

## DELEGATED DECISION REPORT

---

**SMD/2024/0511**  
**Valid 14/11/2024**

**83 HAYWOOD STREET**  
**LEEK**

**CHANGE OF USE OF FORMER  
BANK TO PUBLIC HOUSE  
AND FUNCTION ROOM (SUI  
GENERIS USE) INCLUDING  
EXTERNAL & INTERNAL  
ALTERATIONS**

**(FULL - MINOR)**

---

### MAIN ISSUES

The principle of the proposal  
The impact on the viability and vitality of the town centre  
The impact on the character and appearance of a Conservation Area.  
The impact on residential amenities.  
The impact on highway safety.

### DESCRIPTION OF SITE

The application site is in the town centre of Leek and on a Primary Shopping Frontage, as defined in the Council's Local Plan. It is adjacent to, but not within, a Conservation Area, the boundary of which runs along the north-east side boundary of the site and along the rear boundary to the north-west. The site comprises a vacant former bank (which closed in Sep 2022) within a three-storey Victorian building (inc basement), one of a row of terraced buildings with a mix of styles, old and modern, which face Haywood Street, A53 road, to the south-east. The site is close to the traffic light junction at Derby Street and Ashbourne Road (A523) to the north. There is a mix of shops and commercial units on this stretch of road. The adjoining unit to the south-west side is a Thai food restaurant with flats above. The adjoining unit to the north-east is a health clinic. Elsewhere on this stretch of road are shops, a supermarket, a nail bar, a café, a fast food takeaway, a windows showroom, accountants office, dry cleaners, a convenience store and a carpet/flooring shop.

### PROPOSAL

This is a full planning application for the change of use of the former bank into a public house (on the ground floor) with an events space with a capacity of 60 people (on the first floor). The only external alterations would comprise the replacement of one set of front double doors with timber double doors to match another set of existing front doors and also a new larger replacement door at the rear (into a slightly enlarged opening) for emergency/fire escape purposes. An existing rear metal staircase will be removed. The main frontage window shown on Oct 2023 Streetview images has been replaced with a more modern window of same shape and size but with large panes of glass without glazing bars and looks to be uPVC

framed rather than timber. The drawings show that timber surrounds will be added to the window. A stone front step will be added and

There is proposed to be 2 x full time staff and 5 x part time staff and the opening hours are proposed to be 12PM to 1AM seven days a week.

A Noise Impact Assessment and Planning & Design Statement was submitted with the application. An amended Noise Report was received in January 2025. A Noise Breakthrough Assessment Report was received in March 2025.

## **RELEVANT LOCAL AND NATIONAL PLANNING POLICIES**

### **Local Plan (Adopted Sep 2020)**

SS5 Leek Area Strategy  
TCR1 Development in the Town Centres  
TCR2 Primary Shopping Frontages  
SD4 Pollution  
DC1 Design Considerations  
DC2 The Historic Environment

### **National Planning Policy Framework (Feb 2025)**

Sections 6 (Economy), 7 (Town Centres), 12 (Design) and 16 (Historic Environment).

## **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

The most recent previous application is as follows:

SMD/2022/0456: Removal of signage, front elevation alterations and removal of ATM. Approved in January 2023.

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 9.1.25  
Neighbour consultation period ends: 9.1.25.  
Press Advert: 27.11.24 (Affecting a Conservation Area).

### **Public Comments**

One letter of objection has been received from adjacent residents (who appear to occupy the flat above the adjacent restaurant) concerned about noise impacts from the proposed pub and function room and also about the exacerbation of parking problems in the area.

A letter has been received from the occupants of the adjacent restaurant not objecting to the application.

## **Town / Parish Comments**

No objection.

## **Local Highways Authority**

No objection.

