

DELEGATED DECISION REPORT

HPK/2020/0391
Valid 30/04/2021

**102 THE ROYAL BANK OF
SCOTLAND PLC BUXTON
ROAD
WHALEY BRIDGE**

**CHANGE OF USE FROM
COMMERCIAL TO
RESIDENTIAL USE

(FULL - MINOR)**

MAIN ISSUES

- Principle of Development
- Flood Risk
- Design & Conservation
- Amenity
- Parking Provision & Highway Safety

DESCRIPTION OF SITE

The application relates to No.102 Buxton Road, Whaley Bridge; an attractive stone detached building that stands at the corner of Buxton Road and the A5004 within the Whaley Bridge Conservation Area, and previously functioned as the Royal Bank of Scotland bank which according to the applicant ceased its used in September 2015.

The building is constructed of a lightly coloured dressed stone, with dressed stone mullion windows with leaded single glazing and tiled roof.

The site is bounded to the south by the neighbouring row of premises, the nearest of which is No.104 Buxton Road. To the north and west is the public highway whilst to the north east is a small brook adjacent to which stands No.1 Chapel, Whaley Bridge.

PROPOSAL

The application seeks full planning permission to covert the former bank to a 1 x bedroom residential dwelling. No physical alterations are proposed to the external aspect of the building.

The Floor Plans show that the lower basement will be utilised as an ancillary workshop, with the ground floor comprising an open plan kitchen/lounge and dining area. The first floor is shown to comprise a single bedroom with en-suite bathroom.

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
- S3 Strategic Housing Development
- S6 Central Sub-area Strategy
- EQ6 Design and Place Making
- EQ7 Built and Historic Environment
- EQ11 Flood Risk Management
- H1 Location of Housing Development
- H3 New Housing Development
- CF5 Provision and Retention of Local Community Services and Facilities
- CF6 Accessibility and Transport

National Planning Policy Framework 2019

Achieving Sustainable Development	Chapter 2
Delivering a Sufficient Supply of Homes	Chapter 5
Promoting Sustainable Transport	Chapter 9
Making Effective Use of Land	Chapter 11
Achieving Well Designed Places	Chapter 12
Meeting the Challenge of Climate Change and Flooding	Chapter 14
Conserving and Enhancing the Historic Environment	Chapter 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

The site has been subject to a variety of planning applications associated with the buildings function as a bank. The most recent history is set out as follows:

- | | |
|---------------|--|
| HPK/2012/0177 | Proposed Removal Of Existing Signage And Installation Of Replacement, Converting The Royal Bank Of Scotland To Santander (Approved 15/05/12) |
|---------------|--|

CONSULTATIONS

Publicity

Site Notice expiry date: 4th June 2021
Neighbour consultation period ends: 31st May 2021
Press Advert: 10th June 2021

Public Comments

None

Town / Parish Comments

No comments received at time of writing

AES Waste

No objections

DCC Lead Local Flooding Authority

Initial Response 12th May

Thank you for consulting the Lead Local Flood Authority (LLFA) on the above planning application. As a statutory consultee for surface water we require the following information;

- A flood Risk assessment will need to be provided as the site lies within flood zone 2 and 3 and is within 20m of a water course
- The application is within Flood Zone 2 and 3, so further guidance is needed from the Environment Agency

Please copy me in once this has been received from the developer.

Updated Response 7th September

Review of Flood Risk Assessment has led to the LLFA having no comment to make subject to appropriate advisory comments

Derbyshire County Council Highways

No objections

OFFICER COMMENTS

Principle of Development

The application seeks the change of use of the former Royal Bank of Scotland to a residential dwelling.

The site lies within the built-up area boundary of Whaley Bridge; defined as one the larger Market Towns in the Borough that are home to the majority of services facilities and public transport links, and lie at the summit of the settlement hierarchy under Local Plan (LP) Policy S2. The policy identifies that these settlements will be the focus for housing and economic growth throughout the plan period.

LP Policy CF5 refers to the provision and retention of local community services and facilities, and seeks to resist proposals involving the loss of community assets and facilities unless it can be demonstrated that the existing use is no longer viable, or an

alternative facility of the same type is available or can be provided in accessible locations.

LP Policy H1 promotes the effective reuse of land by encouraging housing development including redevelopment, and conversion of existing buildings on all sites sustainable for that purpose.

The proposal would involve the conversion of a redundant bank that ceased to operate in 2015. Owing to a period of 6 years passing without any other banking or financial firm moving in to the premises, it can reasonably be concluded that the premises is not financially or commercially viable as a bank. The proposed conversion of the building would bring the building back into use and provide a single dwellinghouse within the confines of the built-up area boundary.

The general principle of converting the redundant building to a single residential dwelling is thus supported.

