

DELEGATED DECISION REPORT

SMD/2024/0259
Valid 19/07/2024

321-325 UTTOXETER ROAD
BLYTHE BRIDGE

**2 STOREY ADDITION TO
EXISTING BUILDING FOR THE
CREATION OF 4 SELF
CONTAINED FLATS. THE FLATS
WILL SPAN OVER THE FIRST
FLOOR AND LOFT SPACE**

(FULL - MINOR)

MAIN ISSUES

- Principle of development
- Design and visual impact
- Highways/parking
- Amenity
- Environmental Health matters
- Coal

DESCRIPTION OF SITE

The application site consists of a flat roof, brick built, detached, Convenience Store sat within a sizeable plot of land which is generally hard surfaced and used as a car park. Vehicular access is from the southern side of the plot, directly off Uttoxeter Road. Within Blythe Bridge there is a good mix of development, including residential, educational and shopping facilities etc. Immediately surrounding the application site are domestic dwellings of varying ages. Dwellings to the west (Wesley Street) are brick terraces and so are the Uttoxeter Road properties to the south which back onto the site. Residential development to the north is newer, detached properties.

For the purposes of planning policy consideration the application site is located within the Blythe Bridge Development Boundary and a Coal development low-risk area. The site does not contain any listed buildings/structures or any protected trees. Furthermore the site is not within any Conservation Area and is not identified as being within any flood zone.

PROPOSAL

An extension above the existing convenience store (store to remain) to form four flats over two additional floors. The resultant building would be a three storey property of approximately 9.5m high. The scheme also involves the formation of a garden area/external amenity space on the western side of the building at ground floor level together with space for bin and cycle storage. The external amenity space would be shared. Five parking spaces would be allocated for residents within the existing car park, the spaces would be located on the western side of the car park, adjacent to the Wesley Road boundary. The flats would be a mix of one, two and three bed properties, each with open-plan kitchen/living/dining facilities. The application form states that building materials would 'match existing and mimic local aesthetic.'

The application is accompanied by a Design and Access Statement, Acoustic report, Energy Statement and Sustainability statement. It is noted that Section 1 of the Design and Access Statement refers to the housing needs of Stoke and the city wide analysis. The application

site is not within the planning area for the City of Stoke on Trent. Stoke on Trent City Council will have their own housing requirements.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

SS1	Development Principles
SS8	Larger Villages Areas Strategy
SD1	Sustainable Use of Resources
SD3	Sustainability Measures in Development
H1	New Housing Development
DC1	Design Considerations
T1	Development and Sustainable Transport
Appendix 2	Parking Guidance

Supplementary Planning Guidance

1. Space About Dwellings
2. Design Principles for Development in the Staffordshire Moorlands

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide.

National Planning Policy Framework

Including sections:

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed and beautiful places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2023/0398	2 Storey addition to existing building for the creation of 6 self-contained flats. Refused.
09/00086/ADV	2 No. internally illuminated fascia signs, 5 No. blank panel and 1 window vinyl. Approved.
03/01192/FUL	Retention of satellite dish. Approved.
00/00162/FUL	Siting of air conditioning units at roof level (retrospective application). Approved.
91/00874/OLD	Directional free-standing sign. Refused.

CONSULTATIONS

Publicity

Site Notice. Expired.

Neighbour consultation period. Expired.

Public Comments: 7 representations received all of which are objecting to the application. The objection comments can be summarised as follows:-

- Blythe Bridge at capacity for vehicles, schools and doctors.
- Building in Blythe Bridge is already planned for the future.
- Very little or no parking available for the flats, the only parking is for the shop, if this is taken away then shoppers will have nowhere to park.
- Application assumes one car per flat and no visitor parking
- Existing bottleneck of traffic in the area especially at school times
- Area will be noisier with the extra vehicles
- Light pollution
- 3 storey building is not in keeping with the surrounding buildings.
- It will be higher than other buildings.
- Surrounding homes will be darker
- Development will be overbearing upon neighbouring properties
- Very little space between the back of the building and the fence which surrounds the property
- Neighbouring properties will be reduced in value
- Loss of privacy to surrounding properties
- Disturbance whilst work is undertaken
- Electric car parking spaces are not indicated on the drawings
- Quoted shop floor space is different from previous application
- Noise assessment recorded one delivery van but there is more than one van attending each day
- Report references green amenity space on the first floor but this is not shown on the plans
- Rooflights of flat 4 and windows in flats 2 and 3 will be looking into neighbouring property
- Not enough storage space for bins
- Where will the retail waste be moved to
- Building is too close to the rear boundary for any scaffolding to be erected.

