

AE Planning Consultants

PLANNING POLICY, HERITAGE, DESIGN AND ACCESS STATEMENT

NEW MILLS LIBERAL HALL, 1 HURST LEA ROAD, NEW MILLS

**PLANNING APPLICATION SUBMITTED BY MR BRIAN MUSGRAVE FOR THE CONVERSION OF
THE FORMER LIBERAL HALL INTO A THREE BEDROOM DWELLING**

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1 INTRODUCTION

1.1 This statement is submitted on behalf of Mr B Musgrave for the conversion of the former Liberal Hall into a three bedroom dwelling. The statement assesses the application proposals against the relevant policy tests set out in the Development Plan and National Policy guidance. This new scheme has been designed to address the adverse comments made by the Planning Inspector in his appeal decision (APP/H1033/A/12/2189675) dated the 6 June 2013. Essentially the room layout of the proposed dwelling has been altered so that there are no longer any bedroom windows in the west facing elevation of the building. The proposal now provides acceptable living conditions for both existing and future residents.

2. SITE LOCATION

2.1 The appeal site is located on Hurst Lea Road within the built up area boundary near the centre of New Mills. The building is located behind and partially attached to the Police Station which is close to the junction of Albion and Union Road.

2.2 The New Mills and Newtown Liberal Club was built at the turn of the 20th century and was used as a private members club since at least 1926. The Liberal Club originally occupied all the buildings at the site until the main two storey section, now used as a Police Station, was sold to Derbyshire County Council in 1964 and used as a Doctors Surgery. The building which is the subject of this application formed part of the original Liberal Club and was used as a games room. The Hall is no longer in use.

2.3 The Liberal Hall is a stone building with a slate roof. The building has a large double height hall space with ancillary accommodation to one end. It is of no particular architectural quality, but is of sufficient character to merit retention within the New Mills Conservation Area. The south and east elevations are mainly blank due to the nature of the internal use and layout. The east elevation facing the police car park is the only one with coursed stone with the remaining walls constructed from random coursed gritstone. The south elevation has the appearance of a barn rather than any building of standing. The north elevation is linked to the police station building and has a single storey annex which appears older than the Liberal Hall building. The west elevation is where the current entrance is located. The openings to this elevation appear to be modern inserts with no head or cill detail. There is a modern canopy over the entrance. The entrance is accessed by an unattractive concrete ramp and steps. There are attractive feature to the building such as quoins to its corners, the round stone "window" on the east elevation, and the finials on the roof.

2.4 The building is accessed via a driveway which runs between the police station and the terraced houses on Hurst Lea Road. On site parking is available for two vehicles. Hurst Lea Road is an unadopted road which emerges onto Union Road close to the bridge. Within the site curtilage there is an area of land which backs onto the gardens of the houses on Hurst Lea Road and the tiered gardens of the houses set down at a lower level on Albion Road.

2.5 The land shown edged red on the plan attached as Appendix 1 shows the area owned by Derbyshire County Council. This land was sold off by the then Trustees in 1964. The plan

attached as Appendix 2 shows the area occupied by the Hall building itself (hatched red). The green hatching indicates the area let to the Derbyshire Police Authority and used as a car park. The area shown blue indicates the remaining land which falls within the extent of the land owned by the Trustees.

3. RELEVANT PLANNING HISTORY

3.1 High Peak Borough Council has confirmed that the site has the following planning history: -

- 032317 - Change of use from Doctors surgery to Police Station – approved 27.04.93.
- HPK/2011/0442 – Conversion of existing liberal hall into 3 bedroom dwelling – refused 21.10.11.
- HPK/2012/0298 – Conversion of existing Liberal Hall into a 3 bedroom dwelling – refused 04.07.13. Appeal lodged and dismissed 06.06.13.

4. THE APPLICATION

4.1 This section explains the design principles of the proposal under the following headings: Use; Amount; Scale; Layout; Access; Landscaping and Appearance

Use

4.2 The Hall was last used as a meeting place but is now closed and no longer available for use. Whilst no certificate of lawful use is in place the previous use of the hall would suggest that its use falls within Use Class D1 of the Town and Country Planning Use Classes Order 2012.

