Planning Design and Access Statement

Planning application by Frederic Robinson Limited for the Change of Use of from a Public House to 2 x three-bedroom houses with associated gardens and parking Jolly Carter Buxton Road Chapel-en-le Frith SK23 0PT

DTP Ref: 10/1205L

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1.0 Introduction

1.1 This statement is submitted in support of an application for full planning permission for the Change of Use of the Jolly Carter Public House, Buxton Road, Chapel-en-le-Frith. It been prepared by Stewart Gardiner, a Principal Planning Consultant with Dowd Town Planning.

1.2 This Statement should be read in conjunction with the application drawings and the following statements submitted in support of the application.

- Bat & Barn Owl Survey – The Tyrer Partnership
- Structural Report - Marston & Grundy LLP (Consulting Engineers)

2.0 The Proposal

2.1 The application seeks to secure full planning permission for the conversion of the existing two-storey public house into two self-contained, three-bedroomed, dwellinghouses together with associated parking and privates garden areas.

2.2 The existing public house is a two-storey building, which because of changes in ground levels benefits from a half-width cellar along its entire length, towards the back of the building.

2.3 The proposal involves few alterations to the fabric of the existing building; with only limited alterations to the external appearance of the building; including the replacement of a window with a door in the front elevation and the removal of the smoking shelter and the installation of an additional window to the rear.

2.4 With regards to internal alterations, these changes would involve the removal of some of the existing partitioning, the introduction of new dividing walls between the two proposed houses and re-configuration of the accommodation on both the ground and first floors to provide rooms of more domestic proportions.

2.5 Additionally a new staircase is being installed across all three floors in the far right-hand corner of the building. Furthermore alterations to the plumbing of the building are required to facilitate the provision of additional toilets in the area of the new staircase.

2.6 The proposal will sub-divide the existing gardens to the public house into two separate areas to serve as private gardens to each of the two proposed houses. The existing car parking area is proposed to become a shared parking area to serve both houses; with two spaces allocated to each property.

3.0 The Site And Its Surroundings

3.1 The application site is located to the east side of Chapel-en-le-Frith, near to the edge of the settlement. The site is on the northern side of Buxton Road, and the new A6, Chapel-en-le-Frith by pass, runs close-by.

3.2 The existing two-storey building forms the end section of a longer terrace which comprises the existing public house and five cottages, albeit that the cottages and the pub may not have been built at the same time.

3.3 A historical map of the area, dating back to 1880 show the buildings that constitute the both the cottages and the Jolly Carter Inn, as it was then known, were in-situ. However the Map describes the group of buildings, which were some distance outside the settlement at *Sandyway Head*, as "Derby Hotel" and "Jolly Carter Inn".

3.4 This historical shift in the boundaries over the last 100 or so years has significantly changed the setting of the Jolly Carter Public House from Rural Inn to an integral part of the Market Town.

3.5 The character of the site has been further altered, in the wake of the Chapel By-Pass (A6). The open fields and wooded area to the rear of the application site has been truncated by the embankment of the new road, which rises steeply at the rear of the gardens at the back of the public house.

3.6 Additionally and perhaps more significantly the By –Pass has effectively created a cul-de-sac at the end of Buxton Road, just beyond the Jolly Carter, which has significantly restricted the flow of through traffic past the site. While this has had limited impact upon the visual character of the site, it has significantly changed the environment within which the business of the public house was expected to operate.

3.7 The wider area around the application site is characterised by two storey housing, which comprises a mix of detached, terraced and semi-detached properties; mostly built in the second half of the 20th century.

4.0 Planning History

4.1 The investigation of historical maps, referred to above, confirms that the Jolly Carter and the adjacent cottages were “in-situ” in 1880. At the time this group of buildings was situated some distance outside the settlement with open fields and woodland shown roundabout.

4.2 By 1921 little had changed; the property on the far side of the cottages, and known as the Roundhouse, had been built and for the first time two groups of cottages appear on the Buxton Road, near to the Iron Foundry, together with a group of houses at the foot of the hill, know known as Netherfield Road.

4.3 By 1938 the new housing “estate” of Netherfield and Brooklands Road had been completed; with the entrance to Brooklands being almost opposite the Jolly Carter of the other side of Buxton Road. By the late 1960s the remainder the triangle of land bounded by these three roads had also been developed with additional housing.

4.4 During the 1970s a few individual houses were built along Buxton Road: between the Roundhouse at the entrance to Netherfield Road. These properties, together with the earlier development on the opposite side of Buxton Road, served to extend the boundaries of Chapel put to meet the land around the application.

4.5 It is possible that part of the existing public house was originally a couple of cottage attached to the others in the terrace, but it has not been possible to confirm that tis is the case.

