

DELEGATED DECISION REPORT

HPK/2021/0083 92 HIGH STREET
Valid 09/03/2021 NEW MILLS

**USE OF EXISTING SINGLE
DWELLING AS HOLIDAY
ACCOMMODATION
INCORPORATING MINOR
ELEVATIONAL CHANGES.
PROPOSAL INCLUDES SPACE
WHICH ORIGINALLY USED AS
SHOP SPACE, BUT NOT BEEN
USED AS SUCH FOR OVER 10
YEARS AND HAS BEEN USED
AS PART OF DWELLING
SINCE SHOP
CLOSURE.**

(FULL - MINOR)

MAIN ISSUES

- Principle of Development
- Flood Risk
- Design and Conservation
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The application relates to a parcel of land that sits at the corner of High Street and Hyde Bank Road, New Mills which contains a three storey split level dwelling constructed of stone with tiled roof. The lower ground floor and adjacent area of hard standing to the south which provides off-street parking sits at consistent level with Hyde Bank Road, whilst the ground floor level sits commensurate with High Street, which rises with the topography in a south-westerly direction.

The design of the fenestration on the existing building provides evidence of the buildings former now redundant use as a shop, which has been confirmed by the Council Tax Records which shows that since 2001 the building has been in use as a domestic residential dwelling.

The site lies in a prominent location within the built-up area boundary of New Mills within the New Mills Conservation Area, and partially lies within Flood Zone 2.

PROPOSAL

The application seeks permission for the change of use of the existing residential dwelling to a 7 x bedroom self-catering holiday let accommodation with associated off-street parking provision and changes to the design of the fenestration.

The Proposed Plans shows that the lower ground floor, which currently serves as storage and an ancillary garage to be converted to facilitate two double bedrooms with a shared bathroom and a separate games room. The Ground Floor which currently serves a large storage area, lounge and kitchen would be converted to a communal open plan kitchen/dining room, a bathroom and a double bedroom. At First Floor level, the layout is unchanged with a further 4 x bedrooms and a shared bathroom being provided.

There are no physical internal or external alterations proposed aside from changes to the design of the fenestration.

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
- EQ1 Climate Change
- EQ6 Design and Place Making
- EQ7 Built and Historic Environment
- EQ11 Flood Risk Management
- CF5 Provision and Retention of Local Community Services and Facilities
- CF6 Accessibility and Transport

National Planning Policy Framework 2019

- | | |
|--|------------|
| Achieving Sustainable Development | Chapter 2 |
| Building a Strong Competitive Economy | Chapter 6 |
| Promoting a 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

None

CONSULTATIONS

Publicity

Site Notice expiry date: 19th April 2021

Neighbour consultation period ends: 7th April 2021

Press Advert: 15th April 2021

Public Comments

One representation has been received which states the following:

It is not clear why this property will not follow the existing blue window colours, which are quite a distinctive element of this building. It would be a shame to lose this detail.

Even if it is accepted that the window colours can change, anthracite is not a common colour used by other buildings in the immediate vicinity, which have white (and, further out, brown) windows.

New Mills Town Council Comments

No Objections

Conservation Officer Comments

Initial Comments:

There are no details regarding windows and doors apart from a comment about grey UPVC so this is probably a 'no' but we need existing and proposed details to be able to assess the visual change

Standard guidance on changing windows in CA's is below:

The Council has a duty to preserve the historic character and appearance of the Conservation Area and will seek the retention of historic windows and doors wherever possible. As far as I can see you have good period windows so the starting point is for a joiner renovate what you have (which should be the most cost-effective solution). Traditional windows should normally be repaired and renovated with draft strips and the installation of secondary glazing if necessary. Historic England provides useful advice on historic windows <https://historicengland.org.uk/images-books/publications/traditional-windows-care-repair-upgrading/> . It is disappointing to note that the windows are already deteriorating after less than 15 years. I can only assume that this is down to the durability of the wood as well-maintained timber windows should generally last longer than UPVC which are only generally guaranteed for 10 years and these are not a sustainable material. Whilst the

appearance of UPVC is improving it still fails to accurately replicate traditional joinery.

