

PART 1

AIMING FOR EXCELLENCE

Planning Service 07/00781 / OUT 11 JUN 2007 - S M O

MOORLANDS HOUSE, STOCKWELL STREET, LEEK, STAFFORDSHIRE MOORLANDS. ST13 6HQ TEL: (01538) 483550 FAX: (01538) 483586

**APPLICATION FOR FULL AND OUTLINE PLANNING PERMISSION
OR APPROVAL OF RESERVED MATTERS**

Please read the attached guidance notes before completing this form.

FIVE copies of this form and FIVE copies of the plans are required.

<p>1. APPLICANT</p> <p>Name: Andoria Developments.....</p> <p>Address: c/o Agent.....</p> <p>Tel. No.:</p>	<p>2. AGENT</p> <p>Name: CB Richard Ellis.....</p> <p>Address: 3rd Floor The Chancery, Spring Gardens, Manchester,.....</p> <p>M2 1EW.....</p> <p>Tel. No.: 0161 233 5646.....</p>
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Particulars of Proposed Development

3. Address or location of proposed development.	Popular Garage, 113 Mill Street, Leek, Staffordshire, ST13 8EU
4. Description of proposed development.	Outline application for redevelopment of the site for commercial and residential use, all matters reserved

Type of Application

5. (a) Is this a full application? (This includes a change of use)	YES/NO
(b) Is this an outline application? (See Guidance Notes)	<p>YES/NO If YES tick the items (if any) for which you are seeking approval at this stage.</p> <p>1. Siting (inc. layout) <input type="checkbox"/> 4. Means of Access <input type="checkbox"/></p> <p>2. Design <input type="checkbox"/> 5. Landscaping <input type="checkbox"/></p> <p>3. External Appearance <input type="checkbox"/></p>
(c) Are you applying for approval of reserved matters following an outline permission?	YES/NO If YES state reference and date of outline permission.
(d) Are you applying for temporary permission?	YES/NO If YES state the length of period for which you are applying.
(e) Are you applying for renewal of an existing temporary permission or to continue a use or retain a building without complying with a condition(s)?	YES/NO If YES state reference and date of existing permission and relevant condition where appropriate.
6. State whether your proposal includes:-	
(a) New Buildings	YES/NO
(b) Alterations or extensions to existing buildings	YES/NO
(c) Change of Use	YES/NO
(d) Construction of new access to highway	<p>Vehicular YES/NO</p> <p>Pedestrian YES/NO</p>
(e) Alteration of existing access to highway	<p>Vehicular YES/NO</p> <p>Pedestrian YES/NO</p>
(f) Any operations not falling within the above categories.	YES/NO

Site Particulars

7. (a) Present use of land or buildings.	Vehicle maintenance and repair	
(b) If vacant, state the last use and the date it ceased.		
(c) What is the area of the application site? (metric only)	1114sqm	
(d) Are there any buildings which are to be demolished?	YES/NO	If YES indicate on your submitted plans
(e) Are there any trees which will have to be lopped, topped or felled?	YES/NO	If YES indicate on your submitted plans
(f) Are there any public rights of way crossing the site?	YES/NO	If YES indicate on your submitted plans and show any proposed diversion

Additional Information

8. Are you providing public open space within the development?	YES/NO	If YES please ensure this is clearly identified on the submitted plans. If NO please refer to guidance notes	
9. State the type, colour and finish of the external materials. (If alterations or extensions to buildings are involved)	Existing Walls	All materials to be dealt with and agreed in reserved matters	
	Proposed Walls		
	Existing Roof		
	Proposed Roof		
10. How will surface water be disposed of? (Please tick appropriate box)	Mains <input checked="" type="checkbox"/>	Soakaway <input type="checkbox"/>	Other <input type="checkbox"/> (please state)
11. How will foul sewage be dealt with?	Mains <input checked="" type="checkbox"/>	Septic Tank <input type="checkbox"/>	Other <input type="checkbox"/> (please state)
12. How many vehicle parking spaces do you intend to provide?	Existing Spaces within site (if any)	Additional Spaces	26
13. Is the application for industrial, office, warehousing, storage, retail or other commercial development?	YES/NO If YES complete Form 2		
14. Is the application for a dwelling or caravan in connection with agriculture, horticulture or forestry?	YES/NO If YES complete Form 3		

Ownership

15. State the nature of the applicant's interest in the application site. (Owner, lessee, prospective purchaser, etc.)	Prospective owner		
16. State whether the applicant owns or controls any adjoining land and if so give its location (also edge blue on plans).	No		
17. Which certificate are you submitting with your application? (For information on the correct certificate required please see guidance notes)	A <input type="checkbox"/>	B <input checked="" type="checkbox"/>	C <input type="checkbox"/> D <input type="checkbox"/>

Fee

18. State the amount of the fee submitted with the application	N/A
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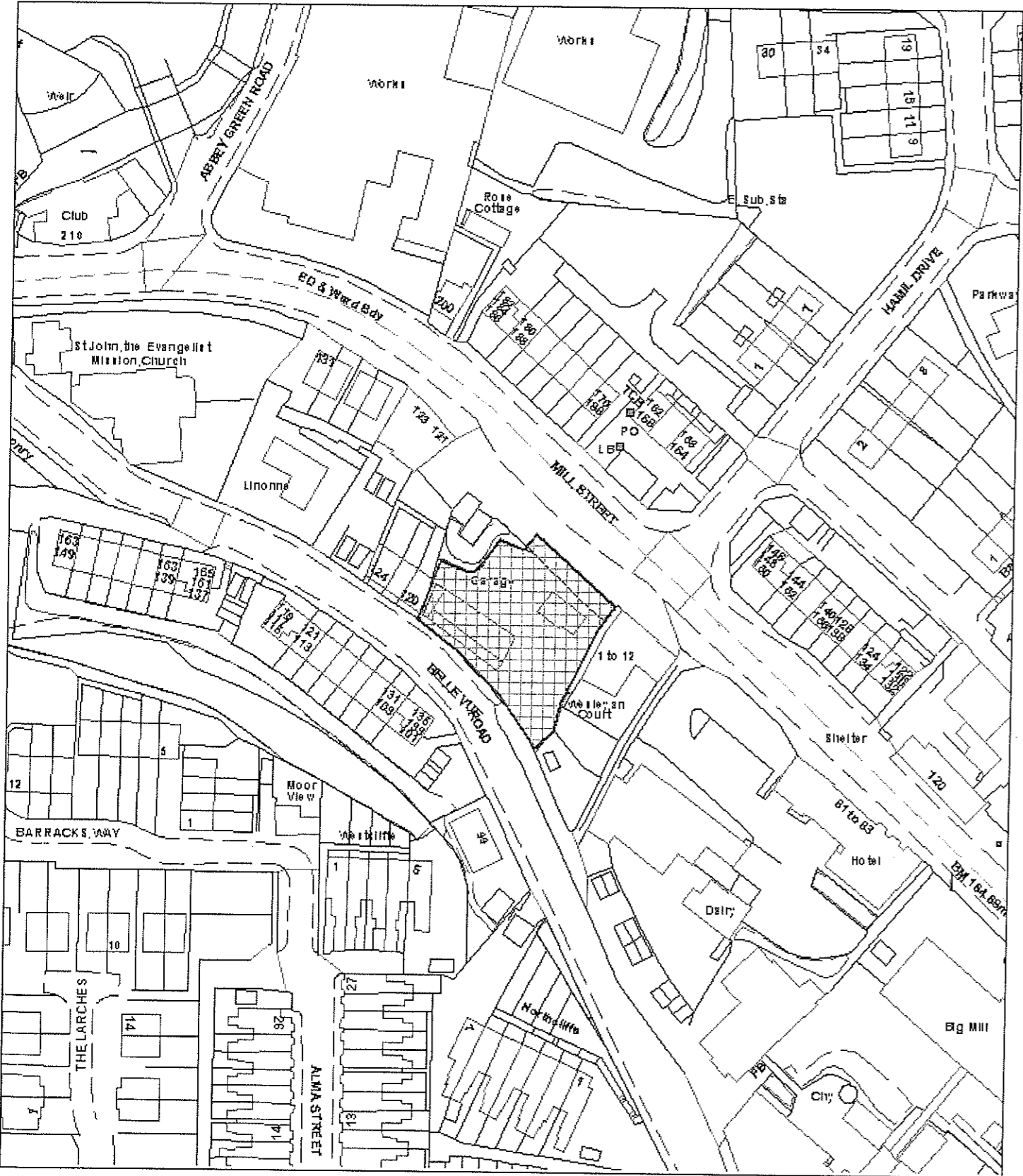
19. I/We hereby apply for:- (Tick appropriate box)	
(a) Planning permission to carry out the development described in this application and the accompanying plans.	<input checked="" type="checkbox"/>
(b) Approval of details of such matters as were reserved in the outline permission described in this application and the accompanying plans.	<input type="checkbox"/>
(c) Planning permission to retain buildings or works already carried out, or a use of land already commenced as described in this application and the accompanying plans.	<input type="checkbox"/>