4.6 A review of the Council’s records has not identified any other relevant planning history in respect of this site.

4.7 The Jolly Carter ceased trading as a public house in September 2009 and has been vacant since this time. The owners have sought to market for the property as a public house, for two years but have received no genuine interest in taking it over.

5.0 Policy Background

5.1 Paragraph 38 (6) of the Planning & Compulsory Purchase Act 2004, requires that the determination of planning applications should be "....*made in accordance with the Development Plan unless material considerations indicate otherwi*se"

Development Plan

5.2 The Development plan for the purpose of this application constitutes the Regional Spatial Strategy (RSS) for the East Midlands, together with the saved policies of the Derbyshire Structure Plan and the High Peak Borough Local Plan (2005) and any associated adopted Supplementary Planning Documents.

5.3 Notwithstanding the fact that the new Secretary of State for Communities and Local Government, has announced that the coalition Government is committed to abolish regional strategies and return decision making powers on housing and planning to local councils, until such time as primary legislation is laid before Parliament the status of the RSS remains unchanged and is material consideration in the determination of any planning application considered within Northwest England.

5.4 Therefore, the proposal falls to be considered against the policies of the Regional Spatial Strategy (RSS), the "saved" policies of Derbyshire Structure Plan and the High Peak Borough Local Plan (2005) and other adopted Local Development Framework documents.

5.5 Additionally due regard must be paid to adopted Supplementary Planning Statements and appropriate central government guidance

5.6 There are no specific policies within either the RSS or the Derbyshire County Structure Plan that are specifically relevant to the proposal, the subject of this application.

5.7 The Proposals Map of the adopted Local Plan identifies that the application site; including garden/amenity space, as being within the designated settlement area. However the land to the rear is designated as Countryside beyond the Green Belt

5.8 However, the site is not within the designated "Town Centre". Therefore the change of use of a pub to an alternative, non-retail, use is not considered to an issue in terms of the saved policies of the adopted Local Plan.

5.9 The application site is within an area which is predominantly residential in character; with few non-residential buildings in the locality.

5.10 Local Plan Policy H5, states that new residential development will be allowed within the boundaries of built-up areas; provided that the proposal would not result in the loss of a significant source of local employment, unless its continuation would be inappropriate. Similarly for a proposal to be acceptable, it would not have to be prejudicial to the continuation of an existing or proposed use of any adjoining land.

5.11 Policy H9 sets out the requirements for affordable housing, but the policy stipulates that it is only applicable for sites of less than 0.5 hectares or proposals for 15 or more dwellings; the application does not fall within either of these categories and as such policy H9 is not considered to be relevant t the determination of this application.

5.12 Policy H12 sets out the requirement for off-site public open space provision to serve new residential development. However Appendix 3 stipulates that there is no such requirement on sites providing less than 10 units. Therefore it is not directly relevant to the consideration of this application.

5.13 Appendix 2 of the Local Plan provides guidance on aspects of site layout and building design issues for new builds & extensions; including advice about door and window designs. Although the proposal does not include any new build the alterations to the exterior, including openings and as such the proposal will need to pay due regard to the advice set out in the appendix.

5.14 Notwithstanding the advice set out in PPG13, although the Council will permit residential development without dedicated parking within town centre locations. Elsewhere, in locations that are not well served by public transport, the council will apply the following maximum parking provisions:

- 1 bedroom unit: - 1½ spaces per unit
- 2/3 bedroom units: - 2 spaces per unit

6.0 Assessment of Proposal

6.1 It is necessary to establish whether or there are any policy reasons that would preclude the conversion of the public house to an alternative use. Firstly would the loss of the public house *per se* be at odds with the Council's policies, and if it isn't is the proposed residential use acceptable?

6.2 It is noted that within the designated Town centre Local Plan policies would not allow the conversion of a public house to another use; except for one that falls within Classes A1- A5 of the Town and Country Planning (Use Classes) Order. However because the application site is not within the designated "Town Centre", this policy is not applicable and the principle of a change from Class A4 (Drinking establishments) would be acceptable.

6.3 Then it is necessary to establish if local plan policies support the principle of a conversion to private residential use. Local Plan Policy H5 does allow for residential development within existing settlements, provided that such a development would not result in the loss of a significant source of local employment; unless the continuation of such a use would be considered inappropriate). Additionally the proposal should not be prejudicial to the continuation of an existing or proposed use of any adjoining land.

6.4 Clearly neither of these scenarios is applicable in this case. The public house employed 2 full-time (the tenants) and 1 part-time member of staff in a Town which boasts several other pubs and benefits from a reasonable employment base; as such a loss of employment cannot be described as "significant". As the land on one side of the application site is already in residential use and the other is open land, the proposed change of use would not be prejudicial to the continued use of either piece of land.

6.5 Notwithstanding this, it is necessary to consider the economic reality of the situation, when determining whether it is appropriate to seek to restrict the re-use of commercial premises.

