

DELEGATED DECISION REPORT

HPK/2021/0113
Valid 04/03/2021

57 THE GROUSE HOTEL
NEW MILLS ROAD
BIRCH VALE

VARIATION OF CONDITION 16
IN RELATION TO
HPK/2019/0111

(FULL - MINOR)

MAIN ISSUES

- All relevant material considerations that arise from the proposed replacement Location Plan

DESCRIPTION OF SITE

The application site relates to a parcel of land that was previously home to the former Grouse Hotel, that lies to the south of No.57 New Mills Road and accessed from Morland Road to the east.

The site was subject of an Outline Planning Application with all matters reserved for 8 x residential dwellings (later reduced to 6 x dwellings) under Application Ref: HPK/2019/0111 on 25th November 2019. The Reserved Matters application has been submitted and is currently pending a decision under Application Reference: HPK/2020/0558.

PROPOSAL

This application seeks to vary Condition 16 relating to HPK/2019/0111 which specifies the approved plans to which the application relates, which given that the application was in Outline form, is the Location Plan (Ref: 3265 01B).

It transpired that after issuing the Decision Notice, the red line that was shown on the approved Location Plan was incorrect, in that it includes No.57 New Mills Road, and thus the current Reserved Matters application cannot be assessed and determined until such time as this error had been rectified.

The application therefore simply wishes to replace the (incorrectly) approved Location Plan with the correct accurate Location Plan (Ref: 3265 01A).

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National

Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement Hierarchy
- S6 Central Sub-area Strategy
- H1 Location of Housing Development
- EQ6 Design and Place Making
- CF6 Accessibility and Transport

Revised National Planning Policy Framework

Achieving Sustainable Development	Chapter 2
Delivering a Sufficient Supply of Homes	Chapter 5
Promoting a Sustainable Transport	Chapter 9
Making an Effective Use of Land	Chapter 11
Achieving Well Designed Places	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- HPK/2019/0111 Outline permission for 8no. 3 x bedroom semi-detached houses on the car park behind the Grouse Inn (Approved 25th Nov 2019)
- HPK/2020/0558 Reserved Matters application relating to HPK/2019/0111 (Pending)

CONSULTATIONS

Publicity

Site Notice expiry date: 19th April 2021
Neighbour consultation period ends: 31st March 2021
Press Advert: N/A

Public Comments

1 x objection has been received in connection with this application:

This variation means that the two properties that form the conversion of what was The Grouse Public house will not have any parking The road outside the properties have no parking and if future occupants try to park on the New Mills road they will add to major congestion currently made worse by the loss of the old car park This is a serious and potentially dangerous addition to current parking problems.

Town / Parish Comments

No comments received at time of writing

Derbyshire County Council Highways

No comments received at time of writing

OFFICER COMMENTS

The principle of housing development on this site has been established following the decision made to grant planning permission for 6 x dwellings on the site in its final revised form, contrary to the description of development set out on the Decision Notice.

This application relates specifically to the extent of the site boundary (i.e. the red line) shown on the Location Plan. The Location Plan referred to within Condition 16 of the Decision Notice associated with HPK/2019/0111 incorrectly included No.57 New Mills Road within it. In order to rectify this error and allow the Reserved Matters application to be fully considered and determined, the applicant has been invited by the Local Planning Authority to submit this application under S73 of the Town and Country Planning Act to vary Condition 16 to substitute the incorrect plan with one that accurately shows the extent of the site boundary.

The proposed replacement Location Plan (Ref: 3265-01A) correctly omits the curtilage of No.57 New Mills Road from the site boundary, which as it is within the ownership of the applicant is now shown to be a blue line.

The variation of Condition 16 results in no material change in the scheme with regards to the quantum of development and in relation to all relevant material policy considerations. The application is thus considered to comply with all relevant Local Development Plan policies and the NPPF.

Whilst the objectors comments are noted, the scheme was previously found to be acceptable in highway terms. This application merely corrects an anomaly in the approved plans condition reference and does not change the nature of the approved development.

CONCLUSION / PLANNING BALANCE

Further to the above, the application is recommended for approval with all other conditions relating to HPK/2019/0111 continuing to apply given that no discharge of conditions application has been received in connection with this approval.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 22nd April 2021

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council