

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

20 May 2021

Application No:	SMD/2020/0091	
Location	48 Sneyd Street, Leek – former Heathland Printers	
Proposal	Change of use of a redundant warehouse/joiners workshop to a children’s indoor play area.	
Applicant	Mr. P. Goldstraw	
Agent	DBD Architectural Consultancy Ltd	
Parish/ward	Leek / Leek South	Date registered 20 th Feb 2020
If you have a question about this report please contact: Arne Swithenbank tel: 01538 395578 or e-mail arne.swithenbank@staffsmoorlands.gov.uk		

REFERRAL

The application is a Full Minor and is referred to Committee at the request of Cllr Hoptroff in order for committee to consider the traffic and parking implications and on account of the numbers of interested neighbours.

1. SUMMARY OF RECOMMENDATION

Approve

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application proposal relates to a building fronting Sneyd Street and built attached to one fronting Strangman Street in Leek. The building dates from the late 1950’s to perhaps early 1960’s though with earlier 20thC style references and makes a striking presence. It has evidently been a purpose built commercial manufacturing / storage building with a series of loading bays to Sneyd Street. It is understood it served as despatch warehouse for the town’s Slimma textiles business at one time. The proposed change of use relates to a section of the building adjacent to (though detached from) a residential dwelling at 46 Sneyd Street. Access for the purposes of this application would be off Sneyd Street by way of a large loading door with an angled alignment to the street front. There are residential dwellings opposite and directly opposite is the private parking area serving nos. 73 to 81 Strangman Street. Adjacent to the application building on its south side is Norbury Court comprising some four to six dwellings with allocated parking within the development.

- 2.2 The application building is said by the applicant to have been last in use as a joiner's workshop and is described as comprising "a ground floor workshop / storage premises of masonry and block work construction beneath a pitched, steel truss roof. The warehouse is arranged over split levels, being open plan and also benefiting from toilets and a kitchen facility. A small office has also been constructed." The agent puts the current use class as B2 (general industry other than that falling within B1) but the LPA would be likely to consider that a B1 (business) use more accurately defines the building. B1 can include "any industrial process which can be carried out in any residential area without causing detriment to the amenity of the area" and it is likely the last use as joinery workshop would have fitted this bracket.

3. DESCRIPTION OF THE PROPOSAL

- 3.1 The proposed development would comprise conversion for use as a children's role play centre with soft play area and small café serving hot and cold snacks and drinks. No exterior changes are proposed other than a non-illuminated sign above the entrance doors.

4. RELEVANT PLANNING HISTORY

- 4.1 None recorded.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 Local Plan (adopted 9th September 2020)

- SS1 Development Principles
- SS5 Leek Area Strategy
- DC1 Design Considerations
- DC2 The Historic Environment
- E1 New Employment Development
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport

National Planning Policy Framework February 2019

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 6 – Building a strong and competitive economy; 7 – Ensuring the vitality of town centres; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG

- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

6. CONSULTATIONS CARRIED OUT

Public

- 6.1 Neighbour consultations sent to 15 addresses for response by 17th March 2020. Site notice posted for responses by 28th April 2020.

16 representations in support essentially welcoming the proposal as a business and as a valuable children's and family social facility

12 representations in objection and a further three raising concerns but also recognising benefits in the development – though several more of the objectors do also recognise value broadly in the aims of the development.

Objectors' chief concerns are about the impacts of the development on already congested on-street parking; the nearby High Street car park is not enough; pedestrian road safety for people entering and leaving the building and walking to and from the building; a call for traffic calming with humps on Sneyd Street; a call for a full consultation with local businesses and resident; there is already a children's play centre in Leek operating for c.20 years and employing c.8 staff – a second play centre could put this existing business in jeopardy.

Leek Town Council

- 6.2 Recommend refusal – due to parking issues in an already congested area; safety concerns as Sneyd Street is used as a "rat run". If it is approved, speed bumps would be needed.

SCC Highways

- 6.3 Provided comments in relation to the 2019 approved scheme in which it was anticipated that the School Lane entrance would be closed up – no objections on highways grounds – recommended condition 2 was:

"Concurrent with the construction of the new site access the existing site access from School Lane made redundant as a consequence of the proposed development, shall be permanently closed with the access crossing reinstated as a footway".

Severn Trent Water

- 6.4 No objections to the proposals subject to the inclusion of the following condition:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the

development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

7. POLICY AND MATERIAL CONSIDERATIONS / PLANNING BALANCE

Principle of Development and Main Issues

- 7.1 The existing building use equates to B.1 business use – being business activity which can be carried out in a residential area without detriment to amenity.
- 7.2 The Government amended the use classes order in September 2020 (SI 2020 No. 757) so that a B.1 use is now included in a new planning use Class E – ‘commercial, business and service’. Under Class E(g) any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit falls within use class E and would thus encompass the application building’s existing status.
- 7.3 Now provided for within the same use class are (d) indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public and (f) a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public. These descriptions would encompass the proposed indoor children’s recreation venue. The application refers to serving refreshments within the premises and under the new Class E paragraph E(b) provides for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises.
- 7.4 The implications of the new Class E as of 1st September 2020 is that in effect the proposed use would not amount to a change of use and for that reason would be regarded as permissible without needing further planning consent.

8. Conclusion and Planning Balance

- 8.1 Notwithstanding the representations made, given the change of the use class definitions as of 1st September 2020 the development proposed can be accepted as being already permissible due to the building’s existing planning status now being included within the same use class. In view of this fallback which is an important material consideration there are no sustainable reasons to withhold planning permission.
- 8.2 It should be noted that whilst some objections have been raised out of concern for the potential competition effects with a similar business said to be already operating in the town, the implications for commercial competition are not material to the planning assessment.

8 RECOMMENDATION

A. Approve subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawing:

PL 01

PL03 A

Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

B In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

Informatives

1. The application has been determined in accordance with planning use class E.

2. This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 38 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

10. APPENDICES TO THE REPORT

10.1 The link below to the Council's website is where the detail of this application can be viewed.

<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=133305>