I/We understand that this is an application for planning permission only and not for any other form of approval which may be required.

Signed: C.B. Richard Ellis Dated: 8/06/07

On behalf of: Andoria Development, Limited

Reference: 07/00781/OUT_MJ
Leek



Scale : 1:1250

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Organisation	Not Set
Department	Not Set
Comments	Not Set

CBRE

CB RICHARD ELLIS
CB Richard Ellis Limited
The Chancery
Spring Gardens
Manchester M2 1EW

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Direct Line 0161 233 5646
colin.parry@cbre.com

Our Ref
Your Ref

8 June 2007

Mill Street Garage
113 Mill Street,
Leek,
Staffordshire,
ST13 8EU

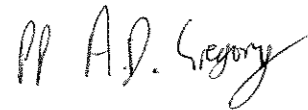
Dear Sir/Madam

NOTICE OF PLANNING APPLICATION - POPULAR GARAGE, LEEK

Please find enclosed a Notice informing you of a planning application being submitted on behalf of our clients Andoria Developments Ltd.

This Notice is served upon you in accordance with the provisions of Article 6 of the Town and Country Planning (General Development Procedure) Order 1995. Should you wish to comment on the application please write to Tameside Metropolitan Borough Council, Planning and Building Control, Council Offices, Wellington Road, Ashton-under-Lyne, OL6 6DL by Monday 2 July 2007.

Yours faithfully



Colin Parry
Associate Director - Northwest Planning and
Development

071007811
OUT
11 JUN 2007 - SMD

www.cbre.co.uk

Registered in England No 3536032 Registered office St. Martin's Court 10 Paternoster Row London EC4M 7HP
CB Richard Ellis Limited is authorised and regulated by the Financial Services Authority





STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
Planning Service

MOORLANDS HOUSE, STOCKWELL STREET, LEEK, STAFFORDSHIRE
MOORLANDS. ST13 6HQ TEL: (01538) 483550 FAX: (01538) 483586

Town and Country Planning (General Development Procedure) Order 1995

NOTICE UNDER ARTICLE 6 OF APPLICATION FOR PLANNING PERMISSION

(to be published in a newspaper or to be served on an owner or a tenant**)*

Proposed development at (a)...Popular Garage, 113 Mill Street, Leek, ST13 8EU

I give notice that (b) Andoria Developments Limited.....

is applying to the (c) Staffordshire Moorlands District Council

for planning permission to (d) Outline application for redevelopment of the site for commercial and residential use,
all matters reserved.

Any owner* of the land or tenant** who wishes to make representations about this application should write to the
Council at the Planning Department, Staffordshire Moorlands District Council, Moorlands House, Stockwell Street,
Leek, Staffs. ST13 6HQ

By (e) 2nd July 2007

* 'owner' means a person having a freehold interest or a leasehold interest, the unexpired term of which is not
less than seven years, or, in the case of development consisting of the winning or working of minerals, a person
entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

** 'tenant' means a tenant of an agricultural holding any part of which is comprised in the land.

Signed *C.B. Richard Ellis*.....

† On behalf of Andoria Developments Limited

Date 8th June 2007.....

Statement of Owner's Rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless
there is some provision to the contrary in an agreement or in a lease.

Statement of Agricultural Tenant's Rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of
tenure.

† delete where inappropriate

Insert:

- (a) address or location of the proposed development
- (b) applicant's name
- (c) name of Council
- (d) description of the proposed development
- (e) date giving a period of 21 days beginning with the date of service, or 14 days beginning with the date of
publication, of the notice (as the case may be)



STAFFORDSHIRE
moorlands
DISTRICT COUNCIL
Planning Service

Additional Information required in respect of
Applications for Industrial, Office, Warehousing, Storage, Shops
or other Commercial Development
(Please answer questions relevant to the proposed development)

1. In the case of industrial development, give a description of the processes to be carried on and of the end products, the type of plant or machinery to be installed and whether these are indoors or outdoors.	To be confirmed					
2. If the proposal forms a stage of a larger scheme for which planning permission is not at present sought, please give what information you can about the ultimate development.	n/a					
3. (a) Is the proposal related to an existing use on or near the site? If "Yes" please explain the relationship. (b) Is this a new, a branch or a subsidiary establishment? Please specify.	No					
4. Is this a proposal to replace existing premises in this area or elsewhere which have become obsolete, inadequate or otherwise unsatisfactory? If "Yes" please give details including the location and gross floor area of such premises and state your intentions in respect of these premises.	No					
5. What is the amount of floor space on the site relating to the following uses:-	Existing (if any) (sq.m.)		Proposed (sq.m.)		Total (sq.m.)	
Industrial (a)			To be confirmed			
Office/Administration (b)			To be confirmed			
Retail (c)			n/a			
Storage (d)			n/a			
Warehousing (e)			n/a			
Other Uses (f)			n/a			
What is the total floor space of all buildings (a + b + c + d + e + f)? (g)			To be confirmed		To be confirmed	
6. How many staff are/will be employed in each of the following categories?	Existing Total		Proposed Change		New Total	
	Full Time	Part Time	Full Time	Part Time	Full Time	Part Time
Office (a)			Tbc	Tbc	Tbc	Tbc
Industrial (b)			Tbc	Tbc	Tbc	Tbc
Other (c)			Tbc	Tbc	Tbc	Tbc
All (a + b + c) (d)			Tbc	Tbc	Tbc	Tbc
7. What provisions have been made for the parking, loading and unloading of vehicles within the site? Please show the location of such provision on the plans and distinguish between parking for (a) staff, (b) visitors and (c) servicing/loading/unloading. Include a figure for the total number of vehicle spaces (d) in each column of the table on the right.	Existing Vehicle Spaces		Proposed Vehicle Spaces		Total Vehicle Spaces	
(a)			tbc		tbc	
(b)						
(c)						
(d)						
8. What is the estimated maximum number of vehicles in each of the following categories based at and visiting the site in any one day?	Based at Site			Visiting Site		
	Existing	Proposed	Total	Existing	Proposed	Total
Under 3 tons unladen weight (a)		Tbc	Tbc		Tbc	Tbc
Over 3 tons unladen weight (b)		Tbc	Tbc		Tbc	Tbc
All (a + b) (c)		Tbc	Tbc		Tbc	Tbc
9. What is the nature, volume and proposed means of disposal of any trade effluents or trade refuse?	To be confirmed					
10. Will the proposed use involve the use or storage of any of the materials of type and quantity listed overleaf. If "Yes" state materials and quantities in tonnes.	No					