Forsbrook Parish Council: No representations received during the statutory consultation period.

Environmental Health: No objections subject to conditions.

Waste Services (SMDC): No issues regarding waste collections. Refuse bins to be presented on Uttoxeter Road.

Staffordshire County Council Highways: Recommendation Summary: Conditional. Site Visit Conducted on: 14-Aug-2024

1. Before the proposed development is brought into use, the parking area shall be provided in accordance with approved drawing 2023-114 A. The parking areas for both convenience store and proposed flats shall thereafter be retained for the life of the development.

Reason:-

To comply with NPPF Paragraph 114; to comply with SMDC Local Plan Policy DC1 and appendix 2; in the interests of highway safety.

Notes to Planning Officer

Application is to add extension to an existing convenience store to provide 4 self-contained flats - 2 x 1bed, 1 x 2 bed, 1 x 3 bed. 29 spaces are currently available for customers of the convenience store. Reference to SMDC parking standards shows that for an A1 use between 18 and 25 spaces will be required. (18 for non-food, 25 for all food retail). Food is sold in the convenience store but many other products are available. This leaves between 4 and 11 spaces available for the residential uses. 5 are proposed. Reference to SMDC parking standards shows that 6 spaces will be required. The overall combined use of the site would require between 24 and 31 spaces. At the time of my site visit, a weekday lunchtime, contractors vans were parked in the site, a vehicle parked in the car park but the occupants did not enter the store and there were still spaces available. The store serves the local community, many of whom would not necessarily drive to the store. Proposed flats will be above a convenience store and close to the facilities of Blythe Bridge. Site is in a sustainable location. Access to the car park will be as existing. Current records show that there were no Personal Injury Collisions on Uttroter Road within 50m either side of the car park access in the previous five years.

Severn Trent Water: No representations received during the statutory consultation period.

OFFICER COMMENTS

Principle of Development

The application site is considered to be within a sustainable location within the larger village (and settlement boundary) of Blythe Bridge which is identified within Local Plan policy SS8. Policy SS8 supports (in principle), residential development in addition to other types of development in order to 'retain and enhance their (larger villages) role as rural service centres.' This is of course subject to all other material planning considerations being satisfied.

Of particular note was that the previously refused application (reference SMD/2023/0398) was determined under the Presumption in favour of development matter of the National Planning Policy Framework (NPPF), the current submission does not. Paragraph 76 of the NPPF, which was revised in December 2023, says that Local Planning Authority's do not have to identify a minimum supply of 5 years' worth of housing provided their adopted plan is less than 5 years old and that plan identified a 5 year supply at the time its examination was concluded. Footnote 40 and 79 however clarifies the transitional provisions relating to para 76. Footnote 79 says, '*As an exception to this, the policy contained in paragraph 76 and the related reference in footnote 8 of this Framework should only be taken into account as a material consideration when dealing with applications made on or after the date of publication of this version of the Framework*'. This application was submitted after the publication date of the NPPF.

Design and visual impact

The application site currently consists of a flat roof, detached retail unit and a car park. The building is a brick structure with advertisement fascia boards and associated storage on the western side of the plot. This is an existing flat roof building with no particular architectural merit. The proposal would see an extension which would be topped with a pitched roof. The extension would not cover the entire existing flat roof. It would be set back from the front elevation/eaves of the existing shop building, set in from the western side and a large rectangular shaped section of flat roof would remain at the rear. It is understood that parts of

the existing flat roof are to remain resulting from the applicant trying to reduce building impact upon surrounding properties (this will be discussed later in the report). However it has created an issue within design and visual impact. Retention of large flat roof areas and building upon only part of the existing roof will result in an oddly shaped building which is out of character with surrounding pitched roof properties, many of which are genuine two storey buildings. The plans show the upper gables/dormers being finished with some sort of cladding/sheeting material, although there are no specific details. However cladding at this level would not contribute to securing an aesthetically pleasing structure, it would appear out of keeping with the area, the dwellings of which are predominantly constructed from brick. The arrangement of the windows on the principal elevation do not add any visual quality to the building, they also look out of place as they have horizontal proportions which are out of keeping with the windows above. The building frontage does not have any focal point and the addition of residential building above it will simply exacerbate this situation.

Highways/parking

Parking for the proposed residential units are to be within the existing car park area near to the Wesley Street boundary. The plans show that 5 spaces will be reserved for occupants of the proposed flats. The application does not indicate any changes to the existing site access. The County Highways officer has visited the site and detailed comments can be found within the 'Consultations' section of this report. Whilst the parking related concerns received from members of the public are noted, the Highways officer is recommending acceptance of the application subject to a condition to secure the proposed car parking therefore there is no material planning reason for the application to be refused on highways grounds.

