

DELEGATED DECISION REPORT

HPK/2022/0482
Valid 08/11/2022

LAND ADJACENT 149 HIGH
HILL ROAD
NEW MILLS

OUTLINE PLANNING
PERMISSION INCLUDING
ACCESS FOR PROPOSED
SINGLE DETACHED
DWELLING

(OUTLINE - MINOR APPS)

MAIN ISSUES

- Principle of Development
- Design Character and Appearance
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The application refers to a parcel of vacant land to the south of No.149 High Hill Road, New Mills, east of the public highway. No.149 operates as a Newsagents at ground floor level with a residential flat above.

Access to the site currently exists from a private gate on the northern boundary, that opens out on to an area of hard standing utilised by customers of the Newsagents for off-street parking.

To the east of the site are two storey properties on Diglands Avenue, that are situated in a slightly elevated position, with large rear gardens extending south-westwards meeting the eastern boundary of the site.

Unlike previous applications in 2021, the site boundary now extends further southwards including additional land that was the subject of planning approval in 1988. The Application Form shows Certificate A to be completed which confirms that the whole of the site is within the ownership and control of the applicant.

PROPOSAL

Outline planning permission including matters of access, with all other matters reserved, is sought for a single detached dwellinghouse. Matters of Layout, Scale, Appearance and Landscaping are reserved.

The proposal includes the provision of a new vehicular access to High Hill Road on the western boundary as shown on the Indicative Site Plan, which shows the access to incorporate a sharp bend within the site with parking provision made for 2no. vehicles in front of the dwelling which is shown to have a simple rectangular form

with a relatively large footprint orientated with the short side (gable) to face north-westwards and south-eastwards with the longer sides facing north-eastwards and south-westwards presumably on to the associated garden area. No indicative floor plans or elevations or indeed site levels have been submitted for consideration.

Given that the application is in outline form, with matters of Layout, Scale, Appearance and Landscaping reserved, the only plan subject of assessment within this report is the Location Plan.

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
EQ11	Flood Risk Management
H1	Location of New Housing Development
H3	New Housing Development
CF6	Accessibility and Transport

National Planning Policy Framework 2021

Achieving Sustainable Development	Chapter 2
Delivering a Sufficient Supply of Homes	Chapter 5
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12
Meeting the Challenge of Climate Change	Chapter 14

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0001/1667	Proposed erection of four terraced houses and garages (Approved)
HPK/0002/7235	Four terraced houses (Approved 6 th Dec 1988)
HPK/2021/0051	Construction of a terrace of 5no. new houses (Withdrawn)

HPK/2021/0457 Construction of 4no. new houses (Withdrawn)

CONSULTATIONS

Publicity

Site Notice expiry date: 23rd December 2022

Neighbour consultation period ends: 9th December 2022

Press Advert: N/A

Public Comments

1no. neutral comment has been received in connection with this application that makes reference to the fact that the only noticeable difference compared to the previous application is the slight widening of the access, and that this would make little difference in highway safety terms

New Mills Town Council Comments

Applicant is subcontractor working for the Town Council. All Councillors declared an interest and the application was not discussed.

United Utilities

No objections subject to conditions requesting drainage scheme

Derbyshire County Council Highways

No objections subject to following conditions:

1. No development shall commence until a Highway Construction Management Statement / Plan has been submitted to and approved in writing by the Local Planning Authority. The Statement / Plan shall include details specifically relating to:

- Parking for vehicles of site personnel, operatives and visitors
- Site accommodation
- Storage of plant and machinery
- Provision of roadside boundary hoarding behind any visibility zones
- Any proposed temporary traffic management

Only the approved details shall be implemented, which shall be maintained throughout the construction period.

2. No development, including preparatory works, shall commence until the new vehicular access to High Hill Road has been constructed. The junction shall be laid out in accordance with the approved plan(s), constructed to base level, drained and visibility sightlines of 43m measured in each direction to the nearside edge of carriageway, as measured from a point located centrally and 2.4m back into the access. The area within the sightlines shall thereafter be

kept clear of any object greater than 1m in height (0.6m in the case of vegetation) above the nearside carriageway channel level.

3. Prior to the first occupation of each dwelling, space shall be provided for the parking of vehicles associated with that dwelling in accordance with the approved plan(s) and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order or any statutory instrument amending, revoking and/or replacing that Order, such space shall be maintained throughout the life of the development free of any impediment to its designated use.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order or any statutory instrument amending, revoking and/or replacing that Order, any parking spaces and/or garages to be provided in connection with the development shall not be used other than for the parking of vehicles except with the prior grant of planning permission pursuant to an application made to the Local Planning Authority in that regard.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order or any statutory instrument amending, revoking and/or replacing that Order, no gates / bollards / chains / other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority

OFFICER COMMENTS

Principle of Development

The application site lies within the built-up area boundary of New Mills, a settlement identified as one of the larger Market Towns that sit at the top of the settlement hierarchy under Local Plan (LP) Policy S2. Within market towns new development is supported in principle, given the sustainable nature of these settlements which provide for the majority of services, facilities, employment opportunities and public transport links, and are the focus for housing and economic growth.