NAMED SUBSTANCES	
1 Substances	2 Notifiable quantity tonnes
Liquefied petroleum gas, such as commercial propane and commercial butane, and any mixtures thereof held at a pressure greater than 1.4 bar absolute.	25
Liquefied petroleum gas, such as commercial propane and commercial butane, and any mixture thereof held under refrigeration at a pressure of 1.4 bar absolute or less	50
Phosgene	2
Chlorine	10
Hydrogen fluoride	10
Sulphur trioxide	15
Acrylonitrile	20
Hydrogen cyanide	20
Carbon disulphide	20
Sulphur dioxide	20
Sulphur dioxide	20
Bromine	40
Ammonia (anhydrous or as solution containing more than 50% by weight of ammonia)	100
Hydrogen	2
Ethylene oxide	5
Propylene oxide	5
<i>tert</i> -Butyl peroxyacetate	5
<i>tert</i> -Butyl peroxyisobutyrate	5
<i>tert</i> -Butyl peroxy maleate	5
<i>tert</i> -Butyl peroxy isopropyl carbonate	5
Dibenzyl peroxydicarbonate	5
2,2-Bis (<i>tert</i> -butylperoxy) butane	5
1,1-Bis (<i>tert</i> -butylperoxy) cyclohexane	5
Di- <i>sec</i> -butyl peroxydicarbonate	5
2,2 Dihydroperoxypropane	5
Di- <i>n</i> propyl peroxydicarbonate	5
Methyl ethyl ketone peroxide	5
Sodium chlorate	25
Cellulosenitrate other than – (a) cellulosenitrate to which the Explosives Act 1875 (a) applies; or (b) solutions of cellulose nitrate where the nitrogen content of the cellulose nitrate does not exceed 12.3% by weight and the solution contains not more than 55 parts of cellulose nitrate per 100 parts by weight of solution	50
Ammonium nitrate and mixtures of ammonium nitrate where the nitrogen content derived from the ammonium nitrate exceeds 28% of the mixture by weight other than (a) mixtures which the Explosives Act 1875(a) applies; or (b) ammonium nitrate based products manufactured chemically for use as fertiliser which comply with Council Directive 80/876/EEC (b)	50
Aqueous solutions containing more than 90 parts by weight of ammonium nitrate per 100 parts by weight of solution	500
Liquid oxygen	500

PART 11 CLASSES OF SUBSTANCES NOT SPECIFICALLY NAMED IN PART 1	
1 Class of Substance	2 Notifiable quantity tonnes
1. Gas or any mixture of gases which is flammable in air and is held in the installation as a gas	15
2. A substance or any mixture of substances which is flammable in air and is normally held in the installation above its boiling point (measured at 1 bar absolute) as a liquid or as a mixture or liquid and gas at a pressure of more than 1.4 absolute	25 being the total quantity of substances above the boiling points whether held singly or mixtures
3. A liquefied gas or any mixture of liquefied gases, which is flammable in air, has a boiling point of less than 0° (measured at 1 bar absolute) and is normally held in the installation under refrigeration or cooling at a pressure of 1.4 bar absolute or less	50 being the total quantity of substances having boiling points below 0°C whether held singly or in mixtures
4. A liquid or any mixture of liquids not included in items 1 to 3 above, which has a flash point of less than 21°C.	10,000
PIPE-LINES	
Pipe-lines containing any of the substances listed at or above the quantities specified except where the only hazardous substance that the pipe-line contains is either a flammable gas as defined in item 1 of Part II of this Appendix at a pressure of less than 8 bars absolute, or a flammable liquid as defined in item 4 of Part II of this Appendix.	



Planning Service

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MOORLANDS. ST13 6HQ TEL: (01538) 483550 FAX: (01538) 483586

Town and Country Planning (General Development Procedure) Order 1995

CERTIFICATE UNDER ARTICLE 7

Certificate B(a)

I certify that:

07/00781 / OUT 11 JUN 2007 - S M D

~~I have~~/The applicant has/~~The appellant has~~* given the requisite notice to everyone else who, on the day 21 days before the date of the accompanying application/~~appeal~~*, was the owner(b) of any part of the land to which the application/~~appeal~~* relates, as listed below.

Owner's (b) name	Address at which notice was served	Date on which notice was served
Mill Street Garage	Mill Street, Leek	11/06/07

Signed *C.B. Richard Ellis*.....

*On behalf of Andoria Developments

Date 8/06/07.....

*delete where inappropriate

- (a) This Certificate is for use with applications and appeals for planning permission (articles 7 and 9(1) of the Order). One of Certificates A, B, C or D (or the appropriate certificate in the case of certain minerals applications) must be completed, together with the Agricultural Holdings Certificate.
- (b) 'Owner' means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

CERTIFICATE UNDER ARTICLE 7

Agricultural Holdings Certificate (a)

Whichever is appropriate of the following alternatives must form part of Certificates A, B, C or D. If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert 'not applicable' as the information required by the second alternative.

- * None of the land to which the application/appeal* relates is, or is part of, an agricultural holding.

or

- * I have/The applicant has/The appellant has* given the requisite notice to every person other than my/him/her* self who, on the day 21 days before the date of the application/appeal*, was a tenant of an agricultural holding on all or part of the land to which the application/appeal* relates as follows:

Tenant's name	Address at which notice was served	Date on which notice was served
---------------	------------------------------------	---------------------------------

Not Applicable

Signed *CB Richard Ellis*.....

*On behalf of Andoria Developments Limited.....

Date 8 June 2007.....

*delete where inappropriate

(a) This Certificate is for use with applications and appeals for planning permission (articles 7 and 9(1) of the Order). One of Certificates A, B, C or D (or the appropriate certificate in the case of certain minerals applications) must be completed together with the Agricultural Holdings Certificate.