Amount

4.3 The proposal involves the conversion and alteration of the building to form a three bedroom dwelling.

Scale

4.4 The re-use of the building means that there is no change to the scale of this existing building.

Layout

4.5 The main living space would be provided at first floor level with bedrooms and ancillary areas on the ground floor. Two parking spaces are proposed on the existing driveway which runs between the west side of the building and the adjoining terraced house at No.3 Hurst Lea Road. The remainder of the site which covers an area of approximately 100sqm would be used as private amenity space.

Landscaping

4.6 No soft landscaping is proposed as part of this application. A new 2m high timber fence is proposed along the southern boundary of the site with the properties situated on Albion Road.

Appearance

4.7 The design has been influenced by the desire to provide high quality living space whilst recognising the limitations of the existing building. Physical alterations to the building include: -

- Two new window openings at ground floor level in the southern elevation of the building. These windows provide light to bedroom areas.
- The existing windows on the west elevation of the building are to be reconfigured and a new entrance door formed. The windows would have obscure glazing. The existing concrete ramp would be removed.
- Stone heads and cills are to be used in all new and reconfigured windows.
- The round feature on the east elevation would be opened up to provide a new window.
- Rooflights would be used extensively to bring light into the building. The new rooflights would be in slightly different positions to the existing, but the basic character of the existing “strips” would be retained.

5. PLANNING POLICY

National Planning Policy Framework

5.1 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England. It views delivery of sustainable development as a key consideration for the planning system. Indeed within the Framework there is ‘*a presumption in favour of sustainable development*’.

5.2 The Framework identifies and outlines three principle roles the Government considers the planning system should play in the delivery of sustainable development, these are:

- **an economic role** – by amongst other means, contributing to building a strong, responsive and competitive economy;
- **a social role** – by amongst other means, supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and
- **an environmental role** – by amongst other means, contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

5.3 The policies in the Framework (paragraphs 18-219), taken as a whole, constitute the Government’s view on sustainable development.

5.4 The Framework addresses the plan-led system and states: ‘*Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise*’.

- 5.5 This is in line with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states: *'if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise'*.
- 5.6 The Framework also advises *'decision-takers'* to approve development proposals that:
- accord with the development plan without delay and
 - where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
 - 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; or
 - specific policies in this Framework indicate development should be restricted.
- 5.7 The Framework identifies a set of core land-use planning principles which should underpin both plan and decision-making processes of Local Planning Authorities. Those that are relevant to this application include:
- encourage the effective use of land by reusing land that has been previously developed (brownfield land);
 - proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
 - seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
 - conserving heritage assets so that they can be enjoyed by future generations;
 - support and deliver community and cultural facilities to meet local needs.
- 5.8 Paragraph 19 of the Framework indicates that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Requiring good design

- 5.9 The Framework indicates that the Government attaches great importance to design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Meeting the challenge of climate change, flooding and coastal change

- 5.10 The Framework indicates that planning plays a key role in reducing greenhouse gas emissions and will support the move to a low carbon future. Local planning authorities are required to *"actively support energy efficiency improvements to existing buildings"*.

Delivering a wide choice of high quality homes

- 5.11 Paragraph 49 of the Framework indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Promoting Healthy Communities

- 5.12 Paragraph 70 of the NPPF seeks to ensure, that where appropriate, planning decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs.

Conserving and enhancing the historic environment

- 5.13 Paragraph 131 of the NPPF requires local planning authorities, in determining applications, to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Within conservation areas proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the significance of the heritage asset should be treated favourably.

Development Plan

- 5.13 The Statutory Development Plan for the area comprises of the Adopted High Peak Borough Local Plan. The most relevant Saved Local Plan (LP) Policies include: -

- Policy GD2 Built up area boundaries
- Policy GD4 Character form and design
- Policy GD5 Amenity
- Policy GD6 Landscaping
- Policy BC1 External Materials
- Policy BC5 Conservation Areas
- Policy CF2 Local Community Facilities
- Policy TC10 Car parking
- Policy H1 Principles of housing provision
- Policy H5 Housing within the built up area boundaries
- Policy H11 Layout and design of residential development
- Policy TR5 Access, parking and design

- 5.13 A new Local Plan is currently being prepared by the Council.

