

DELEGATED DECISION REPORT

HPK/2023/0124
Valid 31/03/2023

41, UNION ROAD, NEW
MILLS, DERBYSHIRE, SK22
3EL

RETENTION OF USE OF FIRST
FLOOR AS 1 BEDROOMED
FLAT

(FULL - MINOR)

MAIN ISSUES

- Principle of development
- Impact on character and appearance of the Conservation Area
- Impact on residential amenity
- Highway safety

DESCRIPTION OF SITE

The site relates to two storey terraced Class E (retail on ground floor and former office use on first floor) building, located fronting onto a main commercial street in New Mills.

The site is bounded to the rear by a service road area used for parking and back yards associated to neighbouring residential/commercial properties. The property sits between number 39 and number 43 Union Road, both mixed commercial/residential properties.



The site lies within the built up area boundary of New Mills and within the Conservation Area, as defined in the High Peak Local Plan.

PROPOSAL

The application seeks full planning permission for the retention of the conversion of upper floor to provide a self-contained one bedroom flat, accessed via the retail shop below. This application does not include any external works in order to facilitate the change of use.

Note: a second planning application has been submitted for a rear access staircase, replacement external door at first floor and timber canopy (retrospective). This will be considered on its own merits and has no bearing on this application.

The residential flat will be accessed via an existing staircase within the shop and lead to the first floor accommodation comprising 1 no. bedroom, a bath/shower room, living room, and kitchen. The bedroom measures 2.46m x 3.07m (7.5 sqm), thereby meets national space standards for a bedroom accommodating a single bed.

The remainder of the ground floor, fronting onto Union Road, will be retained as a commercial unit.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan (Adopted 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
E4 – Change of use of existing business land and premises
H1 – Location of Housing Development
H3 – New Housing Development
CF6 – Accessibility by public transport

National Planning Policy Framework (2021)

Including sections -

1. Introduction
2. Achieving sustainable development
3. Plan-making
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
12. Achieving well-designed places
16. Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2023/0123 Retrospective permission for erection of rear access staircase, replacement external door at first floor and timber canopy – Decision Pending

HPK/0003/2798 Conversion to meeting rooms and offices for new mills volunteer centre – Approved 1993

HPK/0003/2393 Conversion of first floor into flat – Approved 1993

HPK/0002/9197 Projecting illuminated sign – Refused 1990

HPK/0002/7404 Shop Sign – Approved 1989

HPK/0002/6924 New shop window and entrance, new toilet to rear of shop – Approved 1988

CONSULTATIONS

Publicity

Site Notice expiry date: 11 May 2023

Neighbour consultation period ends: 4 May 2023

Public Comments

Objection received from three neighbours stating that works to the rear are not included, will the shop have access into the flat or will it be locked, stairs maybe unsafe, retrospective works are unsightly.

Town / Parish Comments

No objection

Conservation Officer

Objection to alterations to the rear of the property and to the frontage. With no changes to the use of the internal first floor flat, there is confusion why this application is submitted.

Highways Authority

No highway safety comments to make.

OFFICER COMMENTS

Principle of Development

As noted above, the application seeks full planning permission for a change of use to provide a self-contained residential flat above the existing retail unit. Policy H1 promotes the effective reuse of land by encouraging housing development including redevelopment, infill, conversion of existing dwellings and the change of use of existing buildings to housing, on all sites suitable for that purpose. The loss of a relatively small office facility, the changes in working practices and the fact that there are many other office facilities within the town centre leads to conclude that the loss of the facility would not threaten the availability of employment land/premises

within the Local Plan area. The ground floor retail unit is not affected by these proposals.

The location of the site is considered suitable for a residential apartment given its sustainable town centre location and access to public transport. Hence, within the context of Local Plan policies the principle of the development is acceptable.

Character of the Conservation Area / Design / Layout

The NPPF highlights that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

Local Plan policies S1 and EQ6 expect new development to contribute to a sense of place by taking account of the distinct character, townscape and setting of the area and securing high quality and locally distinctive design and amenity. The adopted Supplementary Planning Document on Residential Design 2005, also provides guidance on the approach to new residential development, and the factors which contribute toward local distinctiveness.

In accordance with the provisions of Section 16 of the NPPF and Policy EQ7 of the Local Plan, the proposals are also required to protect any designated heritage assets and their settings. In this case, it is important to consider the impact on the setting of the Conservation Area.

Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 requires that, in assessing planning applications in respect to any land or buildings in a Conservation Area the LPA has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

The application relates to the conversion of the first floor of the existing building requiring no external alterations.

Confusion has arisen with this application as the parallel application submission for the retrospective works at the rear has been held as invalid. This application is a fallback application, should the rear access to the first floor not be approved.

As mentioned by the Conservation officer and objectors retrospective works have commenced at the rear which allows for access to the flat via an external staircase, with canopy and insertion of door –these are unauthorised additions that are seeking to be regularised under application HPK/2023/0123, which is yet to be determined.

This application for the change of use of the first floor into a flat, a use historically approved (HPK/0003/2393) in 1993 and superseded with approval for office use later in 1993. The office space is no longer required, and the use as residential one bedroom unit is supported, as it is considered that this would not be detrimental to the character of the Conservation Area. No external alterations are considered under this application and will be considered under the accompanying application HPK/2023/0123.

The proposal therefore complies with the Local Plan design and conservation policies EQ6, EQ7, S1 and S5 and those outlined in sections 12 and 16 of the NPPF.

Impact on residential amenity

The flat is situated above the existing retail unit. Users and staff of the existing commercial premises at ground floor level will continue to access the building from the Union Road frontage. The occupants of the flat will also access via Union Road by entering the shop and going up the staircase (this may or may not be locked, this is a matter for the landlord to determine - depending on who the tenant is, as they maybe associated to the shop)

There are adjoining ground floor retail uses along Union Road. It is considered that future occupiers of the flat will not be significantly affected by the retail unit below or adjoining premises given that these largely operate during daytime hours.

In terms of the amenities of future occupiers of the development, the 40.7 sqm flat satisfies the nationally described space standard recommendations (1B1P 39sqm) and it is therefore considered that the flat will provide sufficient internal space for the future occupant. All habitable rooms would have an adequate outlook and natural light.

It is considered that the development accords with the requirements of Policy EQ6 of the Local Plan.

Highways safety

The application site is located within New Mills Town Centre, close to all amenities, services and facilities including public transport, and there is a large public car park located within close proximity of the site. One on-site parking space provision is proposed, the site is in a highly sustainable location and there is unlikely to be high demand for parking provision for the type of accommodation sought. The Highway Authority raises no objections.

As such it is considered that the development does not raise any highway safety issues and therefore accords with policy CF6 of the Local Plan and section 9 of the NPPF.

CONCLUSION / PLANNING BALANCE

It is considered that the development would not be harmful to the character of the Conservation Area nor adversely affect residential amenity, or highway safety. All other relevant planning matters have been satisfactorily addressed. The development therefore constitutes a sustainable form of development which accords with Local Plan policies S1 and S1a (sustainability) and the aims of sustainability running through the NPPF. As such it is recommended the application be approved.

OFFICER RECOMMENDATION: APPROVE

Case Officer: P. Twigg

Recommendation Date: 5.6.2023

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council