

DELEGATED DECISION REPORT

HPK/2023/0219
Valid 31/05/2023

72 ALBION ROAD
NEW MILLS

PROPOSED CHANGE OF USE
OF FORMER RETAIL UNIT,
OFFICE AND WORKSHOP TO
FORM TWO 2 BED
APARTMENTS

(FULL - MINOR)

MAIN ISSUES

- Principle of Development
- Design, Character and Appearance
- Amenity
- Parking Provision and Highway Safety

DESCRIPTION OF SITE

The application relates to No.72 Albion Road, New Mills, a mid terraced split level property constructed of stone that reads as a two storey property facing the principal elevation from the public highway, and a three storey property from a shared, private access to the rear.

The ground floor of the property is a former now vacant retail unit, characterised by a large unsympathetic roller shutter door. Either side of the property in both directions are two storey terraced residential properties, all of which are constructed from a traditional natural stone with slate tiled roof.

As set out on the existing floor plans, the lower ground floor is accessed from the rear, previously functioned as a workshop, with the first floor functioning as ancillary office space in connection with the former retail unit at ground floor level.

For the purposes of the Local Development Plan, the site lies within the built-up area boundary of New Mills, not within the Town Centre as designated by Local Plan Policy CF1, and is not constrained by any statutory designation.

PROPOSAL

The application seeks full planning permission for the change of use of the existing former retail unit at ground floor level with ancillary office space at first floor level, and workshop at lower ground floor level, to 2no. 2 x bedroom apartments, together with associated minor changes to the principal elevation to facilitate this new use.

Revised plans (Rev C) were submitted to address inaccuracies identified on the proposed plans. Further revised plans (Rev D) were then received in response to Officer comments. These plans are subject to assessment within this report.

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
H1	Location of Housing Development
H3	New Housing Development
EQ6	Design and Place Making
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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0000/6558	New shopfront and window (Approved)
HPK/2003/0680	To Fit Dark Blue Roller Shutters To Front Of Shop And Roller Shutters To Rear Workshop Doors (Approved 02/10/2003)

CONSULTATIONS

Publicity

Site Notice expiry date: 3rd August 2023
Neighbour consultation period ends: 28th June 2023
Press Advert: N/A

Public Comments

None

New Mills Town Council Comments

Support

AES Waste

The only comment that I have is that the developer must ensure that there is suitable storage for wheel bins based on the current Council strategy and provision. Each apartment is entitled to two 240ltr wheel bins. Therefore, there must be adequate space for 4 x 240ltrs bins as a minimum.

Environmental Health

No objection subject to conditions.

Derbyshire County Council Highways

I would query the ability for two parking spaces to be provided to the rear of the premises which are accessible; however, should the spaces not be accessible, an objection to a 'car free' development is not considered to be warranted in this instance. It would be preferable for cycle storage facilities to be provided, however, space does appear to be limited. You may wish for the application to include cycle storage facilities.

Based on the above comments, there are no highway objections to the application.

OFFICER COMMENTS

Principle of Development

The application seeks full planning permission for the change of use of a former retail unit, office and workshop to create 2no. 2 x bedroom apartments.

LP Policy H1 relates to the location of new housing development and encourages the re-use and conversion of buildings to facilitate new housing development, as well as new housing development on unallocated sites within the built-up area boundary of towns and villages.

Chapter 5 of the NPPF contains the national planning policies aimed at delivering a sufficient supply of homes. Paragraph 69 identifies that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and that planning authorities should give great weight to the benefits of using suitable sites within existing settlements for homes.

The site lies within a highly sustainable location within the built-up area boundary of New Mills, one of the larger Market Towns within the Borough which supports local

services, facilities, education and employment opportunities, and public transport connections. Local Plan (LP) Policy S2 identifies that location such as New Mills will be the focus for housing and economic growth.

The site is not located within the Town Centre as defined by LP Policy CF1, and as such the protection of ground floor frontages of retail units for such a purpose does not apply.

Having regard to the above policy context, the principle of new housing development in this location and the conversion of a redundant retail/workshop unit that does not lie within the defined Town Centre is acceptable, subject to an assessment of all relevant planning considerations.

Design, Character and Appearance

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, having regard to matters of scale, height, density, layout, appearance and materials.

The High Peak Residential Design Guide SPD (2005) and more recently adopted Design Guide SPD (2018) contains further design guidance for extending and altering domestic properties.