6. PLANNING CONSIDERATIONS

- 6.1 In determining the planning appeal for the conversion of the Liberal Hall into a 3 bedroom dwelling in June 2013 the Planning Inspector identified the main issues as: -

1. The effect of the proposal on the availability of community facilities.

2. The effect of the proposed access arrangements on vehicular and pedestrian safety along Hurst Lea Road.
3. The effect of the proposal on the living conditions of neighbouring residents, with particular reference to privacy; and
4. Whether or not the proposal would provide acceptable living conditions for future occupiers, with reference to outlook and privacy.

The Inspector concluded that: - ***“The proposal would not have a detrimental impact on the availability of community facilities, and would not prejudice highway safety. However, by incorporating bedroom windows in the west elevation it would result in unacceptable overlooking, to the detriment of the living conditions of both existing, and future residents. For these reasons, and having regard to all other matters raised, including the site’s Conservation Area location, the appeal should be dismissed.”***

- 6.2 For ease of reference and in order to give a comprehensive assessment of this new proposal the following paragraphs initially deal with the main issues identified by the Planning Inspector when determining the recent appeal.

Loss of the community facility

- 6.3 Local Plan (LP) Policy CF2 seeks to encourage premises in community use to be retained for such purposes “where community demand exists” but indicates that planning permission will be granted where the premises are no longer needed for local community use or alternative premises remain available. Paragraph 70 of the NPPF places an emphasis on guarding against the unnecessary loss of valued local facilities particularly where this would reduce the community’s ability to meet its day to day needs. The objective of LP Policy CF2 and the NPPF is therefore to ensure that, where appropriate, local facilities are retained. LP Policy CF2 does not require the marketing of the property.

- 6.4 At the time of the Appeal Decision the hall was used on an infrequent basis, a factor which was acknowledged by the Inspector. He was also satisfied that there was insufficient demand for the building to secure its long term future use. The continuing lack of demand and further deterioration in the physical condition of the building means that the hall is now closed. The building remains in need of substantial capital investment to secure its long term future. Paragraph 8 of the Inspector’s Decision states:-

“Given the current use of the hall, the number of alternative venues in the area, the constraints of the site and the condition of the building, the proposed change of use would not be detrimental to the availability of community facilities. As a result there is no conflict with High Peak Local Plan Policy CF2 which permits the change of use of a community building where it is no longer needed. This policy is broadly consistent with the National Planning Policy Framework which also seeks to prevent the unnecessary loss of valued facilities and services in local communities (paragraph 70). Therefore, for the same reasons, the proposal does not conflict with national guidance.”

Impact on highway safety

- 6.5 LP Policies H11 and TR5, amongst other things, seek to promote safe and accessible living environments and make safe and appropriate provision for both pedestrians and the private car.
- 6.6 Vehicle access and parking for the building will remain as existing on the driveway to the west of the building. Whilst it is acknowledged that the access into the drive is somewhat restricted by its width, the unadopted nature of Hurst Lea Road means that vehicle speeds and level of use at this point are very low. The use of this access in connection with a new dwelling would not give rise to any highway safety issues. A right of way exists from the building to the public highway. Derbyshire County Council, as the Highway Authority, has confirmed that they have no highway objections to the proposed change of use. This is confirmed in their previous consultation replies dated the 14.10.11 and the 20.06.12.
- 6.7 It should also be noted that the site is located in a highly sustainable location and lies within 400m of New Mills Central. New Mills Railway Station is also within easy walking distance some 0.7km to the south east on Albion Road. There are numerous bus stops close to the site and a case could be made for establishing a dwelling in this location without the requirement for any parking provision.
- 6.8 In light of the above the proposed development would be consistent with the aims of LP Policies H11 and TR5. The site benefits from an existing access and is situated in a highly sustainable location.
- 6.9 In determining the Appeal, the Planning Inspector agreed that: - ***“the comings and goings from a single dwelling would not compromise the safety of either pedestrians, or vehicles on Hurst Lea Road. Consequently, there is no conflict with High Peak Local Plan Policies H11 or TR5 which require residential developments to promote safe and accessible living environments, and make safe and appropriate provision for access and egress which takes into account parking, access and manoeuvring. These policies are broadly consistent with the Framework and in this regard there is also no conflict with the requirement to ensure a safe and suitable access can be achieved.”***

