

DELEGATED DECISION REPORT

SMD/2024/0546
Valid 10/12/2024

**DERELICT PLOT OF LAND
OPPOSITE EARL GREY INN
WOOD STREET
LEEK**

**REMOVAL OF EXISTING
DERELICT STRUCTURES ON
SITE, INSTALLATION OF ONE
EV CHARGING BAY WITH
ANCILLARY ELECTRICAL
EQUIPMENT INCLUDING
SUBSTATION AS PART OF
THE CREATION OF A
COMMUNITY CHARGING
FACILITY.**

(FULL - MINOR)

MAIN ISSUES

- Principle of development
- Character and appearance
- Impact on the Conservation area
- Impact on public safety
- Impact on amenity

DESCRIPTION OF SITE

The site relates to a small courtyard containing an asbestos shed. It sits on the corner, fronting on to Wood Street opposite a pub known as Earl Grey and the side bounds onto the main road, Ashbourne Road. The courtyard is restricted by bricks on all four sides and metal vehicle access gates. Main access is taken from Wood Street, a narrow road serving a number of terrace properties.

For the purposes of the development plan the site lies within the town's development boundary and within the designated Conservation Area.

PROPOSAL

This is a resubmission of a proposal, originally for two electric vehicle charging bays for commercial purposes (ref SMD/2024/0129). The scheme was later refused on the ground of highway safety entering Wood Street due to restricted visibility for drivers revising from the charging bays onto Wood Street together with negative impact of two charging bays in the Conservation area.

Under this new submission, the applicant reduces the proposal to one electric vehicle charging bay and alteration to the original brick wall. The change of use will require the existing shed to be removed and replaced with signage (considered under a separate application), a brick wall substation and, one charging point and bay. Access is to be taken from the existing entrance off Woodland Street which adjoins the main road, Asbourne Road.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS5 Leek Area Strategy
DC1 Design Considerations
DC2 Historic 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

SMD/2024/0130	Consent to Display an Advertisement 1no. small pole-mounted sign to state ""EV Charging"" with ""Zest"" company logo PENDING
SMD/2024/0129	Application to determine if prior approval is required for - The land is remote to the current farming business base, hence the need for a building for secure storage of machines and equipment, animal feed etc. REFUSED

CONSULTATIONS

Publicity

Site Notice expiry date: 13/01/25
Neighbour consultation period ends: 10/01/25

Public Comments

Four objection.

- Wood St is a narrow road. Potential collision risk of vehicles pulling in and out of the charging bay outside their front door.
- Highway safety for pub goers, neighbours
- Not a suitable location for an EV Charging point
- Noise pollution
- Traffic survey is inadequate and done under a short period of time.
- The entrance should be taken from Ashbourne road and not Wood St.
- If the bay is occupied then cars will wait outside properties waiting for a space. Waiting vehicles will block entrance and exit from these properties.
- The pavement outside the entrance to the bays will be unusable to pedestrians and the opposite pavement by the Earl Grey is extremely narrow. This will cause problems for people using disability vehicles or pushing prams and other users.
- No neighbour consultation from developer

Leek Town Council	No objections
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SCC Highways	No objection subject to the wall being built as per elevations plan to improve highway safety
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Environmental Health No objection subject to conditions

Conservation Officer No objection subject to boundary treatment being constructed using reclaimed bricks from the existing structures on site only.

OFFICER COMMENTS

Principle of development

The application site is located within the Development Boundary of Leek; a 'town' as identified by Local Plan policies SS2. The policy states all new development are to make a positive contribution towards the sustainability of communities and to protect and where possible enhance the environment.

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 development is located within the development boundary and therefore, 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.

Impact on the Conservation area and design

Policies DC1 and DC2 of the Staffordshire Moorlands Local plan states that all development should be well designed to respect the site and its surroundings. Within Conservation Areas the Council will safeguard and, where possible, enhance the historic environment.

According to the NPPF- section 16 Conserving and enhancing the historic environment, it mentions 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 208 of the NPPF 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, where appropriate, securing its optimum viable use.'

The site sits opposite a prominent historic pub to the east within the Leek Conservation Area. It is also within the setting of Cross Street Mill and London Mill to the north which is a Grade II Listed Building.

The Conservation officer was consulted and raised concerns. Her comments are as follows:

The derelict plot opposite Earl Grey Inn is located within the Leek Conservation area, in close proximity to the grade II listed London Mill on Ashbourne Rd. The plot is currently a rundown, or derelict, plot located in a prominent corner position. The site currently has derelict boundary treatments of red brick. This style of boundary treatment is characteristic of boundary treatments along Ashbourne Rd. However, the site itself detracts from the conservation area due to its derelict state.

The application proposes to install an EV charging station. Pg 13 of the submitted heritage statement demonstrates the extent of the proposed red brick boundary treatments to shield the charging equipment and cars from view along Ashbourne Rd. Some views will still be available from Wood St when approaching the conservation area boundary. However, due to the current derelict state of the site, the proposal will sustain the conservation area, provided that the proposed boundary treatment re-uses reclaimed brick from the site. As such there is no heritage objection subject to condition:

The boundary treatments hereby approved shall be constructed using reclaimed bricks from the existing structures on site only, unless otherwise agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- To preserve the character of the conservation area.

When considering the comments from the Conservation officer, the site is in a derelict state which does not contribute to the setting of the Conservation Area. The much smaller proposal would appear to sustain the Conservation Area and strengthen the dilapidated wall that would screen much of the operation of the business.