## **Environmental Health**

### Original consultation response:

*Environmental Health recommend refusal due to insufficient information being provided to address the noise impacts from the proposed development into the adjacent property including both commercial and residential areas of that property.*

### Revised consultation comments in response to the later amended Noise Report submitted:

*The advice is insufficient, it is subjective. A sound test should be undertaken to determine the specific noise reduction specification of the wall to assess the likely impacts of the development inside the neighbouring property. It should consider airborne, structure borne, low frequency music noise and flanking transmission. This sound test would provide site specific information on the suitability of the site for the proposed use and provide detail to address sound insulation requirements if appropriate.*

### Consultation comments in response to further additional information in the form of a Sound Test Report (March 2025):

*Environmental Health withdraw its objection to the proposed development subject to condition and compliance with all mitigation set out in the submitted Peak Acoustics Noise Impact assessment Reference No. 1309244NR dated 29/10/2024 and Nova Acoustics – Noise Breakthrough Assessment 28/02/2025.*

Further comments as follows:

- 1. Airborne Noise Transfer Through Upper Floor Party Wall- A sound test has been submitted to determine suitability of site for proposed use. It would appear during this process improvements to the party wall on the upper/function levels have been made to effect levels which are predicted to protect the neighbouring property subject to further mitigation. We would recommend that the advice set out in recommendations and mitigation pg. 4 of the Nova Acoustics – Noise Breakthrough Assessment 28/02/2025 are made a condition of development. No amplified music of any type should be played in the upstairs function room until all mitigation has been installed. The upstairs function room should be closed to the public no later than 23:30 (To propose licensed times till 23:00). Conditions proposed in sound test - Install automatic door closers on the entrance/exit doors to the function room. Ensure no live music is played within the function room.*

- Install a noise limiter capable of controlling noise in separate octave band frequencies. The limiter should be installed between the music source and the amplifier and should restrict noise output when the proposed limit levels are reached. An example product that could be installed is the 'MRC Audio EQ Limit, Data Logging Automatic Volume Sound Limiter', however, other systems are available. The proposed limit levels are referenced in table 3 pg4.*
- 2. Structure borne noise – There remains minor concern about structure borne noise through to the neighbouring upstairs flat. It would appear there is low level transfer at the point near the top of the stairs. The developer's builder is proposing to repair steps and provide high specification acoustic underlay and carpet to reduce transmission of impact noise. All doors should be fitted with soft self-closing mechanisms. All toilet hand dryers should be low noise and installed to prevent noise transmission. No kitchen extraction is proposed, any future extraction should be fitted so that structure borne and airborne noise are a consideration prior to an post install.*
  - 3. Noise transfer into restaurant – this has been dismissed as an issue by the operator of the restaurant in a phone discussion with Environmental Health and a letter to the Planning Department.*
  - 4. Noise Breakout From Main Bar Area – All mitigation set out in Peak Acoustics Noise Impact assessment Reference No. 1309244NR dated 29/10/2024 should be installed in full. Specific Mitigation is set out in section 9 and 11. This mitigation includes upgraded glazing, keeping doors closed, music noise limiting and good on site management.*
  - 5. Plant and Machinery (Including Cellar Cooling and Air-Conditioning)  
No advice is contained on predicted noise impacts from air-conditioning, cellar cooling or kitchen extraction. We would advise all plant or machinery installed into the development should comply with the condition below.*

#### **Staffordshire Police Designing Out Crime Officer**

No objection and puts forward advice and measures which would improve security and confirms that opening time of 1200-0100 seems reasonable.

#### **Conservation Officer**

No objection to the change of use or the proposed door design but considers the recently inserted replacement window on the frontage is less in keeping with the modern and questions if this could be changed.

#### **SMDC Waste Collection Service**

No issues regarding waste collections.

#### **OFFICER COMMENTS**

The building, a former bank (Barclays), has been vacant since September 2022 although a programme of frontage alterations and renovations has been undertaken since under a planning permission granted in January 2023. The proposal looks to change the use of the building into a pub and an events room.

Although the site is on a “Primary Shopping Frontage”, important to the town centre, there is a wide mix of commercial uses on this stretch of road close to the edge of the town centre and which includes some retail but also other uses. Policy TCR2 resists the loss of retail units on Primary Shopping Frontages. However, the building was a former bank and not a shop. The proposal would therefore not lead to the loss of any retail floorspace and therefore would not affect the town centre as a retail and shopping area. There is no conflict with Policy TCR2.