Living conditions – Neighbouring Residents

- 6.10 The previous scheme, which was subject to the appeal, proposed two bedroom windows in the ground floor west facing elevation of the building. The Planning Inspector concluded that these windows would overlook the rear gardens of properties along Hurst Lea Road causing a significant loss of privacy for No.3 in particular. This new proposal has taken into account the Inspector's comments and revised the internal layout of the building. It is now proposed that the ground floor windows in the west elevation of the building would have obscure glazing and provide light to a bathroom and en-suite area. The existing window at first floor level would be retained to form an escape window and would also have obscure glazing. These amendments to the scheme would completely remove the overlooking problems identified by the Inspector and the obscure glazing can be retained in perpetuity by means of a planning condition.

- 6.11 The bedroom windows are now proposed in the south elevation of the building and face towards the rear of the existing terraced houses on Albion Road. The section shown on Drawing 1093.05 demonstrates that there would be no overlooking of these properties. A 2m high fence is proposed to this southern boundary in the position shown on Drawing 1093.03. This fence would prevent any overlooking from the new bedroom windows.
- 6.12 The design and layout of the building now satisfies the requirements of Saved LP Policies GD5 and H11 which seek to ensure that development does not cause an unacceptable loss of amenity. Similarly the proposed development satisfies one of the Core Principles of the NPPF which seeks to ensure an adequate level of amenity for existing occupiers of land and buildings.

Living Conditions – Future Occupiers

- 6.13 In determining the Appeal the Inspector accepted that the first floor layout of the building provided acceptable living conditions for future occupiers. This was despite the fact that the scheme made provision for a living / dining room window with obscure glazing. This situation was deemed to be acceptable due to the fact that the first floor area benefited from a large bank of rooflights in the south facing roof slope which would provide a **“substantial amount of daylight”**. The proposed development provides an identical first floor layout to that considered at the time of the appeal. The Inspector, however, expressed concerns about the fact that, by positioning the main bedroom windows on the west elevation, future occupiers of the property would also be directly overlooked from the first floor bedroom window of No.3 Hurst Lea Road. This revised proposal has deleted the bedroom windows from this west elevation and, therefore, removed with this overlooking problem. The proposed development now provides an adequate standard of living accommodation and would not result in an unsatisfactory relationship with No.3 Hurst Lea Road. The proposal satisfies the requirements of Saved LP Policies GD5 and H11.

Conserving and enhancing the historic environment

- 6.14 The NPPF gives significant weight to conserving and enhancing the historic environment. The building is situated within the New Mills Conservation Area and the Council's Conservation Officer has previously commented that: -

“The New Mills Liberal Club lies within the New Mills Conservation Area and makes a positive contribution to the character of the area, as defined in the Character Appraisal. It is a fairly substantial stone building which is attached to the police station. It is of a very simple and humble architectural design but nonetheless sits well within the New Mills townscape and is worthy of retention.”

- 6.15 The Trustees had a full survey of the building carried out in 2008 by Cordingleys, Chartered Surveyors based in Ashton under Lyne. The purpose of the report was to assess the condition of the building and revealed that if the premises were to be retained for any length of time with its current use, a substantial programme of repairs would be necessary. The Trustees of the building simply cannot afford to carry out these works and this factor

was acknowledged by the Planning Inspector in his Appeal Decision. In summary the surveyors report stated: -

“Roof: *although the roof covering still has a number of years of serviceable life, repair works in the short term may be required (slipped, chipped and cracked slates, some misalignment of glazing panels). Due to the age of the roof, major expenditure may be required in the medium term. It is advised that the roof is regularly maintained and that the provision of ventilation be checked and installed if none found to prevent condensation. Boiler house roof timbers have damp staining/ condensation mould growth and overhauling this section of roofing advised when a suitable roofing felt and ventilation be introduced. This may also be occurring on main roof but cannot be seen due to under boarding.*

Rainwater goods: *Due to the extent of the defects and inadequate sizing they advised that the entire rainwater provisions are overhauled and replaced where necessary. Regular maintenance needed to ensure gutters and gulleys are clear.*