Andoria Developments Ltd
Popular Garage, 113 Mill Street, Leek, ST13 8EU

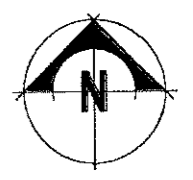
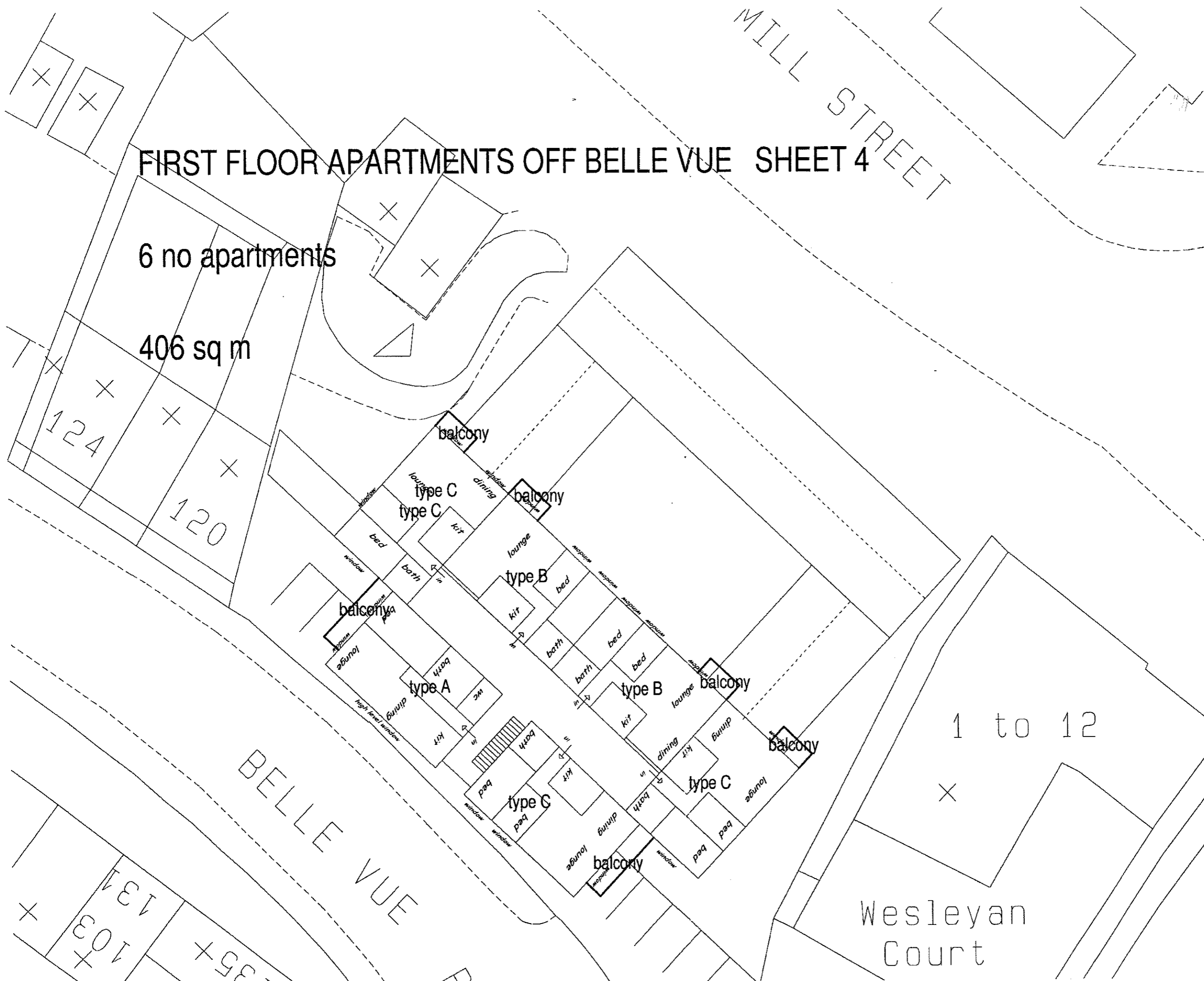


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FIRST FLOOR APARTMENTS OFF BELLE VUE SHEET 4

6 no apartments

406 sq m

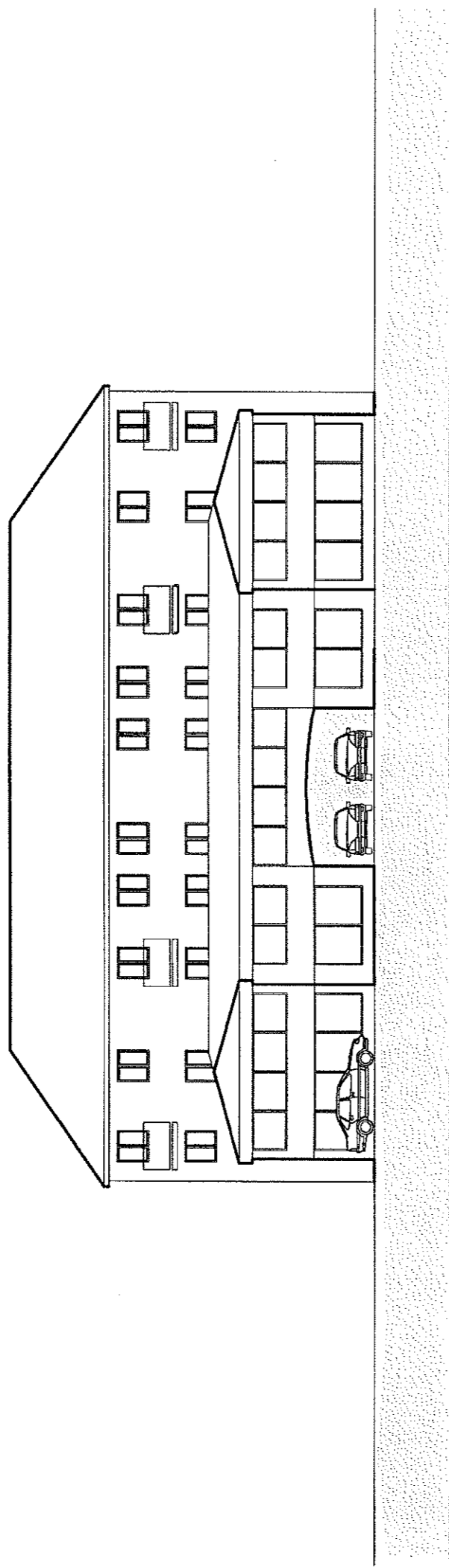


poplar garage leek scale 1:200

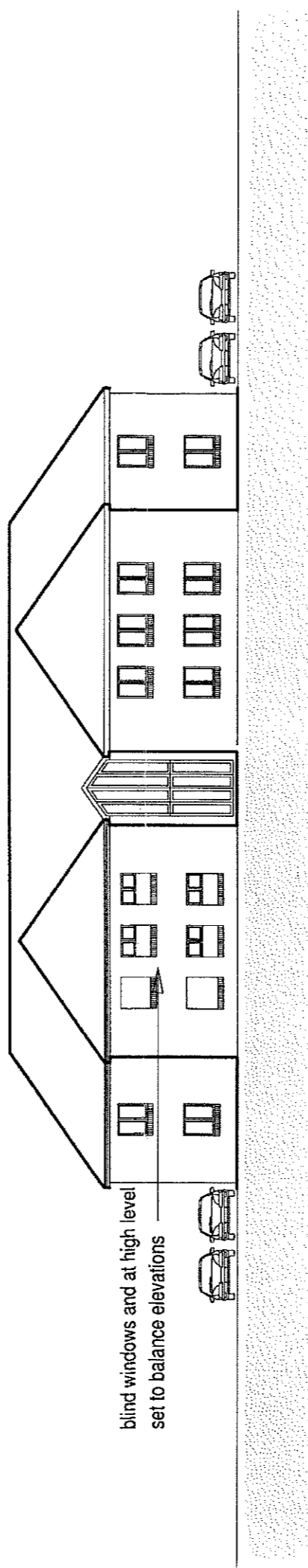
07/00781/ OUT 11 JUN 2007 - S M D

1 to 12
Wesleyan Court

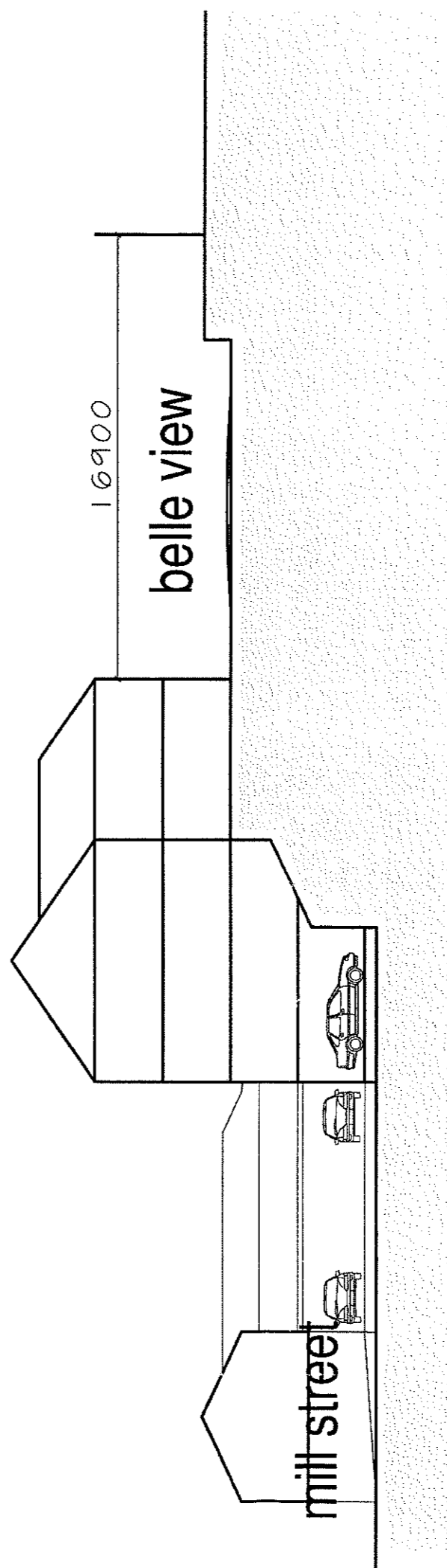
diagrammatic sections and elevations
 indicating the overall bulk and massing
POPLAR GARAGE MILL STREET LEEK scale 1:200



