds the site.

AMOUNT

The application proposes the conversion of the building into a single dwellinghouse. This amount of development is considered to comply with the Council's Space About Dwellings Standards and is in keeping with the density of existing development in this area.

LAYOUT

The layout of the development will be as shown on the submitted site layout plan. No changes to buildings layout are proposed as part of this application.

SCALE

The application proposes the conversion of the building into a single dwellinghouse. The conversion will be undertaken entirely within the shell of the existing building and no external alterations or extensions are proposed.

LANDSCAPING

Hard and soft landscaping works are shown on the submitted drawings and remain as existing.

APPEARANCE

No external changes to the character and appearance of the dwellinghouse are proposed as part of this application. The appearance of the application building and its setting will therefore remain unchanged.

ACCESS

The proposed change of use would result in a reduction in activity within the site. The site is within easy walking and cycling distance of the centre of the village which has a wide range of services and facilities. Public transport links are easily accessible to Biddulph, Cheadle and other parts of the Staffordshire Moorlands as well as the neighbouring city of Stoke on Trent.