It is possible that windows could be upgraded to accommodate double glazed timber sash windows but planning permission will need to be sought in order to ensure that the appearance of the windows looks the same. As a general rule it is sometimes possible to install slim double-glazed units (14mm), in painted timber and the glass secured with putty or mastic not timber beading. Any windows which have glazing bars or are vertically-sliding sash windows can be more problematic to double glaze due to the additional weight of the units and the need to enlarge the joinery sections. Glazing bars must be kept slim and structural (not applied). There is plenty of guidance on the internet relating to upgrading traditional sash windows – Ventrolla, Slimlite, Histoglass, Mumford and Wood as well as seeking advice from local joiners (these are examples not recommendations).

UPVC is only considered if the existing windows are not to an historic design already and UPVC may be acceptable if the design can be improved or where UPVC is of exceptional quality and can be recessed behind stone/brick reveals or timber bays.

Further Comments:

Property stands within the New Mills Conservation Area and is covered by the Article 4 Direction to preserve historic detailing.

Details are required of the existing and proposed windows, external doors and shopfronts (comparative sections and details) as I note that grey UPVC is proposed. The presumption in Conservation Areas is to retain/repair good historic joinery in accordance with Historic England guidance on traditional windows. A much greater level of detail is required to confirm that historic detailing is retained.

Details of vents and ducts, boundaries and landscaping will also be required.

Revised Elevations look better. We will need details of the windows/doors so this could be dealt with by condition or pre-determination.

AES Waste

No objections

Derbyshire County Council Highways

No highways objection in principle given the buildings current and former retail uses, subject to on-site parking (and any cycle parking) being provided and maintained in accordance with the requirements of your Local Plan.

OFFICER COMMENTS

Principle of Development

The application seeks permission for the change of use of a dwellinghouse to 7 x bedroom self catering holiday let. Evidence from the Council's records confirms that the building has been paying Council Tax for a residential property since 2001 and thus whilst there is no planning history associated with the change of use from its former use as a shop, it is accepted that the lawful use of the existing building is a dwellinghouse.

Local Plan (LP) Policy E6 aims to promote tourism and culture within the Borough by (amongst other things) supporting and supplementing the tourism offer of the Peak District National Park and supporting tourism and provision of visitors which is appropriate to the settlement and consistent with environmental objectives.

Chapter 6 of the NPPF contains policies designed to create a strong, competitive economy. Paragraph 83 states that policies and decisions should support the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

The application would introduce a new tourism accommodation offer to the town within close proximity to the Peak District National Park and thereby supports the aims and objectives of LP Policy E6 and Chapter 6 of the NPPF.

Whilst the proposals would result in the loss of a dwellinghouse, it is judged that this would have no material impact on the housing supply and trajectory within the authority area and therefore the general principle of development is supported.

However, the site lies partially within Flood Zone 2, and within the Conservation Area and therefore the application is subject to LP Policies EQ1 and EQ11 and relevant restrictive policies contained within Chapter 14 of the NPPF which relate to tackling climate change and flooding. In addition the application is subject to LP Policy EQ7, and relevant restrictive paragraphs relating to heritage conservation contained under Chapter 16 of the NPPF, underpinned by Section 72 of the Act 1990.

The application can therefore only be supported if it can be demonstrated that the proposed change of use and associated development will not result in any adverse flood risk impacts and will either preserve or enhance the character and appearance of the building and wider conservation area.

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 national planning policies in connection with climate change and flood risk.

The site lies partially within Flood Zone 2. At the request of Officers, the applicant was invited to submit a Flood Risk Assessment (FRA) with appropriate mitigation measures to demonstrate compliance with the above policies.

An FRA (dated September 2021) was duly submitted by EWE Associates and reviewed by the Lead Local Flooding Authority who have no objections to the proposed use subject to an advisory note.