elevation to mill street



elevation to belle view



section

DEF.
 ARCHITECTS
 tel/fax 01630 647850
 mobile 07879 892868

LOWER GROUND FLOOR WORKSPACE OFF MILL STREET SHEET 1

180 sq m work space

18 no paking spaces with turning facility

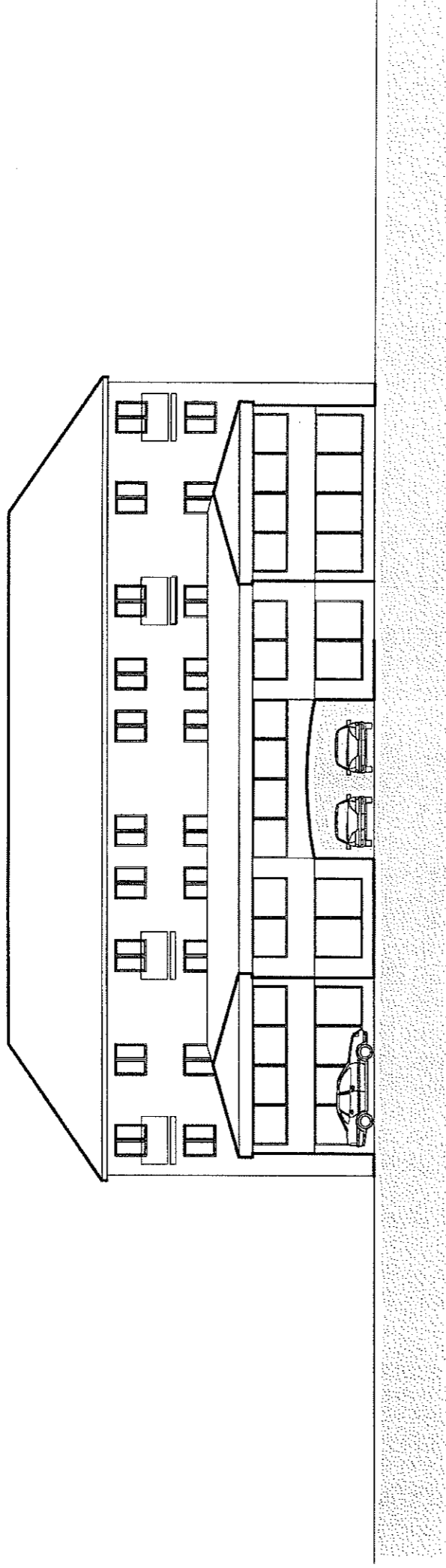


poplar garage leek scale 1:200

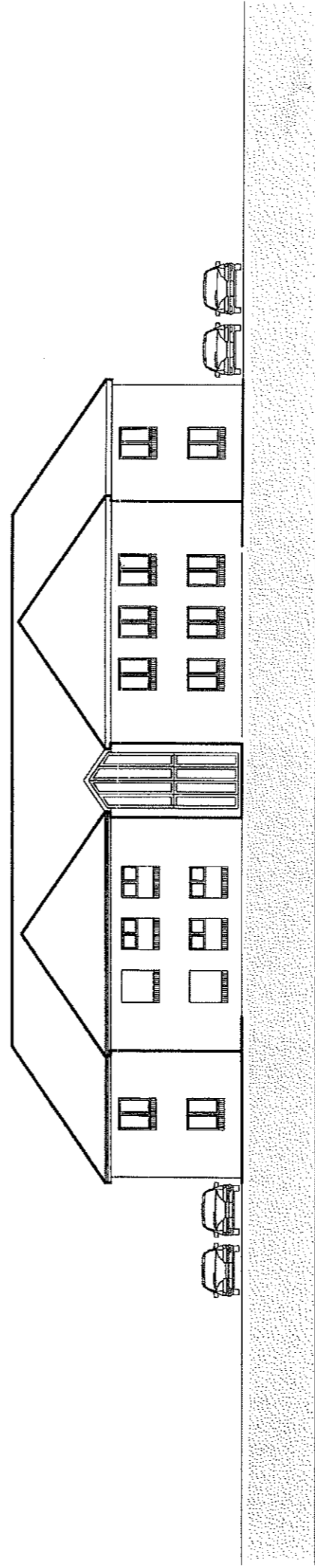


DEP
ARCHITECTS
tel/fax 01630 647850
mobile 07879 892868

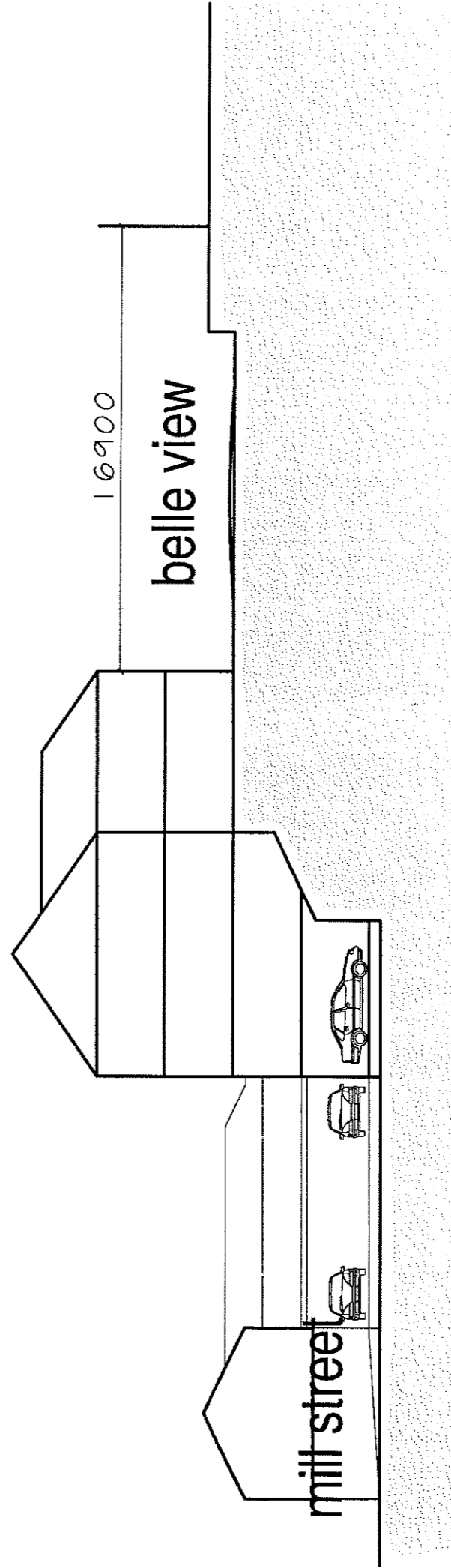
diagrammatic sections and elevations
indicating the overall bulk and massing
POPLAR GARAGE MILL STREET LEEK