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

The existing building forms part of a row of terraced house, which either side of the site are in residential use, which have a simple consistent uniform character with regards to fenestration layout and appearance. The existing principal elevation is characterised by a shop front with highly unsympathetic roller shutter doors.

As originally submitted, the plans showed the roller shutter door to be replaced by entrance door and new window. Due to the uniform character regarding fenestration layout and scale in neighbouring properties, Officers requested that the design of the proposed window, which as submitted was out of keeping with neighbouring windows, be replaced with a window design that reflected the proportions, scale and appearance of the window situated at first floor level, in the interests of symmetry and good design.

The latest plans (Rev D) accord with this request, and as such, the proposal in its revised form is considered to result in a visual enhancement of the site and wider street scene, by virtue of replacing an unsympathetic roller shutter door with

traditional fenestration design that is typical of the immediate area. As such the development complies with LP Policies S1 and EQ6, relevant Supplementary Design Guidance, and relevant paragraphs under Chapter 12 of the NPPF.

Amenity

LP Policy H3 relates to New Housing Development and requires new developments to provide a high standard of amenity for future occupiers by demonstrating compliance with Nationally Described Space Standards (NDSS). These standards set out the minimum internal floor area of a residential unit based on the number of storeys, number of bedrooms, and occupation, as well as providing minimum standards for the width and overall floor area of single and double bedrooms.

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 plans as originally submitted showed each apartment to be split across two floors, containing a double and single bedroom (3no. person occupancy). Whilst each apartment was found to comply with NDSS in so far as the overall internal floor area, and the size of the double bedrooms, concerns were forwarded to the applicant's agent with regards to both the size and width of the single bedroom, which failed to meet minimum standards.

In response, the revised plans (Rev D) have been submitted which clearly demonstrate that the width of each single bedroom would achieve the minimum 2.15m, and meet or exceed the minimum internal floor area of 7.5sqm.

It is therefore judged that subject to an appropriate condition restricting the occupancy of both residential units to a maximum of 3no. permanent residents, the proposed development will provide a high standard of amenity for future occupiers, thereby demonstrating compliance with LP Policy H3.

Given the lack of physical extension to the principal or rear elevations, minimum distances between habitable windows (21m) in existing and proposed development would be achieved and thus there would be no adverse harm to neighbouring residential amenity, in accordance with LP Policy EQ6, the Residential Design Guide SPD, and paragraph 130 of the NPPF.

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. Off street parking should be provided 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. 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.

The site lies within a highly sustainable location within the built-up area boundary of New Mills, which is well served by public transport links, being within walking distance of two railway stations and a number of bus stops. Moreover the site is within easy access of shops, services and other day-to-day facilities.

The site benefits from a small area to the rear, accessed via a single track that serves the rear of properties on Albion Road, which is shown on the Site Plan to provide 2no. parking spaces equating to one space for each property.

The Highways Authority has queried whether there is sufficient space to the rear of the premises. A site visit has confirmed that, like other properties on Albion Road, and in line with a similar application at a nearby site No.80 Albion Road, determined under HPK/2021/0596, there is sufficient space to accommodate 2no. vehicles and, when taking account of its sustainable location, the level of off-street parking provision is satisfactory having regard to the Council's parking guidelines.

As such, the application is not considered to give rise to any adverse highway safety impacts in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

Other matters

The comments of AES Waste services are noted, however the block plan show an area for the storage of bins to the rear, with sufficient space being provided.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. 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 planning permission for the change of use of a vacant ground floor retail unit with ancillary office use above, and a workshop below, and minor alterations to the front elevation which would facilitate the proposed use.

An assessment of the application has concluded that the principle of development is fully supported, and that in its final revised form (Rev D), the minor alterations to the principal elevation amount to a visual enhancement of the site and its wider context. The proposed residential units would provide a high standard of amenity for future occupiers, and that there would be no adverse harm to neighbouring residential amenity or highway safety.

In light of the above, the application, in its final revised form, has been found to comply with all relevant local development plan policies, and all other material considerations which includes the NPPF, and thus constitutes a sustainable form of development.

Having regard to LP Policy S1a and paragraph 11 of the NPPF, the application constitutes a sustainable form of development and that subject to appropriate conditions, is recommended for approval.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 31st July 2023

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council