

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

29th February 2024

Application No:	SMD/2023/0303	
Location	A&C STORES, FROGHALL ROAD, CHEADLE	
Proposal	Single storey extension containing store room for convenience store	
Applicant	Mr Ramandeep Billing	
Agent	Cruciform Architects	
Parish/Ward	Cheadle	Date registered 22/06/2023
If you have a question about this report please contact: Miss Rebecca Bowers Rebecca.Bowers@highpeak.gov.uk		

REFERRAL

This application has been called in by Cllr Haines on the basis of this scheme having no neighbour objections.

SUMMARY OF RECOMMENDATION

Refusal

1. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

1.1. The application site relates to a detached building currently occupied as a convenience store on the ground floor and residential accommodation on the first floor. The convenience store is located on Froghall Road in Cheadle. The application site is not located within any areas of designated interest.

2. DESCRIPTION OF THE PROPOSAL

2.1 Consent is sought for the erection of a single storey extension to the building to provide additional storage space for the convenience store.

2.2 The application, the details attached to it, including the plans, any comments made by residents and the responses of consultees can be found on the Council's website at:-

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=171365>

3. RELEVANT PLANNING HISTORY

SMD/1999/0180: Conservatory over existing store-APPROVED

SMD/1993/0912 -GROUND FLOOR EXTENSION TO SHOP AND FIRST FLOOR EXTENSIONS TO LIVING ACCOMODATION INCLUDING NEW ROOF (REVISED SCHEME)- APPROVED

SMD/1992/0448-DESCRIPTION:GROUND FLOOR EXTENSION TO SHOP AND FIRST FLOOR EXTENSION TO LIVING ACCOMODATION INCLUDING NEW ROOF- APPROVED

4. PLANNING POLICIES RELEVANT TO THE DECISION

4.1 The following Staffordshire Moorlands Local Plan policies are relevant to the application:-

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS8 Larger Villages Area Strategy
- DC1 Design Considerations
- T1 Development and Sustainable Transport
- Appendix 2 Parking Guidance

4.2 The National Planning Policy Framework is relevant in the consideration of the application, including sections;

Section 2: Achieving sustainable development
Section 4: Decision making
Section 5: Delivering a sufficient supply of homes
Section 6: Building a strong, competitive economy
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
Section 12: Achieving well-designed places
Section 15: Conserving and Enhancing the Natural Environment
Section 16: Conserving and Enhancing the Historic Environment.

National Planning Policy 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

5. CONSULTATIONS CARRIED OUT

5.1 A Site notice has been displayed, neighbouring properties notified and any additional, relevant parties.

Site notice – Consultation period expired.

Neighbour notification – Consultation period expired.

Cheadle Town Council

No objections

Staffordshire County Council Highways

Site Visit Conducted on: 07-Aug-2023

Personal Injury Collisions:

Current records show that there were not any Personal Injury Collisions on Froghall Road within 50 metres either side of the property access from 31st December 2015 to 31st December 2020.

Background:

The property is located on Froghall Road which is an A classified road (Road No. A0521) with a speed limit of 30 mph and benefits from footways and street lighting. Froghall Road runs from Cheadle in a northerly direction. Along this section of Froghall Road there is predominantly residential properties. There is a bus stop directly fronting the property.

Comments on Information Submitted:

The application is for a single-story extension to the rear of the property to provide storage for the convenience store. The current storage area within the store will become retail space to increase the product range. The overall floor space (A1) will increase by 20.7 from 69.9 to 90.6 m². There is currently off highway parking for 2 vehicles, as stated in the application form. No change to the parking provision is proposed.

The convenience store is the only facility of this kind within the residential area and therefore some journeys to the store will be made by foot. It is also considered that the enlargement of the retail space at an area of 16.9m² will not cause a significant increase in trips or demand on off highway parking. The proposal would not have a detrimental impact on the highway. I have no objection to the proposal (application number SMD/2023/0303).

Severn Trent Water

No objections to the application.

Environmental Health (SMDC)

No objections subject to conditions.

AES Waste

No issues

Neighbours

No comments received.

6. OFFICER COMMENTS AND PLANNING BALANCE

Policy Context and Principle of Development

6.1 The Local Planning Authority is required to determine applications in accordance with the Development Plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations. The Staffordshire Moorlands Local Plan 2020 is the adopted Local Plan for the district.

'For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or;
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

6.2 Policy SS1 of The Staffordshire Moorlands Core Strategy identifies that development should contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands.

6.3 Cheadle is identified as a significant service centre and market town and policy SS7 is supportive of development to create employment growth to meet existing and future needs and to expand the role of Cheadle as a retailing centre for the business. As the development would provide additional storage space for the convenience store the development is considered to be acceptable in principle.

Design and Visual Impact (Character and Appearance)

6.4. Local Plan policy DC1 requires that all developments shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the character and heritage of an area. Development should be of a high quality, adding to the value of a local area, incorporating creativity, be designed to respect the site and its surroundings and promote a positive sense of place and identity.

6.5. The proposed development would provide a single storey flat roof extension to the rear of the building. The application site is a large two storey detached building with a garden to the rear. This garden is shared commercial space and private amenity space. The proposed extension would project along the boundary fence and would extend to the rear boundary. Due to the minimal width and flat roof of the proposed extension although the extension would project to the rear boundary, the extension would not dominate the building and would in fact remain subservient to the building.