The application site lies within the Whaley Bridge Conservation Area and partly within Flood Zone 2. As such, the application must demonstrate that the proposed development would not result in any adverse increase in flood risk on site or in the surrounding area, and would preserve or enhance the character and appearance of the building and wider conservation area, in line with LP Policies EQ7 and EQ11, and relevant restrictive policies relating to climate change and flooding and the historic environment under Chapters 14 and 16 of the NPPF respectively.

Flood Risk

LP Policy EQ11 refers to Flood Risk Management and requires all applications to demonstrate that the proposed development will not give rise to any unacceptable increase in flood risk either onsite or elsewhere in the Borough. Chapter 14 of the NPPF contains the relevant restrictive policies that aims to address Climate Change and Flood Risk.

The site lies partially within Flood Zone 2, with the plans showing the conversion of an existing basement to living accommodation. At the request of Officers and the Lead Local Flooding Authority, the applicant has submitted a Flood Risk Assessment, prepared by Ambient Environmental Assessment. Paragraph 9.5 consists of a table that assesses the various types of flood risk and the appropriate mitigation that can be applied to alleviate such risks.

The Flood Risk Assessment has been reviewed by the Lead Local Flooding Authority who have confirmed that in light of this document being submitted they have no further comments to make subject to appropriate advisory notes.

As such, it is considered that subject to an appropriate condition that requires the mitigation measures set out within the Flood Risk Assessment being implemented in full the proposed conversion of the existing building to a residential dwelling would not result in any adverse increase risks to flooding and is thus compliant with LP Policy EQ11 and relevant paragraphs under Chapter 14 of the NPPF.

Design and Conservation

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, in terms of scale, height, density, and layout.

LP Policy EQ7 has regard to the Built and Historic Environment. It states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.

Paragraph 130 of the NPPF states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

Chapter 16 of the NPPF contains the national restrictive policies relating to heritage conservation. Paragraphs 199-202 set out how a local planning authority should assess the significance of a heritage asset and the potential impacts of a development proposal upon that asset. Where a proposal will lead to substantial harm or total loss of a designated heritage asset, local planning authorities should refuse consent unless there are substantial public benefits that outweigh that harm. Where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits.

The building in question is a prominent attractive building that lies at the crossroads of Buxton Road and Macclesfield Road. The proposed conversion of the existing building does not include any physical external alterations. As such, there are not considered to be any material impacts to the character and appearance of the building, wider street scene and wider Conservation Area, and therefore the application is considered to be in accordance with LP Policy EQ7, relevant restrictive policies contained under Chapter 16 of the NPPF and Section 72 of the Act 1990.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.

The High Peak Residential Design Guide SPD requires extensions to preserve the residential amenity of neighbouring properties, having regard amongst other things to the relationship between existing and proposed development, the positioning of windows, and the change in land levels. A minimum of 21m should be achieved between existing and proposed habitable windows.

Paragraph 130 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The application site is bounded by a small brook to the south and east flanked by mature trees, beyond which is a commercial premises. The public highway lies to the north, whilst the western boundary is shared with No.104 Buxton Road; a retail premises at ground floor level with residential flat above.

The proposed conversion will work with the existing openings with no new physical built development, which, owing to the spatial and visual relationship with surrounding premises, and subject to a condition that requires the rear bathroom window to be obscure glazed, is not considered to result in any harm to the amenity of these neighbouring uses, with regards to any overbearing impacts, overlooking or loss of privacy, or any loss of sunlight.

The application is thus considered to preserve the amenity of all neighbouring properties in accordance with LP Policy EQ6 and paragraph 130 of the NPPF.

With regard to the amenity of future occupiers, the proposal would be c.82sqm which exceeds the NDSS requirement of 58sqm for a 2 bed 2 person house over 2 floors. No external amenity space is provided but given the small size of the property it is not considered to be family accommodation and it is sustainably located a 5min walk from the Memorial Park.

Parking Provision and Highway Safety

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network and provides suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan.

Paragraph 110 of the NPPF states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users.

The site does not currently benefit from any off-street parking but is nevertheless sited in a highly sustainable location within the built-up area boundary of Whaley Bridge within walking distance of the town centre; home to a number of services, facilities and public transport connections.

The Highway Authority have no objections to the proposed use of the building as a residential dwelling. It is likely that the vehicle movements associated with a one

bedroom residential dwelling will be significantly less than its former use as a bank which would see frequent comings and goings.

Taking the above into consideration, it is judged that there is no requirement in this case to provide any off-street parking provision and that the proposed use of the building as a residential dwelling would not result in any harm to highway safety, in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF). It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. 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:

- 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
- 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.

The application seeks permission to covert the redundant former Royal Bank of Scotland (No.102) Buxton Road Whaley Bridge to a single one bedroom dwelling.

An assessment of the application has found the proposals to comply with all relevant local development plan policies, relevant supplementary guidance, and restrictive policies relating to climate change and the historic environment contained within Chapters 14 and 16 of the NPPF respectively.

The application is thus considered to constitute sustainable development and therefore in line with LP Policy S1a and paragraph 11 of the NPPF the application is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 21st September 2021

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council