Amenity (including neighbour amenity)

The buildings surrounding the application site are predominantly residential dwellings. There are terraces to the south which front Uttoxeter Road, terraces to the west on Wesley Street and detached properties to the north along St. Peter's Lane. Potential amenity impact upon all of these properties must be considered.

Uttoxeter Road terraces

The terraces face to the south, fronting Uttoxeter Road with their rear gardens/patios/yards/amenity spaces all to the north of the respective properties. The terraces also have principal rear windows. The new development proposes principal windows within its front (southern) facing elevation which, together with its proposed height, would result in a development which overlooks the terraces to an unacceptable degree, resulting in privacy invasion. Although the alterations to the scheme have been noted, the first floor has only been set back by a very small distance (approximately 68cm), this small set back does not overcome overlooking concerns. The site clearly demonstrated the close proximity of the buildings and the potential amenity impact if the development was to be approved.

Wesley Street dwellings

The Wesley Street properties lie to the west/north-west of the application site and have their principal elevations (containing principal windows) facing in the direction of the convenience store. The previous application raised concerns about the close proximity between the principal windows at the front of the Wesley Street dwellings and windows within the side elevation of the flats extension. The scheme has been amended to increase the separation distance (by setting the extension back and retaining part of the shop flat roof). There are still principal bedroom windows within the western facing elevation however the increased distance and the angle in which the terraces and the proposed development would sit, no means that there is no material planning objection to the development relating to overlooking or being overbearing upon, the Wesley Street dwellings.

St. Peter's Lane dwellings

The St. Peter's Lane dwellings to the north are detached properties which sit within generously

sized plots. The proposed extension would result in significant amenity harm upon the St. Peter's dwellings and in particular the dwelling known as Montabaur which shares a boundary with the application site. The existing shop is built very close to the shared boundary meaning that any first floor addition would be significantly overbearing, create a sense of enclosure and cause overshadowing due to the orientation of the buildings. Whilst it is acknowledged that the proposed extension has been reduced in terms of its floorspace, it still remains exceptionally close to the rear boundary with Montabaur. The retention of the flat roof space on the western side will not lessen the overbearing amenity impact which would be inflicted upon the occupant(s) of Montabaur. There are principal windows within the Montabaur property which would be impacted upon due to the height and close proximity of the proposed development.

Amenity for occupants of flat

The floorplans show that kitchen/living area of flat 4 will have two rooflights and small, fixed and obscure glazed window. It is questionable as to whether this arrangement is acceptable for Building Regulations standards but it is insufficient for the purposes of considering amenity standards within a planning proposal. All residential developments should be designed so as to provide satisfactory living conditions including the provision of natural light, especially within principal rooms. It is not considered that the principal kitchen/living space is designed to secure a satisfactory standard of natural light and outlook, making this part of the proposal contrary to the aims of Local Plan policy DC1.

Environmental Health matters

The proposal is for residential development above an existing and operational retail unit. Issues of noise must therefore be addressed in terms of noise impact that the retail premises may have upon potential future occupants of the flats. The application has been accompanied by an Acoustic Report. The Environmental Health officer confirms no objections to the application subject to conditions.

Coal

The application site is within a low-risk coal development area. Latest advice contained on the Gov.uk website is that 'If you are submitting a planning application in a Development Low Risk Area then there is no statutory requirement to submit a CMRA to the LPA' however 'the proposed development still lies within a coal mining area and could contain unrecorded hazards.' The advice is that if any coal mining feature is encountered it must be immediately reported to the Coal Authority.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above within the report, it is recommended that the application is refused on amenity and design grounds. It is recognised that the proposals have been amended following on from refusal of the previous application and that some of the objections raised at that time have now been resolved. However, the application cannot be recommended for approval due to concerns relating to amenity impact and design. Design is now a concern due to the changes made, the form, location and overall size of the proposed extension are not the same as the previous scheme. The report has demonstrated that there are identified harms which would demonstrably outweigh the benefits that 4 flats could bring. It is also noted that under the provisions of the NPPF, the Local Planning Authority is in the position that it does not currently have to demonstrate a 5 year housing land supply due to the age of its adopted Local Plan. Accordingly the tilted balance is not engaged and the proposal should be determined in line with Local Plan policy. The proposal is found contrary to that policy for the reasons outlined above and is recommended for refusal.

OFFICER RECOMMENDATION : Refusal

Case Officer: Lisa Jackson

Recommendation Date: 13.09.2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council