Referring to the layout of the scheme, the rearrangement compared to its predecessor is an improvement. For instance, the substation is setback from the entrance to the site and built in brick whilst also being partially screened by the re-built wall. The case officer noted that the substation and EV Charging point are particularly large however, as the scale of the operation has reduced, the charging point has been upgraded to make the site commercially viable. Taking this into account, it is considered that while a smaller charging point is preferred, it is proportionate to the site layout, basic and a relatively minor scheme.

Visually, it will be seen from the entrance of Wood Street as the wall is reduced to 0.6m and partially seen from Ashbourne Road as the re-built brick wall slopes down to 0.6m towards Wood Street, exposing the EV charging point; the reason for the sloped wall was to address the concerns raised by Highways, assessed in the later section. With a notably reduced wall, the EV charging point will also be visible to the setting of the Grade II public house opposite the site however as noted in the Conservation officer's later comments, not substantial to raise an objection. As such, the case officer deems the development to be less than substantial harm as it is a minor-low scale operation that would bring the site back and prevent further decay.

The next consideration is whether the development's public benefit would outweigh the harm to the significance of a designated heritage asset. The charging station

would assist in climate change and providing a means of accessibility for those wanting to charge their cars. The public benefit would be marginal however on balance, does provide optimal use of the site than its current state and following the brick overed substation and re-building of the front wall, it would improve the setting of the Conservation Area. Therefore, this proposal is in accordance with Policy DC2 and the NPPF on heritage grounds.

Impacts on public amenity

Policy DC1 requires all new development to respect the amenity of the area, including residential amenity, with regards to satisfactory daylight; sunlight; outlook; and privacy.

The site sits on a corner plot largely surrounded by residential properties to the south and west. The bays would face the 3m high boundary brick wall shared with neighbouring property No.34 Ashbourne, an end-terrace to the west of the site. The wall to the south is marginally lower and is shared with neighbouring property No. 4.

The private amenity of No.34 Ashbourne is unlikely to be impact as the wall protects views from visitors using the site. No.4 Wood Street's property would sit closer to the site by 2.3m. However, the residential amenity is maintained as the type of scheme would not cause any overlooking from the site.

Regarding nuisance, notably noise from the substation, Environmental Health commented that the development appears relatively low level from a noise perspective of 1 EV charger and ancillary electric supply equipment. Additionally the site is adjacent to an A road so is impacted by relatively high ambient noise levels. Of a minor concern is the small sub-station propped on the site so they would recommend all plant installed is so selected and attenuated so as not to adversely impact residential amenity. It may be prudent to impose the conditions to this affect.

Environmental Health officer has recommended a condition to install an acoustic barrier to the south and west of the site to reduce noise breakout, specially adjacent to properties 4 Wood Street and 34 Ashbourne Road. Such a condition was not noted in the earlier consultation for 2 EV Charging points and the substation will abut the shared boundary wall and shed behind the wall incidental to 34 Ashbourne Road to the west. The substation is unlikely to have a detrimental impact to this neighbour and as it would be further away from 4 Wood Street. it would appear unreasonable to attach this condition.

Taking into account the above, the scheme accordance with the relevant parts under Policy DC1.

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.

County Highways were consulted on matters of highway safety. The Highway officer noted that the section of Wood Street leading to the site is narrow, measuring 2.6m wide, and junctions with Ashbourne Road, an A classified road.

The officer noted that as the EV charging point has been reduced from 2 to 1 and the layout has changed, there would be a reduction in trip numbers and turning/reversing manoeuvre compared to the initial proposal. The existence of an access onto Wood Street, albeit that it appears to have been out of use for some time, would not refuse the application.

A request was made by the Highway officer to reduce the wall fronting Ashbourne Road by 600mm high on par with the height of the wall fronting Wood Street which is to be built to 600mm. The reduction in the height of the perimeter wall would improve visibility for pedestrians and all drivers and would further reduce trips as customers wishing to use the charging point, accessing from Ashbourne Road, could see if the point was in use and abort the visit.

In order to compromise the comments raised by the Conservation officer to screen the EV charging point from the public amenity and improving highway safety by reducing the wall, a stepped wall along Ashbourne Road to 600mm was deemed the favourable solution. Amended plans were made. Following further consultation, County Highways has raised no objection subject to condition to accord with the revised plans.

The Highway officer also requested that prior to commencement of any development, an existing lighting column will need to be relocated after being approved in writing by the Local Planning Authority in order to safely access the site. This matter is to be addressed between County Highways and the applicant as the lighting column is located outside of the applicant's ownership, facing Wood Street. The condition is to be added to the decision notice.

The changes made is considered to meet the concerns raised by the neighbours that have raised an objection that seem from highway safety and use of the site. Whilst comments are noted in the absence of any objection from county highways a refusal on safety grounds could not be sustained.

The proposal is considered to be in accordance with policy T1 Staffordshire Moorlands Local Plan as well as the National Planning Policy Framework including section 9.

Policy T2 encourages electrical battery powered vehicles. The proposal meets this policy.

CONCLUSION

The provision of 1 EV charging bays in this location is considered to result in less than substantial harm to the significance of the Conservation area and setting of a listed building – London Mill and Cross St Mill. The public benefit attached to the use of the development will make optimal use of the site and preventing further decay. The development complies with Local policy DC2; and policies in the National Planning Policy Framework.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Li

Recommendation Date: 21/02/25

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council