elevation to mill street

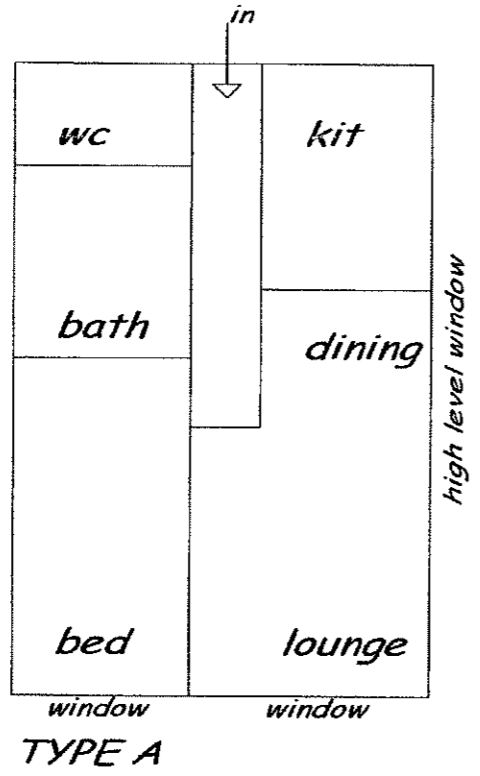


elevation to belle view

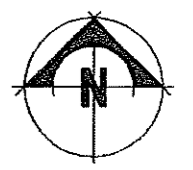
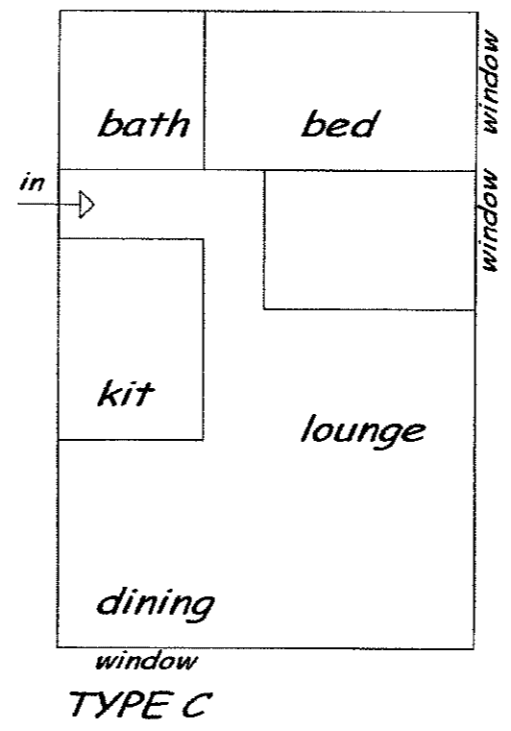
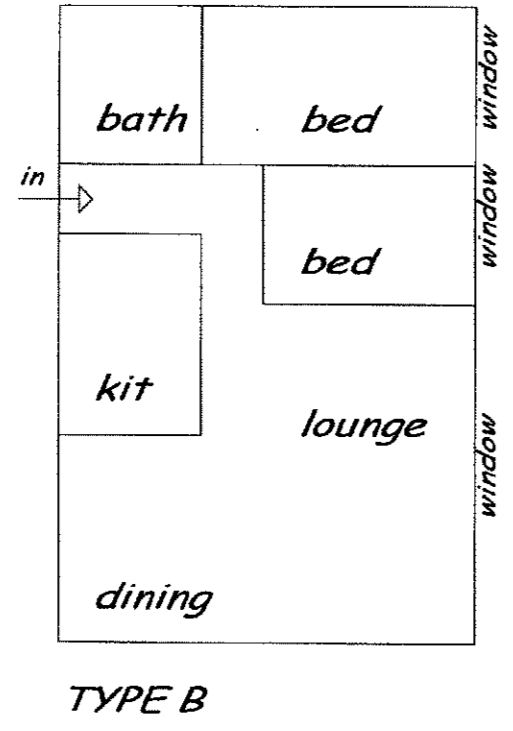