Policy TCR1 aims to protect and enhance the vitality and viability of town centres. A new public house with events room is an appropriate town centre use which would help with the vitality and viability of the town centre. It would not lead to concentration of public houses in this part of the town centre and would positively add to the mix of uses in an already varied area in terms of town centre businesses and uses. The unit has been vacant for a number of years and its continuing presence as a vacant unit would be detrimental to the vitality and viability of the town centre, the image of the town centre and the overall character and appearance of the area, including adjacent Conservation Area, especially if it became more run-down and derelict in appearance in the future. Although it is not a listed building it does possess some historic character and due to its size and design is a prominent building in the street scene. The proposal would help secure its future and lead to the necessary enhancements. The proposal would also lead to the creation of a number of jobs.

Overall, the principle of the change of use is acceptable and is in line with and not in conflict with policies TCR1 and TCR2. However, this is providing the new use does not lead to any negative impacts such as to overall visual or residential amenity and this is addressed below.

With regard to the frontage changes, the recently installed large replacement window on the ground floor is unfortunate, and is less in keeping with the historic building, with its large expanses of glazing, removal of glazing bars and uPVC materials. However, the building is not within the Conservation Area and the ornate shape has not been changed. The applicant is proposing to add timber mouldings to the frames. The drawings do not clearly show what this entails but a condition can be added requiring further details of this for the approval of the Council so that the eventual appearance of the window can be improved. The other alterations such as the new timber double doors to match the existing timber double doors are a more welcome improvement which helps to compensate to some extent for the modern replacement of the main frontage window. Overall, the proposed external alterations would not lead to significant harm to the setting of the character and appearance of the street scene or adjacent Conservation Area. The proposal would sustain the heritage asset.

One of the main concerns with new public house/events space uses is the potential for noise generation, particularly where there are neighbouring residential uses. It appears the adjacent Thai food restaurant has a flat above which would be directly adjacent to the proposed first floor events space which would have capacity of 60 people. A letter of objection was received from the occupant raising the concern over noise generation from the proposed pub and events space. The application included a Noise Report which Environmental Health, consulted on to

comment on noise impacts, considered to be insufficient to demonstrate that noise levels would be acceptable. Sound tests were then undertaken and a further report submitted. In response, Environmental Health commented that improvements to the party wall on the upper/function levels had been made to effect levels which are predicted to protect the neighbouring property subject to further mitigation. The report also put forward further measures to control noise, both directly from groups of people using pub and the events space and also from other sources of noise associated with a pub and events space use, including kitchen machinery (e.g. extractors), doors and hand dryers. The Environmental Health Section approves of the measures in sufficiently reducing noise and such measures can be achieved as a requirement of planning conditions imposed. The Section also requires further measures and conditions to achieve this which shall include that no amplified music of any type shall be played in the upstairs function room until all mitigation has been installed and that the upstairs function room shall be closed to the public no later than 23:30 (to proposes license times till 23:00). In conclusion the EHO has subsequently removed their objection. These conditions shall also be added.

Overall, with the safeguard of a number of conditions requiring measures to control noise, it is considered the proposal would not lead to significantly higher levels of noise and disturbance affecting local residents, in relation to current noise levels in this part of the town centre which comprises other late opening uses and the presence of a busy main road and a significant footfall of people.

Finally, the objection letter also raises concerns over parking provision considered to be problematic in the area. Although the new use would generate more visitors over a longer period of opening hours than the previous bank use, this is a sustainable town centre location with parking restrictions on the road and close to a number of public car parks. It is anticipated a large number of customers would be arriving to and leaving from the premises on foot, either due to living locally or arriving by bike, taxi public transport or to/from the existing parking areas. The local highways authority has no objection to the application.

## **CONCLUSION / PLANNING BALANCE**

The proposal is acceptable in principle and with a number of conditions would not lead to any significant harms to the visual or residential amenities of the area or any other environmental harms. The proposal comply with the Council's Local Plan and the government planning guidance contained in the National Planning Policy Framework (NPPF).

**OFFICER RECOMMENDATION :    APPROVE**

**Case Officer: Chris Johnston**  
**Recommendation Date: 21.3.25**

X *J. Colley*

---

Signed by: Jane Colley Signature

**On behalf of Staffordshire Moorlands District Council**