Walls: *Hairline cracking to the front elevation adjacent to the heads of the window openings caused by excessive corrosion and in turn, expansion of the steel lintels. Strongly recommended that the corroded steel is replaced. At the corresponding area of wall internally, there was significant internal cracking. This would definitely need further investigation. There are four possibilities for this cracking, the most plausible being the internal skin of the external wall detaching itself from the incoming walls as there is a lack of lateral restraint. Remediation would involve strapping the intermediate floor to the external wall.*

Joinery: *Advanced wet rot to the majority of the windows. Replacement with double glazed units strongly advised by FENSA certified installer up to current building regs. Minor wet rot to external doors. Excessive wet rot to painted fascia boards – will require replacement in the short term. Ground floor: A section (in the changing room) had been replaced due to a serious case of dry rot. Examination needed to check to ensure the dry rot is gone completely. Insufficient sub void ventilation (to prevent condensation)so it was strongly advised that sufficient ventilation provisions are provided. Internal walls, ceilings and partitions: Blistering plasterwork to some wall surfaces attributed to condensation. Patch repairing required to a small section of defective ceiling – however further damage possible to the lath and plaster which will be evident once work has started. Condensation and ventilation: Provisions to help reduce condensation; 1. mechanical extractor fans be introduced to the kitchen and WCs. 2. There is no natural or artificial ventilation entering the building via any of the rooms – condensation a problem. It was advised that this be introduced either by mechanical extract, trickle vents or air bricks. 3. Provide double glazing to replace single glazed units, 4. Provide insulation to the main roof between the rafters, 5. Where practical provide insulated plasterboard to semi exposed walls, 6. The building should be heated regularly. 7. Ventilate the roof and sub ground floor voids. **Insulation:** *There is no insulation and the windows are single glazed. As a minimum, all tanks, pipework etc to be insulated.**

Services: Older style consumer unit and fuse electrical system – upgrading works should be anticipated. Gas servicing and boiler servicing every 12 months. Some investigation work needed below ground to the s/vp on the front elevation to check if leaking and undermining the foundation

Fire: Advised should be upgraded to meet current regulation

DDA (1995): The existing condition does not comply with current building regulations or DDA (for new buildings). Reasonable measures should be taken to make the building usable to everyone.

- 6.16 Paragraphs 126 and 131 of the NPPF recognise that heritage assets are an irreplaceable resource and it is desirable to sustain and enhance them by putting them to viable uses consistent with their conservation. The re-use of this building for residential purposes is the only realistic mechanism by which it can be sustained and enhanced. The letter from Walton's Commercial, submitted with this application gives an opinion on possible alternative uses for this building. The letter concludes that the only real long term option for the building is residential. The proposed development would therefore satisfy the requirements of LP Policy BC5 and guidance contained within the Framework.

7 SUMMARY AND CONCLUSIONS

- 7.1 The National Planning Policy Framework indicates that there are three dimensions to sustainable development; environmental, social and economic. The proposal satisfies the relevant core planning principles within the Framework for the following reasons: -

- In environmental terms the proposed development would sustain and enhance the Liberal Hall as a heritage asset within the New Mills Conservation Area. It would also result in substantial physical improvements to the building which would significantly improve its energy efficiency. The proposal would secure high quality design and a good standard of amenity for all existing and future occupiers.
- In social terms the proposal would increase the supply of housing required to meet the needs of present and future generations, with accessible local services. The proposal would add to the supply of housing in the Borough and the appeal site is situated in a highly sustainable location close to New Mills Town Centre. The Framework encourages the change to residential use of commercial buildings where there is an identified need for additional housing.
- LP Policy CF2 and the NPPF seek to ensure, that where appropriate, local facilities are retained. The loss of the Liberal Hall would not unacceptably harm the vitality of New Mills.
- There are no highway objections to the proposed change of use.

- 7.2 This revised proposal has dealt with the criticisms which were made by the Planning Inspector when dismissing the Appeal in June 2013. The revised layout does not result in any overlooking problems for neighbouring property and provides an adequate standard of amenity for both existing and future occupiers. The proposed development also results in

economic benefit. Although not an employment scheme, the development would create construction jobs and housing and thereby contribute to the local economy. In accordance with the NPPF significant weight should be given to the need to secure economic growth and planning permission granted for the proposed development. For decision making the NPPF indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole. The proposal accords with the provisions of the development plan and any decision to refuse planning permission would be unreasonable.

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