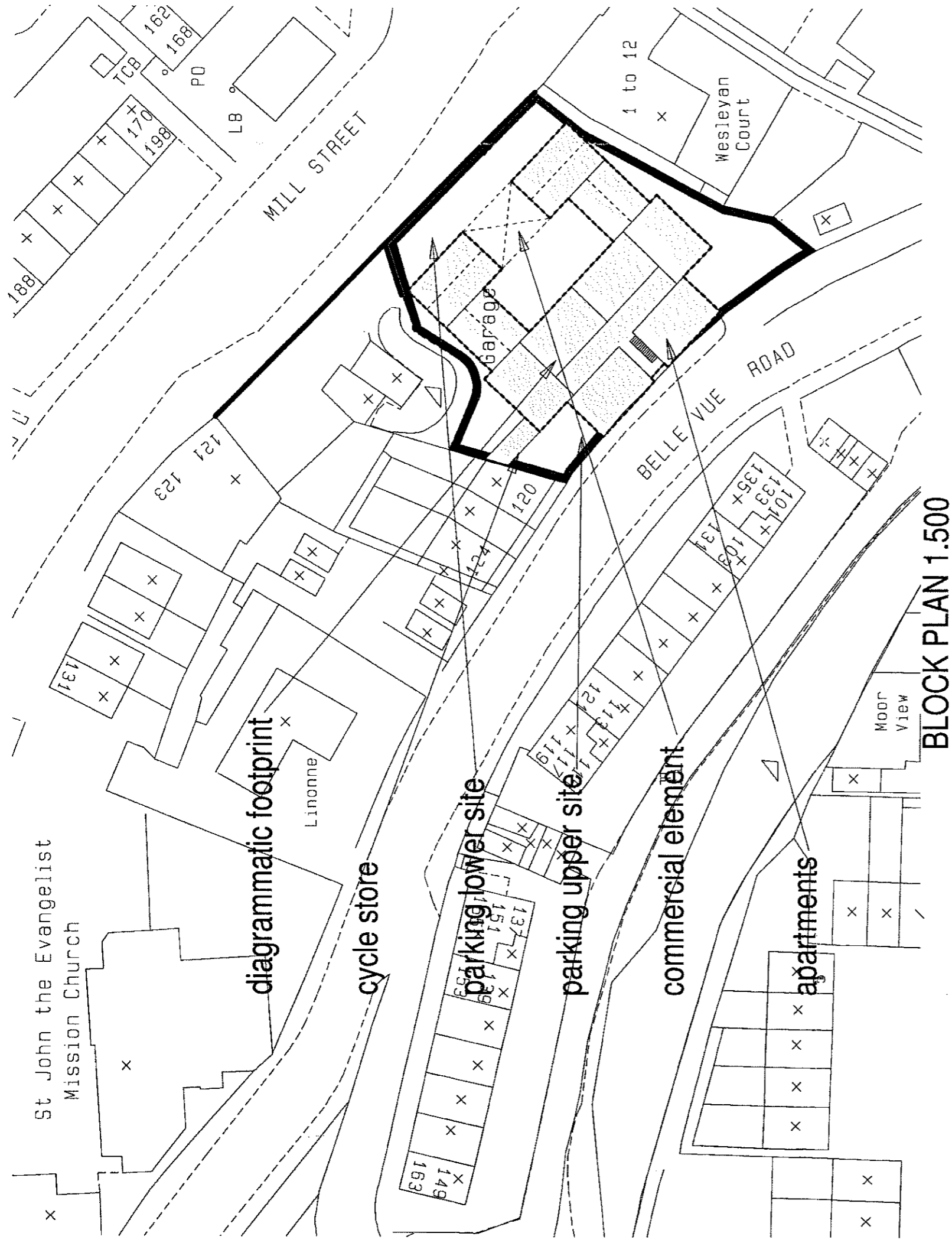
section

DEF.
ARCHITECTS
tel/fax 01630 647850
mobile 07879 892868



FLAT TYPES diagrammatic



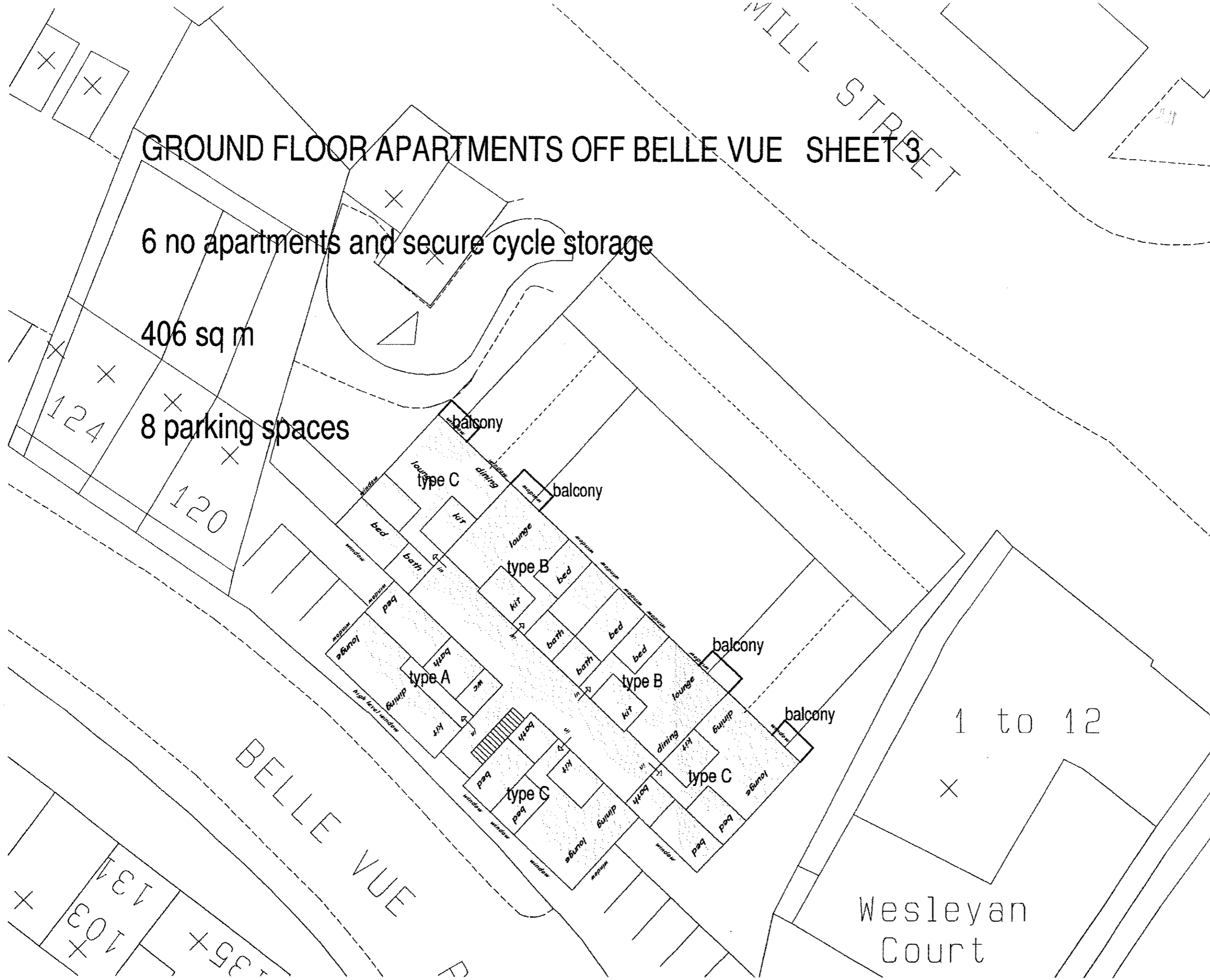


GROUND FLOOR APARTMENTS OFF BELLE VUE SHEET 3

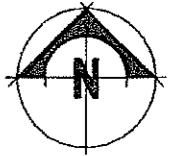
6 no apartments and secure cycle storage

406 sq m

8 parking spaces



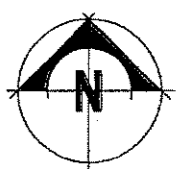
poplar garage leek scale 1:200



ARCHITECTS
tel/fax 01630 647850
mobile 07879 892668

UPPER GROUND FLOOR WORKSPACE OFF MILL STREET SHEET 2

380sq m work space



ARCHITECTS
tel/fax 01630 647850
mobile 07879 892868

poplar garage leek scale 1:200

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**PROPOSED MIXED USE DEVELOPMENT
POPULAR GARAGE, MILL STREET,
LEEK**

ANDORIA DEVELOPMENTS LIMITED

JUNE 2007

CB RICHARD ELLIS
3RD FLOOR
THE CHANCERY
SPRING GARDENS
MANCHESTER
M2 1EW

CBRE
CB RICHARD ELLIS

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CB RICHARD ELLIS
3RD FLOOR
THE CHANCERY
SPRING GARDENS
MANCHESTER
M2 1EW

1. INTRODUCTION

Scope and Purpose

- 1.1 CB Richard Ellis (CBRE) has prepared this Statement on behalf of Andoria Developments Limited (the applicant) in support of an application seeking outline planning permission for the redevelopment of the site occupied by Popular Garage, Mill Street, Leek for mixed commercial and residential uses. All details of the proposal are reserved for future consideration. The application is described more fully below.
- 1.2 The application is a resubmission of an early application for seeking outline planning permission for the redevelopment of the site, which was refused planning permission by the Council in February 2007. That decision is contrary to the strong recommendation of the Council's professional planning officers to grant planning permission. That decision is currently at appeal.

PRE-APPLICATION DISCUSSIONS

- 1.3 This application is submitted following discussion with the Council's Planning Officers and legal advisor. These discussions relate to matters of planning policy and the statutory development plan. The Council's Planning Officers and Legal Advisor have previously expressed support for the proposals and from the pre-application discussions they retain support for the proposal.
- 1.4 The remainder of this statement is set out as follows:
- Section 2: Describes the development proposals;
- Section 3: Describes the application site and surroundings;
- Section 4: Describes the relevant planning history;
- Section 5: Describes the relevant planning policy framework;
- Section 6: Considers the key planning issues raised by the proposals;
- Section 7: Sets out a summary and conclusions.

2. THE DEVELOPMENT PROPOSALS

2.1 The application seeks outline planning permission for the redevelopment of the site for mixed uses including commercial floorspace within use classes B1(Business) and residential apartments. The application is submitted with all matters reserved for future consideration, but for ease of consideration, illustrative drawings are provided that indicate that the site is capable of accommodating: 600 sq m of modern commercial floorspace and 12 apartments with parking for 26 vehicles and cycle store as follows:

- commercial work space would be spread over two floors (ground floor 200 square metres, first floor 400 square metres) and arranged in a courtyard layout. The Mill Street frontage of the building will be set back approximately 10 metres from highway roughly in line with Wesleyan Court (which adjoins the application site to the South East) and Mill Street Garage which flanks the application site to the northwest. A total of 18 parking spaces (including 2 disabled spaces) would be provided for the commercial element of the scheme.
- The residential element would provide a total of 12 apartments which would be sited along the southern boundary of the site fronting onto Belle Vue Road. The residential accommodation would comprise of 10 two bedroom and 2 one bedroom apartments with 8 parking spaces and a cycle store serving the residential units.

3. SITE LOCATION AND DESCRIPTION

- 3.1 The site is located approximately one mile to the northwest of Leek Town Centre. Leek is the administrative centre for the district of Staffordshire Moorlands. The site lies between Mill Street (to the east) and Belle Vue Road (to the west). Mill Street is the main road link between Leek and Macclesfield to the northwest.
- 3.2 The site is located in an area of town which has a mix of uses with both existing commercial and residential uses in close proximity to the site. To the north of the site, on the opposite side of Mill Street are residential flats and retail units; to the south and southwest are existing residential properties and there is a car sales garage to the northwest.
- 3.3 The site is used currently for car repair and storage. The site comprises two garage buildings which are timber and corrugated metal construction. There is a significant difference in levels across the site rising from the Mill Street frontage to the Belle Vue frontage. In visual terms, the site detracts significantly from the built up environment in the surrounding area.

