

DELEGATED DECISION REPORT

SMD/2023/0508
Valid 16/10/2023

**MCDONALDS CHURNET
WORKS
MACCLESFIELD ROAD
LEEK**

**INSTAVOLT ARE PROPOSING
TO INSTALL FOUR RAPID
ELECTRIC VEHICLE
CHARGING STATIONS WITHIN
THE CAR PARK OF
MCDONALDS, LEEK.
FIVE PARKING SPACES WILL
BECOME EV CHARGING
BAYS, ALONG WITH
ASSOCIATED EQUIPMENT.
ONE OF THE FOUR EV
CHARGING BAYS WILL BE
FULLY ACCESSIBLE,
ALLOWING FOR
UNRESTRICTED ACCESS TO
ONE EV CHARGER WITH 1.2M
ACCESS ON 4 SIDES OF THE
PARKING BAY.**

(FULL - MINOR)

MAIN ISSUES

- Design
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The application site was previously a brownfield site located to the Southwest of the existing Sainsbury store, on the Northwest side of Leek. The site is approximately 0.48ha and is generally flat and level. The site is enclosed on the West and South with a diamond cut knee rail fence at about 600mm height.

A pumping station lies on the northern side of the site access enclosed by a paladin fence and a substation to the south of the access. An unmade service road crosses the site. Pedestrian links between the site and Sainsbury already exist, along with drop curbs and tactile paving's.

Site access is from the A523 to the southwest, from a roundabout junction. Dual lanes link to the first local distributor roundabout feeding the Sainsbury filling station and neighbouring commercial units, over the River Churnet. The access continues

as a dual road over the river to a further distributor roundabout feeding the application site and Sainsbury.

There are a number of listed buildings in the surrounding area. These include Brindley's mill / museum which is located to the southwest of the site. Brindley's Mill is an imposing 4 storey grade II listed building which overlooks the subject site at a distance. In addition, Abbey Green Road footbridge is close to the site, this is a grade II listed structure. Due to existing development, trees and topography the bridge is not visible from the application site.

The proposed development is not within the curtilage of either of the listed buildings. The mill is however visible from the application site and the proposal will be viewed from it. The proposed building will be viewed against the backdrop of the supermarket and adjacent retail units; is of a modern design like those buildings immediately surrounding it.

PROPOSAL

The proposed development consists of the installation of four rapid electric vehicle charging stations within the car park of McDonalds, Leek. Five standard parking spaces would become EV charging bays, along with associated equipment. One of the four EV charging bays would be fully accessible, allowing for unrestricted access to one EV charger with 1.2m access on 4 sides of the parking bay.

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
T1 Development and Sustainable Transport
T2 Other Sustainable Transport Measures

National Planning Policy Framework

Paragraph(s) 1 – 14
Section(s) 4 – Decision making, 12 – Achieving well designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2010/0201 – Erection of superstore (A1); Retail units (A1); Employment Units (B1, B2 and B8); Residential (total of 58 apartments and 28 dwellings – C3 use); Petrol Filling Station (Sui Generis) with associated car parking, access, landscaping, provision of public open space. Approved.

SMD/2011/1138 – Variation of condition 1a pursuant to planning permission 10/00041/OMAJEI enabling minor amendments to the approved plans. Approved.

SMD/2012/0611 – Installation of external signage including totems, building signs, welcome walls, hoardings, fascia signs and sky signs. Approved.

SMD/2013/0629 – The variation of condition 50 to delete the requirement to complete works to the Church Street / St Edward Street junction. Withdrawn.

SMD/2014/0051 – The variation of condition 50 to delete the requirement to complete works to the Church Street / St Edwards Street junction. Approved.

SMD/2014/0280 – Application to vary Section 106 agreement dated 04.05.2011 for application 10/00041/OMAJEI. Closed.

SMD/2016/0731 – Request for formal EIA screening opinion request. EIA-NEG.

SMD/2018/0033 – Hybrid planning application for retail use (A1 full application) and Hotel use (C1 outline application with all matters reserved) access, car parking, landscaping and associated works. Withdrawn.

SMD/2022/0356 – Installation of 6 No. fascia signs, 3 No. booth lettering signs and 1 No. 15" digital booth screen. Pending.

SMD/2022/0358 – Various site signage including 4 No. freestanding signs, 3 No. banner units, 1 No. playland sign and 29 No. dot signs. Pending.

