

DELEGATED DECISION REPORT

HPK/2017/0497	UNIT 3	EXTEND WAREHOUSE.
Valid 26/09/2017	WATFORD BRIDGE	
	INDUSTRIAL ESTATE	(CERTIFICATE OF
	WATFORD BRIDGE ROAD	LAWFULNESS - PROPOSED)
	NEW MILLS	

MAIN ISSUES

- Compliance with the Town and County Planning (General Permitted Development) (England) Order 2015 and whether the proposal constitutes permitted development.

DESCRIPTION OF SITE

The site comprises a large stone built warehouse unit and associated areas of hardstanding which is situated on the southern side of Watford Bridge Industrial Estate adjacent to other industrial units.

PROPOSAL

This application is for a certificate of lawful development for a proposed extension to the existing warehouse and seeks confirmation that the proposed development is permitted development and is compliant with Schedule 2, Part 7, Class H of the Town and Country (General Permitted Development) (England) Order 2015.

The proposed extension would be sited on the west side elevation of the building and it would replace an existing lean-to extension. The proposal would have a lean-to roof and materials used in construction would comprise brickwork plinth with profiled metal sheet cladding above and a profiled metal sheet roof. The proposal would have a footprint of approx. 22m in length by 6.5m in width and its maximum height would be 5.8m.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

None.

National Planning Policy Framework

None.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

No recent planning history relating to the site.

CONSULTATIONS

Publicity

Site Notice expiry date: 20/11/2017
Neighbour consultation period ends: 02/11/2017
Press Advert: N/A

Public Comments

None received.

Town / Parish Comments

No comments received.

Environmental Health

Previous site investigations for Watford Bridge Industrial Estate have identified a significant risk to human health or the wider environment, due to potential land contamination arising from previous industrial use (see HPK/2015/0065 - Phase 1 Preliminary Risk Assessment; Watford Bridge, New Mills; Sutcliffe LG27044, March 2015). It is recommended that a site investigation including an assessment of ground gas potential is undertaken.

Derbyshire County Council Highways

No objection. Whilst the number of available parking spaces within the site may decrease by some minor level, there remains sufficient parking and turning space within the site for the size of the building.

Derbyshire County Council Archaeology

The proposal area is within a site on the Derbyshire Historic Environment Record (HER 10738), the site of the Watford Bridge Print Works, a calico printing works first developed at the very beginning of the 19th century (1801 or 1804). The proposed development is however relatively small, and within an area which was not developed in the 19th century (as shown on the 1st edition O.S. map of New Mills). The scheme is unlikely to have any archaeological impact.

OFFICER COMMENTS

The application has been assessed against the criteria listed under Class H, Part 7, Schedule 2 of the General Permitted Development Order 2015 which relates to non-domestic extensions and alterations, specifically extensions to industrial buildings and warehouses.

Permitted development

H. The erection, extension or alteration of an industrial building or a warehouse.

Development not permitted

H.1 Development is not permitted by Class H if –

(a) the gross floor space of any new building erected would exceed—

(i) for a building on article 2(3) land or on a site of special scientific interest, 100 square metres;

(ii) in any other case, would exceed 200 square metres;

The proposal relates to an extension and therefore (a) is not applicable.

(b) the gross floor space of the original building would be exceeded by more than—

(i) in respect of an original building or a development on article 2(3) land, 10% or 500 square metres (whichever is lesser);

(ii) in respect of an original building or a development on a site of special scientific interest, 25% or 1,000 square metres (whichever is the lesser);

(iii) in any other case, 50% or 1,000 square metres (whichever is the lesser);

The proposal does not relate to article 2(3) land or a SSSI. The existing floor area of the building (ground and mezzanine) is 732m² and the proposed extension would add a further 130m² of floorspace. The gross floorspace of the original building would not be exceeded by more than 50% or 1,000m².

(c) the height of any part of the new building erected would exceed—

(i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;

(ii) in all other cases, the height of the highest building within the curtilage of the premises or 15 metres, whichever is lower;

The proposal relates to an extension and therefore (c) is not applicable.

(d) the height of the building as extended or altered would exceed—

(i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;

(ii) in all other cases, the height of the building being extended or altered;

The proposed extension would not be within 10 metres of the boundary of the curtilage. The height of the proposed extension would not exceed the height of the existing building.

(e) any part of the development would be within 5 metres of any boundary of the curtilage of the premises;

The proposal would not be within 5 metres of the boundary of the curtilage of the premises.

(f) the development would lead to a reduction in the space available for the parking or turning of vehicles;

The proposed extension would be sited on an area of the yard to the side of the building, which, at the time of the officer's site visit, was being used for the parking of lorries. DCC Highways also state in their consultation response that the number of available parking spaces within the site may decrease by some minor level. Accordingly, it is reasonable to conclude that the proposed extension would lead to a reduction in the space available for the parking or turning of vehicles. The agent argues that the whole yard is in constant transition and the fact that the proposal leads to a reduction in yard space is immaterial as this loss of space has no impact on parking and manoeuvring of vehicles. Notwithstanding this, the space is clearly "available" for parking & the GPDO is clear that a reduction in the space available for parking and turning is not permitted development and there is no flexibility for interpretation on this point. Therefore, it is considered that the proposal does not comply with criterion (f) of Class H.1.

(g) the development would be within the curtilage of a listed building.

The development would not be situated within the curtilage of a listed building.

CONCLUSION

In summary, it is considered that the proposed development does not accord with Class H.1 (f) of the Order and is therefore not permitted development as detailed within the Town and Country Planning (General Permitted Development) (England) Order 2015.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Mark Ollerenshaw

Recommendation Date: 24/11/2017

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council