LP Policy S3 sets out the strategic housing development strategy for the Borough and states that 30-33% of the required housing target will be delivered within the Central Sub-area which includes New Mills, with the aim of 100 dwellings being delivered on small (windfall) sites.

LP Policy H1 supports new housing development on unallocated sites within the built-up area boundary of towns and villages.

Paragraph 69 of the NPPF emphasises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. To promote the development of a good mix of sites local authorities should support the development of windfall sites through their

policies and decisions, great weight should be given to the benefits of using suitable sites within existing settlements for homes.

The application seeks outline planning permission for a single detached dwelling on a site that lies within the built-up area boundary of a larger town which is not constrained by any sensitive statutory designations.

The principle of development is therefore fully supported having regard to LP Policies S3 and H1, and relevant paragraphs under Chapter 5 of the NPPF, subject to an assessment of all relevant planning considerations.

Design Character and Appearance

As the application is in outline form, a full assessment of the proposed development with regards to its siting, layout, scale, appearance and associated landscaping cannot be carried out, having regard to Local Plan Policies S1 and EQ6, Supplementary Design Guidance and relevant paragraphs under Chapter 12 of the NPPF.

Officers have notified the applicant that whilst the Council are fully satisfied that the site can easily and comfortably accommodate a dwellinghouse in a manner that would respect the 'grain' or pattern of development, the orientation of the dwelling as shown on the indicative Site Plan will be required to be amended to better reflect the building line of High Hill Road. It is recommended a suitably worded informative be placed on the Decision Notice to inform the Reserved Matters application.

Amenity

As the application is in outline form which only seeks matters of access, a full assessment of the proposed development and its potential impact on the residential amenity of both future occupiers – having regard to LP Policy H3 and Nationally Described Space Standards – and the residential amenity of neighbouring properties – having regard to LP Policy EQ6, the Residential Design Guide SPD, and relevant paragraphs under Chapter 12 of the NPPF, cannot be carried out.

It is the case that the semi-detached properties to the east of the site are situated on slightly elevated ground, albeit at an approximate distance of 33m. As such, the minimum separation distance of 21m between habitable windows is required to increase by 0.5m for every 1m change in levels.

The Reserved Matters application will need to ensure that appropriate separation distances are achieved, impacts of which can be mitigated by ensuring that there is a slight angle in orientation between the dwellinghouse and rear elevation of properties on Diglands Avenue. A topographic survey showing existing and proposed finished floor levels and Section Drawings will be required.

LP Policy H3 requires all new housing development to provide a high standard of amenity for future occupiers, by demonstrating compliance with Nationally Described Space Standards, published by DCLG (2015). A condition is recommended to ensure that this is adhered to as part of the Reserved Matters application.

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. Suitable off-street parking provision in accordance with guidelines set out under Appendix 1 of the Local Plan should be provided.

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. Paragraph 111 goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

This outline application includes matters of access, which amounts to the creation of a new vehicular access to High Hill Road on the western boundary. Following clarification sought from the Highways Authority with regards to land ownership and the ability to achieve appropriate exit visibility splays, no objections have been raised subject to appropriate conditions.

The site can comfortably accommodate sufficient off-street parking and turning areas to serve the proposed dwelling in accordance with parking guidelines contained under Appendix 1 of the Local Plan.

The public comment makes reference to potential impacts on highway safety. However, in light of the positive comments from the Highways Authority, who do not raise any highway safety concerns, it is considered that the access can be secured without compromising the safe operation of the public highway.

As such, subject to appropriate conditions, it is considered that the proposed development will not result in any adverse harm to highway safety in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

Other Matters

Drainage

United Utilities have not raised any objections to the application subject to an appropriate condition that requires a drainage scheme to be submitted and approved prior to commencement of development. Subject to compliance with this condition, it is considered that matters relating to flooding and drainage have been satisfactorily addressed, in accordance with LP Policy EQ11 and relevant paragraphs under Chapter 14 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 outline planning permission with all matters reserved apart from access for a single detached dwellinghouse on land adjacent to No.149 High Hill Road. The principle of development is supported due to the location of the site within the built-up area boundary of a Market Town that is not constrained by any sensitive statutory designation.

It is not possible to fully assess the design, character and appearance of the dwellinghouse and its relationship with the existing pattern of development and impact on neighbouring properties, due to the lack of floor and elevation plans and that the proposed layout is indicative only. However, it is considered that the site is large enough to accommodate a single dwelling in a manner appropriate for its context, that can, due to the distance to nearest residential properties, be erected in a manner that would preserve the amenity of neighbouring properties. The reserved matters application will consider these issues in detail.

The newly proposed vehicular access to High Hill Road has been found to be acceptable by the Highways Authority, all land is within the red edge and public highway and therefore exit visibility sightlines to be achieved without conflict.

It is considered that this outline application constitutes 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: 6th April 2023

X *J Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council