4. RELEVANT PLANNING HISTORY

4.1 The following applications are pertinent to the current proposals.

- Application reference 06/00251/OUT-MJ. This application was submitted in June 2005 and sought planning permission for the redevelopment of the site for residential uses. The application was withdrawn.
- Application reference 06/00946/OUT-MJ. The application sought outline planning permission for the redevelopment of the site for commercial and residential use. The Council refused planning permission by notice dated 27 February 2007.

5. RELEVANT PLANNING POLICY

5.1 Section 38(5) of the Planning and Compensation Act 2004 requires that where regard is to be made to the development plan, for the purpose of any determination under the Planning Acts, the determination must be made in accordance with the plan unless material concerns indicate otherwise.

The Development Plan

5.2 In this instance, the development plan comprises the following:

- The Regional Spatial Strategy (RSS) for the West Midlands, comprising Regional Planning Guidance note 11 (2004);
- The Staffordshire and Stoke-on-Trent Structure Plan 1996 – 2011 (2002) and
- Staffordshire Moorlands Local Plan (1998).

5.3 The Local Plan predates the policies set out at a county and regional level but the Council has resolved to save the policies of the Local Plan until September 2007. It is against the policies of the Structure Plan and the Local Plan that the current application is considered.

5.4 The Structure Plan sets out strategic planning policies for the area. The policies of the Structure Plan seek to promote sustainable patterns of development and to improve the quality of the environment. In particular,

- D1 seeks to *'...concentrate as much new built development as possible within the fabric of existing urban areas...'*
- D3 supports initiatives that *'reclaim and reuse derelict, contaminated, degraded or underused land and buildings for new employment uses, in preference to taking greenfield land; (and) ...improve the availability, quality and diversify the housing stock... particularly in areas within or close to town centres'*.
- H2 encourages the *'concentration of development in urban areas and the use of recycled land...'*

5.5 Within the Local Plan, the site is shown to lie within the defined settlement development boundary of Leek. There are no site specific land use policies relating to the site in the Local Plan. The principal policies are described below:

- H5 The policy confirms a general presumption in favour of new residential development. It advises that *'Within settlement development boundaries planning permission will be granted for residential development unless there is a material planning objection.'*
- E5 This policy is a permissive policy providing for the erection of new buildings for new businesses within town and village development boundaries.
- E7 seeks to proscribe development that results in the loss of employment sites;

- E8 encourages development of buildings for new employment uses in appropriate areas; and
- B13 seeks to ensure new development is of good quality design and mitigates adverse environmental effects.

6. KEY ISSUES

PRINCIPLE OF DEVELOPMENT

- 6.1 The application seeks outline planning permission for the redevelopment of the site for mixed commercial and residential uses. Each of these elements is considered below.

Employment uses

- 6.2 Clearly, employment uses are appropriate to the site. The site is currently in, albeit limited, employment use. Policies in the development plan provide positive support for additional employment development and seek to proscribe the loss of land used for employment.

Mixed residential and employment use

- 6.3 The development plan provides positive support for residential development within defined settlement boundaries unless there is material planning objection. In this case, the material considerations are whether development will result in a net loss of employment land, and whether residential development is otherwise appropriate to the site
- 6.4 Firstly, the proposed development enhances the quality and quantity of employment floorspace in the borough. It also generates additional residential accommodation. The development does not result in a loss of employment floorspace and Policy E7 of the Local Plan is not relevant in this case. This form of development is wholly consistent with the development plan and with planning policy and guidance at a regional and a national level.
- 6.5 Furthermore, there is not requirement set out elsewhere within a supplementary planning document (SPD) or any other guidance issued by the local planning authority which would seem to support the assertion that market testing is required before any commercial sites can be released for residential use.
- 6.6 Planning assessment – the proposals are fully in accordance with policy E8, which seeks to support economic regeneration practically on sites which are either disused or underused for employment uses. In its current format, the application site makes very little contribution in economic terms and comprises a low quality use within a predominately residential/commercial area. The redevelopment proposals would bring a high quality building into a highly prominent location within the context of Leek.

DETAILED MATTERS

- 6.7 The application seeks outline planning permission with all matters reserved for subsequent consideration. Notwithstanding, illustrative drawings are submitted with the application demonstrating how development can be accommodated. The detailed implications are considered below, so far as they are relevant to the current application.

Design and massing

- 6.8 The site is in an area of mixed commercial, residential and community uses. There is no overriding design character that defines the area. The illustrative drawings submitted with the application demonstrate that a satisfactory design solution can be achieved at the site cognisant of the site's surroundings and to the change in levels across the site.
- 6.9 The proposals set out in the illustrative drawings are of an appropriate scale, design and arrangement specific to this site, and successfully overcome the design challenges presented by a split level arrangement. This has been acknowledged previously by the Council's planning officer who confirmed in the previous advice to the Planning Committee that: the design solution proposed would *'fit comfortably into the street scene.'*

Access and car parking

- 6.10 Policy T16 of the Local Plan states that development proposals will be expected to incorporate adequate roads, car parking facilities in accordance with the District Council's current standards and other facilities for vehicle, cyclists and pedestrians. Policy T18 of the Local Plan, sets out the level of car parking that developments will be expected to provide. The requirements set out in the Local Plan are expressed as minimums, rather than the maximum standards now advocated at the national level and set out in Planning Policy Guidance note 13, Transport.
- 6.11 On the basis of the illustrative drawings, the scheme proposals would normally be expected to provide 27 off street car parking spaces to comply with the Council's standards. The illustrative drawings indicate that 26 spaces can be provided. This slight shortfall is consistent with the Government's most recent advice, encourages local authorities to accept reduced levels of parking provision particularly when sites are in accessible locations. The Planning Officer's report in relation to the previous application confirms this to be the case.
- 6.12 Access to the commercial element of the proposals will be from Mill Lane, and access to the residential element from Belle Vue. This is indicated on the illustrative drawings to demonstrate how the access can be provided. Subsequent detailed designs will be submitted to ensure that all access points are fully accessible for both vehicles and pedestrians.

7. SUMMARY AND CONCLUSIONS

- 7.1 Section 38(5) of the Planning and Compensation Act 2004 requires that where regard is to be made to the development plan, for the purpose of any determination under the Planning Acts, the determination must be made in accordance with the plan unless material concerns indicate otherwise.
- 7.2 The application seeks outline planning permission for the redevelopment of the site for mixed uses including commercial floorspace within use classes B1(Business) and residential apartments. The application is a resubmission of an earlier application, which was refused planning permission by the Council in February 2007 contrary to the strong recommendation of the Council's professional planning officers to grant planning permission and which is currently at appeal.
- 7.3 Clearly, employment uses are appropriate to the site. Policies in the development plan provide positive support for additional employment development and seek to proscribe the loss of land used for employment. The development plan also provides positive support for residential development within defined settlement boundaries unless there is material planning objection. The illustrative drawings submitted with the application demonstrate that a satisfactory design solution can be achieved at the site cognisant of the site's surroundings and to the change in levels across the site. The proposals are wholly consistent with the adopted development plan and with planning policy and guidance at a national level.
- 7.4 This form of mixed use development which includes for the enhancement in qualitative and quantitative terms of available employment floorspace is wholly consistent with the development plan and with planning policy and guidance at a regional and a national level.
- 7.5 The Council is respectfully requested to grant outline planning permission in accord with the advice of its professional planning officers.