6.6. It is considered that subject to conditions the proposed scheme is acceptable from a design and visual impact perspective. The proposal therefore complies with Policy DC1 with regard to design.

Highways/Access

6.7. The convenience store is the only facility of this kind within the residential area and therefore some journeys to the store will be made by foot. It is also considered that the enlargement of the retail space at an area of 16.9m² will not cause a significant increase in trips or demand on off highway parking.

Amenity

6.8. There are two aspects of residential amenity to consider, firstly that in connection with the proposed dwelling/provision for intended future occupants and secondly the resultant impact upon existing, surrounding residents.

6.9. The existing building is a convenience store on the ground floor with a dwelling at first floor. The garden is shared between these uses. The proposed extension would reduce the available private amenity space for the occupiers of the first floor flat. However the remaining garden is considered sufficient to provide private amenity space for the existing occupants.

6.10. The proposed development would provide a 2.5m in height by 9m in length extension on the shared boundary with 63 Froghall Road, a private dwelling. This property is a semi detached dwelling and its private amenity space is to the rear of this neighbour.

6.11. At present there is an existing fence between the site and the neighbour, 63 Froghall Road. This fence gradually decreases in height from approximately 2m to 1.8m. Along with the fence this neighbour also benefits from some overgrown shrubbery which exceeds the fence height in some sections along the fence. Mainly the most western part of the fence at the end of the garden.

6.12. 63 Froghall Road does not benefit from any extensions and therefore the dwelling is already affected by the two-storey extension that provides storage to the convenience store and first floor conservatory and small first floor balcony that accesses the stairs on the rear of the application site. This work has had a detrimental impact on this neighbour through loss of light, overbearing impact, loss of privacy and overlooking.

6.13. The erection of a 2.5m by 9m extension on the boundary of this neighbour would exceed the existing fence height and due to its proposed length combined with the existing development at the application site would result in a form of development that would further harm the amenity of this neighbour. The extension would reduce light to the garden area, reduce outlook from the ground floor windows on the rear and would have an overbearing impact on both the garden and dwelling.

6.14 The proposed extension would be located directly to the south east of the neighbouring property at no 63 and would therefore block afternoon sunlight and cause overshadowing throughout the majority of the latter part of the day especially during winter months.

6.15 The SMDC Space About Dwellings Supplementary Planning Guidance states that extensions or new building that are to be sited close to (or at right angles to) the principal windows of existing properties must be design so that there is no obstruction to daylight beyond the horizontal angle of 45 degrees measured on plan view from the mid point of the nearest principal windows of an adjacent property. In

this case due to the considerable degree of projection, the proposed extension would result in a substantial breach of the 45 degree standard when measured from the principal windows in the rear elevation of no.63

6.16. For this reason, it was requested for the rearward projection of the extension to be reduced by 50 percent and for the roof height to be reduced to 2m. The applicants agent has not submitted amended plans to overcome these concerns. As such the proposed development can not be supported as it would result in a significant detrimental impact on the residential amenity of no.63 contrary to policy DC1 and the Council's adopted supplementary planning document as well as the NPPF which requires decisions to ensure a high standard of amenity for existing and future users.

7.CONCLUSION AND PLANNING BALANCE

7.1 The proposed development is acceptable in principle and the development would not have a detrimental impact on highway safety or visual amenity of the area. However, the proposed extension would exceed the height of the shared boundary between the site and the neighbour, no 63 and the extension would extend the full length of this shared boundary. Combined with the existing development at the site the development would cause further harm to the amenity of the occupier of this development. Whilst it is appreciated that this neighbour has not objected to the development the LPA must protect amenity for existing and future occupiers of the property. Accordingly the application is found contrary to the rear of this property. The application is therefore contrary to policies H1 and DC1 of the Staffordshire Moorlands Local Plan, the Space About Dwellings (SPG) as well as the National Planning Policy Framework and is recommended for refusal.

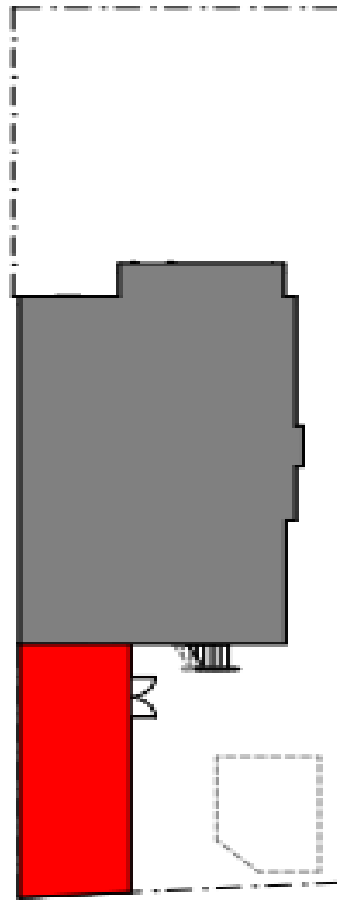
8 OFFICER RECOMMENDATION

A. REFUSE for the following reason:

- 1. The proposed extension by virtue of its siting, height and size, and in particular, the degree of projection would have an overbearing impact on the neighbouring dwelling, no 63 Frog hall Road. The development would cause some loss of light to the garden area and would reduce outlook from ground floor windows on the rear of this property. The application is therefore contrary to policies H1 and DC1 of the Staffordshire Moorlands Local Plan, the Space About Dwellings (SPG) as well as the National Planning Policy Framework.**

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.

Site Plan



1:200

Block Plan