In light of the above the proposals are therefore not considered to result in any increase in flood risk either on site or elsewhere in the Borough, in accordance with LP Policies EQ1 and EQ11, and relevant restrictive policies contained under Chapter 14 of the NPPF.

Design & 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.

The High Peak Residential Design Guide SPD (2005) and more recently adopted Design Guide SPD (2018) contains further design guidance for extending and altering buildings to facilitate changes of use and states that the improvement or alteration of a site is generally preferable to redeveloping a site, but should be undertaken with care, taking note of what is already there before preparing the design and to work with, not against, the building's character; the aim being to revitalise the building without the altering its fundamental character. The guidance states that it is always best to use existing openings to the full before considering their alteration.

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 193-196 set out how a local authority should assess the significance of a heritage asset, and the potential impact 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 application relates to a building that sits in an extremely prominent position adjacent to the public highway within the Conservation Area. Any changes to the external appearance of the building therefore need to be sensitively designed.

The proposed change of use does not involve any physical extension of the existing building however changes to fenestration with regards to materials and visual appearance are proposed. The Conservation Officer initially raised concerns regarding the use of UPVC and the lack of details provided.

Revised Elevation Plans have been submitted which provide a description of the proposed changes to each aspect of fenestration which refers to timber frames. This is a positive amendment that addresses the public representation, and one which can allow the application can be supported however as highlighted by the Conservation Officer joinery details together with any other external features such as vents and ducts have yet to be provided.

As such, it is considered that the change from UPVC to timber will ensure that the character and appearance of the building and wider conservation area will be preserved however conditions are recommended that require joinery details and other external elements prior to the scheme first coming into use.

Subject to appropriate conditions the application is considered to demonstrate compliance with LP Policy EQ7, and relevant restrictive policies contained under Chapter 16 of the NPPF.

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.

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

The application would see the existing dwelling revert to a self catering holiday let with 7 x bedrooms and associated off-street parking provision.

The building sits on a corner plot with public highways on two sides and a river on another, with a noticeable gap between other residential properties. It is considered that the 'comings and goings' generated by visitors would not result in any general noise or disturbance that would materially impact upon neighbouring amenity.

Any windows serving a bathroom are recommended to be obscure glazed in the interests of preserving privacy. The relationship between habitable windows and neighbouring properties are not materially different to the existing property and therefore the proposed use will not result in any harm to amenity with regards to overlooking or loss of privacy.

Having regard to the above analysis, the application is considered to preserve the residential amenity of neighbouring residents in accordance with LP Policy EQ6, the High Peak Residential Design Guide SPD and paragraph 130 of the NPPF.

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 holiday let would function in much the same way as a dwellinghouse, although given the nature of the proposed use, it is expected that each room would generate the need for one car parking space.

The proposals show the existing area of hard standing to the south of the site to be utilised for off-street parking provision.

The Proposed Site Plan as submitted shows the provision of 4 x car parking spaces, which is considered to be insufficient for the number of bedrooms. The Highways Authority have no objections subject to off-street parking (including cycles) being provided in line with parking standards and maintained throughout the lifetime of the use.

Given that the site can clearly accommodate 7 x spaces with suitable turning areas (which is what Officers consider to be the appropriate level of provision), and notwithstanding the details submitted, it is considered that a condition can be applied that requires the applicant to provide an updated Site Plan showing the required increased number of spaces which are to be laid out prior to occupation.

As such it is judged that subject to appropriate conditions the proposed use 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).

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 a change of use of a former shop (which has Council Tax records as a residential dwelling from August 2001) to a 7 x bedroom self catering holiday let with associated off street parking.

Subject to appropriate conditions, the application has been found to comply with all relevant local development plan policies and other material considerations which include restrictive policies relating to flood risk and heritage conservation under Chapters 14 and 16 of the NPPF respectively.

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

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 8th October 2021

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council