6.6 Since the redirection of the A6, the level of passing traffic has significantly reduced. This had a detrimental impact upon the number of customers frequenting the premises; particular in respect of passing as opposed to regular trade, As such this edge of Town Public House is no longer considered to be economically viable. It stopped trading in 2009 and despite being marketed since that time, no real interest has been shown in taking it on.

6.7 In terms of the impact of the proposed change of use upon the general character of the area, because the area is residential in character; with few non-residential buildings in the locality, such a change would be appropriate; subject to there being

no amenity issues. The proposal will not result in any increase in overlooking for neighbouring residential properties and the use of the building as a pair of dwellings will serve to reduce the potential for noise and disturbance thereby improving the residential amenity situation for the neighbouring occupiers.

6.8 Although the the site is not within a Conservation Area, and would not involve development relating to including a Listed or Locally Listed building, the original building is over 130 years old and as such is of some merit historically. The applicant has therefore been careful to keep the alteration to the external appearance of the building to a minimum in order to respect the historical character of the building, and paid due regard to the advice set out in Appendix 2 of the Local Plan.

6.9 Policies H9 and H12 are also relevant to the proposal for new residential development; Policy H9 relates to affordable housing, while Policy H12 looks at the requirement to provide public open space. However, I note that the requirement to provide affordable units only kicks in on sites of more than 0.5 hectares or proposals for 15 or more dwellings; neither of which apply in this case.

6.10 Similarly Appendix 3 stipulates that there is no requirement for developers to provide contributions to off-site public open-space on sites providing less than 10 units.

6.11 It is necessary to address the level of on-site parking that is provided by the development and whether this is appropriate to the site's circumstances. Given the site's "out of town" location the current parking standards for residential development require; 2 spaces for each 3 bedroom unit; equating to a total requirement of 4 spaces to serve the two houses.

6.12 The proposal can comfortably accommodate four spaces, together with associated circulation space in the parking area for the public house located to the east of the building.

6.13 Therefore, the principal of converting the building to a pair of three-bedroomed houses is acceptable in terms of policy and will have not detrimental impact upon the residential amenity of neighbouring occupiers and is acceptable in all other aspects.

7.0 Access

7.1 Vehicular access to the site is afforded directly from the existing access off the Buxton Road. The proposal does not involve an alterations to the existing access, albeit that a new boundary wall would be created at the front in order to improve site security and to give a more domestic appearance to the property

7.2 Chapel en-le-le-frith is a sustainable location with a wide range of services facilities including a supermarket within 400 metres of the application site and the Town Centre with a wide and a range of other retail outlets within easy walking distance. The Town also benefits from schools, medical facilities and leisure opportunities; details of this are set out in the table in Appendix DTP 1.

7.3 The site is well-served by public transport with the nearest bus stop being only 900metres from the site, on the opposite side of the road.

7.4 Another pair of bus stops are located some 0.23 metres away, afforded access via a public footpath that runs close to the rear of the application site. From this stop there is a regular service to Manchester airport, via Stockport and intermediate stops in one direction and Buxton in the other. Services are half hourly for most of the day on Monday to Saturday; with more frequent services at peak times, and hourly services late at night and early in the morning.

7.5 The site is some 1.4 kilometres from Chapel-en-le-Frith Railway station with regular services to Buxton, Stockport and Manchester (Piccadilly) with connections to the wider national rail network.

7.6 The proposed alterations to the building will comply with Part M of the Building Regulations in order to enable access to the building by persons who are mobility impaired and, as such, it will allow for lifetime living.

8.0 Summary & Conclusions

8.1 The application seeks full planning permission for the Change of Use of the former "Jolly Carter "Public House to a pair of 3-bedroomed cottages with associated private gardens and a shared parking area accommodating four vehicles.

8.2 The property ceased to trade as a public house in 2009 and since then there has been no interest in taking it taking on the tenancy or purchasing it from the applicants.

8.3 The application site is in a sustainable location, within a predominantly residential area, with where the principle of a change of use to private residential use is appropriate.

8.4 There are no policy reasons why such a change of use would not be considered acceptable in principle.

8.5 There proposal would not result in any detrimental impact on the residential amenities to neighbouring occupiers.

8.6 For the reasons set out above the proposed change of use is considered to be acceptable and the application should therefore be recommended for **approval.**

Appendix DTP1 –

List of Facilities near to the Application site

Facility	Nearest	Number within a mile	Number within 2 miles
Primary School	0.36 miles	1	3
Senior School	1.03 miles	1	2
Sixth Form	4.93 miles	0	0
Doctors Surgery	0.44 miles	2	2
Dental Practice	0.69 miles	2	2
Chemists	0.51 miles	2	3
Supermarket	0.37 miles	2	2
Leisure Centre	1.03 miles	1	1