DELEGATED DECISION REPORT

SMD/2023/0436 **Valid 24/08/2023**	**RUSSELL STREET DENTAL PRACTICE** **7 RUSSELL STREET** **LEEK**	**DEMOLITION OF A DELAPIDATED GLASSHOUSE AND CONSTRUCTION OF A REAR TWO STOREY EXTENSION** **(FULL - MINOR)**

MAIN ISSUES

- Design
- Heritage – Leek Conservation Area

DESCRIPTION OF SITE

Confined rear yard to traditional two storey brick and blue slate terrace with two storey rear outrigger. Yard adjoins that with no.9, an A3 food and drink establishment. Both yards are served by a narrow access passage through from the front.

A service road from Haywood Street as far as the rear car park of the Roebuck pub (where there is pedestrian through access to Derby street curtesy of the pub) runs along the backs of the properties. The rear elevations of the terrace generally are quite open to views from Haywood Street across the Aldi car park. The rear elevations are quite variedly extended, some retain open or semi-open yards, others more built-up.



PROPOSAL
A two storey extension to be flush with existing outrigger, and increased height dual pitched roof to be a matching pitch to original on the outrigger. Single story extension to fill the rear yard with shallow lean-to roof of c.20 degrees pitch. A design and access statement incorporating brief heritage opinion is submitted.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (adopted 9th September 2020)
SS1 Development Principles
SS5 Leek Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
E1 New Employment Development
NE1 Biodiversity and Geological Resources
T1 Development and Sustainable Transport

National Planning Policy Framework September 2023
Paragraph(s) 1 – 14; 190;
Section(s) 4 – Decision making; 6 – Building a strong and competitive economy; 7 – Ensuring the vitality of town centres; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):
- Space About Dwellings SPG
- Design Principles SPG

Core Strategy Supporting Evidence Documents:
- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
01/00891/FUL Change of use to a dental surgery – Approved.
09/00173/FUL Installation of 4 air conditioning units – Approved.
SMD/2020/0366 Proposed single story rear extension – Approved (not built).

At adjacent 9 Russel Street:
03/01014/FUL Change of use of ground floor from shop (class A1) to use for sale of food and drink (use class A3) – Approved.

CONSULTATIONS

Publicity
Site Notice expiry date: 3rd October 2023
Neighbour consultation period ends: 26th September 2023
Press Advert: 11th October 2023

Public Comments
None

Town Council Comments
Leek Town Council **– Neither –** The Town Council resolved that the decision on a listed property like this needs to be from the Conservation Officer who is best to advise on these matters and Leek Town Council trust the Planning officers to make their decision based on this information.

SMDC Conservation Officer
The Conservation Officer stated:

The Design and Access Statement does not discuss heritage or the Conservation Area in appropriate detail. Nor does it note the listed buildings of GII Roebuck Inn and GII National Westminster Bank, which are in proximity.

The rear of Russell Street is very open and sees 'back of house' structures associated to existing buildings. Nonetheless the organic form of these low and subservient extensions leave the remaining original principal buildings that affront Russell Street to remain well read and unobtrusive.

The proposed extension appears to create competition at eaves levels, in comparison to the traditional existing 'offshoot' building which due to build date appears to be commonplace for these types of modest back-to-back type terraces. I am concerned the proposal would become very visually obtrusive in this exposed vicinity.

I do not believe the supporting information meets NPPF guidance, notably points 194 and therefore cannot see where any impact has been assessed or mitigated in considering the setting of the Conservation Area and two close-by listed buildings.

Severn Trent Water
Minimal impact on the public sewer system therefore no objection no requirement for a drainage condition.

OFFICER COMMENTS

Principle of Development
Within the town development boundary therefore acceptable in principle. The main considerations are design, implications for the character and appearance of the Conservation Area and any implications for neighbours.

Heritage
As regards the Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 places a statutory duty on the LPA in assessing planning applications in respect to any land or buildings in a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In reaching its decision the LPA has to demonstrate that the Section 72 Duty has been applied and discharged. Section 72 (and Footnote 6 of

para.11 of the NPPF) creates a strong presumption in favour of the preservation of Conservation Areas and their setting.

An LPA can only discharge its duty if it has carried out a proper assessment of the impact on a Conservation Area and/or a Listed Building, is conscious of the duty and has demonstrably applied it in assessing the proposal. This assessment extends to setting, the surroundings in which a heritage asset is experienced.

Historic Environment Policy DC2 is to give protection to designated heritage assets and their settings and non-designated heritage assets as set out in the NPPF.

Paragraph 194 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

NPPF paragraph 199 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".

Paragraph 200 goes on to say that: "any harm or loss [to a heritage asset] should require clear and convincing justification."

NPPF paragraph 202 states that: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

The concerns raised by the Conservation Officer have been rectified in revised plans submitted by the applicant. At the suggestion of the case officer the eaves have been slightly lowered allowing the roof pitch to be made steeper and the windows have been given a more vertical emphasis, thus the extension would have a more traditional form in better keeping with its older and/or historic neighbouring structures. It is therefore concluded that the proposal would not result in any harm to the designated heritage asset.

Design

The character and appearance of the rear of this town centre terrace is one of varied multiple extensions and alterations over time, generally retaining original materials predominantly brick, blue slate or clay tiles. It is work-a-day in contrast to the front of the property which has some ornamental embellishments.

The proposal here would engage appropriate materials including blue slate for the pitched roof and would leave the various earlier extensions of the application property and the adjacent number 5 still prominent in the overall setting.

It is important that natural blue slate be used in both proposed roofs and this is understood to be intended but should be secured by condition.

Amenity
Consideration has been given as to any implications for the ground floor rear of no.9 where there is an entrance door and a series of side windows seeming to serve a small kitchen and storage areas. The proposed development would be very close to this side facing elevation and might ordinarily be found oppressive. As no.9 is not however a dwelling at ground floor normal space about dwelling considerations have not been applied in this assessment and the impacts are found acceptable. The first floor to no.9 may be residentially occupied but would not be unduly affected in terms of amenity from the development proposed as the upper storey only extends from the original property as far as the current outrigger, and does not include a window facing no.9. The affected window at no.9 Russell Street is also thought not to be a principal window, noting for example that it is obscure glazed. It is further noted that the proposed extension is to the north of no.9 and would not therefore result in any loss of direct sunlight.

Highways
Not formally consulted. Use of the rear as a single vehicle parking space was noted at the site visit and this would be lost. In this town centre location the absence of parking at this property is accepted.

CONCLUSION / PLANNING BALANCE
In terms of heritage it seems safe to conclude that there would be no overall loss of character or harm to appearance and therefore no loss of heritage significance. On this basis there would be no requirement to confirm any public benefit although the application can be considered to yield some public benefit in supporting a town centre business providing public dental services. With no heritage objection any residual reservations about the design can be considered on balance acceptable, again because there is public benefit in the scheme.

OFFICER RECOMMENDATION : Approve – subject to conditions

Case Officer: Arne Swithenbank and Reuben Berriman
Recommendation Date: 19th October 2023

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council