

DELEGATED DECISION REPORT

HPK/2023/0047
VALID 23/02/2023

LAND TO REAR OF 1 NEW
COTTAGES, GRINLOW
ROAD, HARPUR HILL,
BUXTON, DERBYSHIRE

PERMISSION TO RETAIN
EXISTING SHIPPING
CONTAINER PLACED ON
LAND TO REAR OF 1 NEW
COTTAGES

(FULL - MINOR)

MAIN ISSUES

- Principle of Development
- Design Considerations/Impact on Landscape
- Impact upon Residential Amenity
- Impact on Highway Safety
- Nutrient neutrality

DESCRIPTION OF SITE

The application site relates to land which lies to the rear of No.1 New Cottages on Grinlow Road. The site lies within an area of countryside as defined by the Local Plan Policies Map. The site lies at the end of a row of detached outbuildings to the rear of terraced dwellings which are set back from Grinlow Road. To the rear of the site is the Stanley Moor Local Wildlife Site.

PROPOSAL

The application seeks planning permission for the retention of a shipping container, for use in connection with storage on the land. The container is 12.19m in length, 2.42m in width and 2.59m in height.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan (Adopted 2016)

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S4 Maintaining and Enhancing and Economic Base
- S6 Central Sub-area Strategy
- EQ2 Landscape Character
- EQ3 Rural Development
- EQ6 Design and Place Making
- EQ7 Built and Historic Environment
- E1 New Employment Development
- CF6 Accessibility and Transport

Supplementary Planning Guidance/Documents

Residential Design (2005)

National Planning Policy Framework

Section 6: Building a Strong and Competitive Economy

Section 12: Achieving Well-designed Places

Section 15: Conserving and enhancing the Natural Environment

PLANNING HISTORY

HPK/2023/0046 - Lawful Development Certificate for an Existing Use - B8 Storage or distribution – Granted – 26/06/23

HPK/2018/0131 - Outline application for 4 proposed terraced dwellings – Refused – 11/09/2020. Appeal Dismissed. Relates to adjacent site.

CONSULTATIONS

Publicity

Site Notice expiry date: 06/04/23

Neighbour consultation period ends: 11/05/23

Press Advert: N/A

Public Comments

One letter raising no objection on basis that the container has been sited since they have been a tenant of a dwelling (over 6 years) and has not been of any concern.

Town / Parish Comments

None received

DCC Highways

Based on the submitted information, it is considered that the storage unit will not have a detrimental highway impact subject to the following conditions being included in any consent granted:

The container unit shall be used for the storage of materials and equipment related to the applicant's business only and shall remain ancillary to the applicant's business operation unless otherwise agreed in writing by the local planning authority.

Environmental Health

No observations to make

OFFICER COMMENTS

Principle of Development

The application proposes the retention of a storage container on land which lies within the countryside, as defined by the Local Plan Policies Map.

Policy S1 seeks to support the local economy and businesses by providing for a range of economic development that provide employment opportunities suitable for local people in sustainable locations. Policy S6 encourages the growth of local employment opportunities and supporting the diversification and growth of the local economy by supporting the needs of local employers and businesses. Policy EQ3 supports the redevelopment of a previously developed site and/or the conversion of existing buildings for employment use provided it does not have an adverse impact on the character and appearance of the rural area.

A Lawful Development Certificate has recently been granted which has established that the use of the site for B8 storage and distribution is lawful. The storage container is proposed in association with that use, which is an established brownfield site. The container has been in situ for a number of years, as evidenced by available aerial and streetside imagery. Therefore, its siting may be lawful although only a Lawful Development Certificate would establish this.

It is considered that the principle of development on this site, given its lawful brownfield status in a rural location is acceptable, provided that it does not have any detrimental effect on the surrounding landscape, amenity or highway safety issues.

Design Considerations

Policy S1 states that new development will be expected to make a positive contribution towards the sustainability of communities and where possible enhancing the environment. Policy EQ6 states that all development should be well designed and of a high quality and that this will be achieved by requiring development to be well designed to respect the character of the landscape, and requiring development to contribute positively to an areas character, identity and history in terms of scale, height, density, layout, appearance, materials and relationship with adjacent buildings.

The application proposes the retention of a storage container in association with an existing business which operates a storage and distribution function at the site. The site is located to the rear of a row of terraced residential properties known as New Cottages. The rear area comprises a mix of single storey garages and parked vehicles off a rear access road. Views from the wider area are generally of a visually cluttered area.

The application identifies that the storage container would be sited adjacent to an existing garage, and would be set at a lower height. The garage and other buildings in the row help to provide a built backdrop for the container. While storage containers are somewhat at odds to a rural area, the existing context helps to alleviate this

impact. Furthermore, it is proposed that the storage container be painted green which would help further to reduce its effect on the countryside. In addition, a storage container removes external storage across the site, while also providing an element of security.

With this mitigation in place, which can be secured by condition, it is considered on balance that the retention of the container is acceptable.

Amenity

The container is used for storage in association with a lawful B8 use at the site. The use has been enduring in excess of 10 years and the effects of the use of land on the amenities of nearby properties has been established and Environmental Health have not suggested any requirements for noise attenuation. The development would not affect amenity through loss of light, overbearing, overshadowing while the container allows for internal storage which is beneficial towards outlook.

No adverse amenity issues are foreseen from the development and therefore it is considered to be in accordance with Policy QE6 of the Local plan.

Highway Safety

The does not result in the loss of any parking space, nor does it result in an uplift of activity at the site. No parking or highway safety issues would arise. DCC Highways have suggested that a condition be attached ensuring that the container be used solely for business operations. Any such condition would not pass the test of necessity as an alternative use of the container would require planning permission.

Nutrient Neutrality

The site lies within the catchment of the River Wye which forms the Peak District Dales Special Area of Conservation (SAC). The Council has been notified that action must be taken to address exceedances of phosphorus in the River. As such, the Council cannot grant consent for development unless it can rule out "likely significant effects" on the SAC. A Habitats Regulations Assessment (HRA) will be required when the plan or project creates a source of water pollution or has an impact on water quality and when it is within the catchment of the SAC. Initially, a screening assessment will be required to consider if "likely significant effects" (alone or in-combination) on the SAC can be ruled out. If not, this will be followed by an "Appropriate Assessment" where the impact of the plan or project is considered in detail.

Screening Assessment

The proposal is not directly connected with or necessary for the conservation management of a European site. The proposal will not increase overnight stays. However, the proposal does involve additional roof area and will therefore increase surface water run-off. However, given the very limited extent of the additional roof it will not significantly increase run-off from the site and in turn will not risk having a

significant negative effect on the SAC either on its own or in combination with other proposals and therefore it is not necessary to carry out an Appropriate Assessment.

CONCLUSIONS

It is considered that the proposals would comply with the policies contained within the Development Plan and guidance within the NPPF, and as such it is recommended that the application be approved.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Declan Cleary

Recommendation Date: 04/07/23

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council