

DESIGN & ACCESS PLANNING STATEMENT

PREPARED BY MR MIKE CARR MSc MRTPI

MAT DESIGN LIMITED

PROPOSED DEVELOPMENT: -

CHANGE OF USE OF THE GROUND FLOOR FROM ITS
RESTRICTED CLASS E USE (PICTURE GALLERY AND STUDIO)
TO USE CLASS E(a) RETAIL (NO EXTERNAL ALTERATIONS)

PREPARED ON BEHALF OF:

MRS THARMINI VASANTHAKUMAR

DATE:

April 2024

1. INTRODUCTION

This Planning Statement has been prepared by MAT Design Limited on behalf of Mrs Tharmini Vasanthakumar and forms part of a planning submission to Staffordshire Moorlands District Council and should be considered in conjunction with the plans that have been prepared to support this planning application.

Overall, this statement will seek identify all the relevant material planning considerations, along with national and local planning policy frameworks that are applicable to the development, then seek to assess all the principal planning issues attached to the consideration of the planning application. This statement will consider the following matters:

- Whether the proposals accord with the National Planning Policy Framework (NPPF) December 2023 and represent a sustainable form of development and,
- Whether the proposals are consistent with the adopted development plan, which in this case is made up of the Staffordshire Moorlands Local Plan 2014 - 2033

2. THE PROPOSED DEVELOPMENT

The proposed development would involve the change of use of the ground floor of the premises from its lawful Class E use (restricted) to Use Class E (a) retail. No operational development, such as roller shutters or air cooler units, is proposed as part of this application.

3. THE APPLICATION SITE LAND USE ALLOCATION

The application site is an existing commercial premises with flat above, which located on the Biddulph Town Centre boundary, as denoted on the Staffordshire Moorlands Local Plan Proposals Map

Further to the above, the Proposals Map identifies that the site is not restricted by other land use planning constraints such as flood risk or protected trees within or around the site. The site is not in a Conservation Area, although we note that there is a Grade II Listed Building that is the Biddulph War Memorial that sites approximately 25 metres away from the site at the junction of John Street, High Street, and the Congleton Road. Given that no alterations are proposed to the building and that it is already a commercial premises, we do not consider that a Heritage Assessment would be warranted in this case.

4. THE SITE AND ITS SURROUNDS

The application site corner terraced commercial premises that fronts both John Street and Albert Street, with the shop doorway opening out onto John Street. The premises main door opening also faces towards other commercial premises in the Town Centre. A commercial Class E premises is attached to the site at 3 John Street, whilst other commercial premises that carry on along John Street and then into the Congleton Road.

Residential accommodation is located on the upper floors of the nearby commercial premises, whilst other residential accommodation is located along Albert Street, which extends away to the southeast from Biddulph Town Centre.

Overall, we would describe this site being on the very edge of Biddulph Town Centre and located in a sustainable location for purposes attached to the consideration of this planning application.

5. RELEVANT PLANNING HISTORY

The existing use of the application site falls under Use Class E, with its lawful comprising of a picture gallery and studio, including elements of retail and light industrial. This use was granted planning permission in 1978 (SM/5208), with the use being restricted by planning condition (1).

The reason given on the decision notice for the planning condition was to safeguard the amenities of the area, which we understand focussed on the light industrial element of the picture gallery and studio use.

6. THE TOWN CENTRE USE AND SEQUENTIAL TEST PROCESS

The application site is located on the very edge of Biddulph Town Centre and its lawful use falls under Use Class E as denoted in the current Use Classes Order, which we understand is a main Town Centre use. Taking this into account, the lawful use would be replaced by another Town Centre use. In cases like this, we understand that there is no requirement for the site to be sequentially tested in this case.

7. PLANS AND INFORMATION PRESENTED TO SUPPORT THIS PLANNING APPLICATION

The following plans and supporting information have been prepared to support the consideration of this The Planning Statement

- Site Location Plan,
- Existing and Proposed Floor Plans,
- The Planning Statement.

8. THE NATIONAL & LOCAL PLANNING POLICY FRAMEWORK ATTACHED TO THE CONSIDERATION OF THIS PLANNING APPLICATION

The National Planning Policy Framework (NPPF 2023) sets out the Government's economic, environmental, and social planning policies for England, and these policies articulate the Government's vision for sustainable development which should be interpreted and applied in determining planning applications.