SMD/2022/0361- Erection of freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (COD) and play frame. Approved.

DOC/2023/0049 – Discharge of condition 13 relating to SMD/2022/0361. Consultation.

DOC/2023/0050 – Discharge of condition 14 relating to SMD/2022/0361. Approved.

DOC/2023/0051 – Discharge of condition 15 relating to SMD/2022/0361. Consultation.

DOC/2023/0052 – Discharge of condition 4 relating to SMD/2022/0361. Consultation.

NMA/2023/0017 – Non-material amendment relating to SMD/2022/0361 – the introduction of 2 No. EVCP bays and 1 No. additional cycle stand. Approved.

NMA/2023/0023 - Application for a Non-Material Amendment in relation to application SMD/2022/0361. Re: The removal of the approved Playframe and shelter at the east of the site, with additional furniture to the patio area. Approved.

NMA/2023/0032 – Application for a non-material amendment in relation to application SMD/2022/0361 Re. The minor relocation of the substation. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 11/12/2023
Neighbour consultation period ends: 16/11/2023
Press Advert: N/A

Public Comments

No public comments have been received.

Town / Parish Comments

No comments have been received from Leek Town Council.

Staffordshire County Council Flood Risk

We note that the application site is within Flood Zone 2 with risk of flooding from the River Churnet (Main River). As the Environment Agency (EA) are a statutory consultee upon all proposed developments within Flood Zone 2 it is envisaged that the EA will comment on the flood risk vulnerability, flood depths and suitability of the proposal in flood risk terms. Where the EA do not provide bespoke comments, you should be guided to their standing advice.

Areas of the application site have a chance of surface water flooding of 1 in 1000year (low probability of flooding). Surface water flooding can be difficult to predict, more so than river or sea flooding, as it is hard to forecast exactly where or how much rain will fall in any storm. This is based on the best available information, such as topography, ground levels and drainage.

Given the nature of the proposals, they would result in no significant change to the impermeable area and little change to the surface water runoff generated by the site. Therefore, the Flood Team have no further comments to offer on this application.

Staffordshire County Council Highways

Comparing this proposal to drawing 8622_0002F submitted under SMD/2022/0361, it appears 6 standard parking spaces will be replaced by 4 EV charging spaces. Adequate parking is available within the site and on the adjacent, larger car park associated with Sainsburys.

No highway objections.

OFFICER COMMENTS

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 proposed site is within the Development Boundary, thus the proposed works are acceptable in principle, subject to conformity with other relevant national and local planning policies. The main issues which need to be considered as part of the assessment of the proposed works include design, amenity and highway safety.

Design

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 proposed development consists of installing four rapid electric vehicle charging stations within the car park.

I note that an application has already been approved for the introduction of 2 no. EVCP bays in the car park under the reference NMA/2023/0017. It was concluded that the introduction of two new EVCP bays would be considered de-minimis within the context of the development overall which sits within a predominantly commercial area. Furthermore, the EVCP bays were considered as a small alteration to the approved scheme which would not be visually obtrusive or detrimental to the area. Thus, the addition of another two electric car charging bays would also be considered di-minimis in the context of the surrounding commercial area.

Amenity

Paragraph 130 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants. Local Plan Policy DC1 requires development to achieve a satisfactory relationship to adjacent development and to not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The site is embedded in a predominantly commercial area, surrounded by other businesses. Thus, it is not believed that the addition of four electric charging bays

would have a detrimental impact on the surrounding businesses, particularly due to the separation distances between each of the commercial plots.

Highway Safety

Paragraph 104 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Policy T1 seeks to provide safe and sustainable access and ensure that development does not lead to an increase in on street parking. Policy T2 supports development proposals which encourage electrical battery powered vehicles.

In the absence of any objection from the highway authority no highway safety implications are envisaged. Highways have stated that there is adequate parking available within the site and on the adjacent, larger car park associated with Sainsburys. Therefore, the loss of two parking spaces would not have any kind of detrimental impact on highway safety.

Thus, the proposed development would have no impact on highway safety, in accordance with Policy T1.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above, the application is recommended for approval. Due to the application having no adverse effect upon neighbour or street scene amenity and no overall impact on the highway, it is deemed acceptable under planning policy. Therefore, the application is recommended for approval, subject to compliance with all conditions.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Varley

Recommendation Date: 11/12/2023

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council