The National Planning Practice Guidance (PPG) adds further context to the NPPF, and it is intended that the two documents should be read together, thereby achieving a sustainable form of development as described in paragraph 8 of the NPPF. In addition, the National Design Guide provides further advice on what elements are considered to make up good design within the setting of any site, whether it be urban or rural.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The Local Planning Framework is made up of the St Helens Local Plan and any relevant Supplementary Planning Guidance Documents (SPG) relating to New Residential Development.

9. PLANNING APPRAISAL

Having regard to the planning policy context set out within the previous sections of this statement, the key planning matters requiring consideration in the determination of this planning application include:

- The Principle of Development.
- Achieving Sustainable Development.
- Opening Hours.
- Plant and Equipment.
- Security Shutters.
- Accessibility.
- Car Parking.
- Site Servicing and Deliveries.
- Highways & Pedestrian Safety.
- Bin Storage.

The Principle of the Development

The application site is located on the edge of Biddulph Town Centre and is currently in a commercial Class E use.

Taking this into account and subject to the assessment of the development against other relevant criteria (listed below), the principle of the proposed development would not compromise any land use allocations.

As such, we consider that the principle of the development is acceptable.

Achieving Sustainable Development

The proposed development would contribute to achieving sustainable development and will deliver a range of economic, social, and environmental benefits:

Economic benefits will be associated with the scheme through employment associated with the re-opening of the commercial premises to add to the vitality of the area and the economic viability of the site in this area of the Borough.

Social benefits will be delivered through the provision of retail premises that would seek to serve local customers,

Environmental benefits will be secured through bringing the site back into use and improvements to its appearance. The new development and efficient use of an existing building is a further environmental benefit associated with the development.

Based on the above, we consider that the proposed development would provide a series of positive economic, social, and environmental benefits and therefore constitutes sustainable development. As such the development complies with the provisions of the NPPF, along with the relevant Local Plan Policies.

Opening Hours – There are no restrictions attached to planning permission SM/5208 that control the opening hours for the commercial premises. However, and given that the proposals for the site are for a material change of use, we would request opening hours of 0700 – 2200 hours 7 days a week. This could be controlled by a suitably worded planning condition.

If the LPA consider the proposed opening hours are excessive, we are happy to consider any reasonable alternatives that may be proposed by the LPA.

Plant and Equipment – No external plant and equipment is proposed as part of this planning application.

Security Shutters – No external security shutters are proposed as part of this planning application.

Accessibility

The site is highly accessible and is served by public transport that travels through the area and links the site to the wider Biddulph and the Staffordshire Moorlands area.

Car Parking – Car parking in and around the site is controlled by way of an existing traffic regulation order (double yellow lines). As such, we do not anticipate that there would be any car movements that would mean parking along this part of John Street or for at least 80 metres up Albert Street.

Site Servicing and Deliveries – Site servicing and deliveries to the site would take place from John Street and through the existing double door opening, which would be an identical arrangement to that seen as part of the established lawful use. Delivery times can be controlled by a suitable worded planning condition.

Highway & Pedestrian Safety - Paragraphs 114 and 115 of the 2021 NPPF confirms that development should only be prevented or refused on highways grounds if a safe and suitable access to the site can be achieved for all users, there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Bearing in mind that and in this case, vehicle movements associated with the proposed use would have no impact on the local network and as we consider that the proposed development would be compliant with the provisions of the NPPF.

Bin Storage – Bin storage for the premises is contained and stored within the curtilage. Collections are planned to be carried out by Council.

CONCLUSIONS

To summarise the above planning statement and taking all relevant and material planning considerations into account, we consider that this statement and all the supporting reports and plans, positively demonstrate that the proposed development would maintain and enhance the vitality and character of the Biddulph Town Centre, without causing any other demonstrable harm to the residential amenity, the local street scene or towards any nearby residential amenity.

As such and taking all the material considerations into account, we consider that the proposals for the site are wholly appropriate and will deliver a range of sustainable economic, social and environmental benefits.

On this basis, we would ask Staffordshire Moorlands District Council to assess this planning application positively, and against both the Local and National Planning Policy Framework. We look forward to working with the Council in progressing this planning application towards a positive determination and we are happy to agree and suitable and reasonable amendments to the proposed development, and/or consider planning conditions that that are consistent with paragraph 55 of the 2023 NPPF.