

DELEGATED DECISION REPORT

HPK/2023/0100
Valid 28/04/2023

26 30 SYLVAN COURT
UNION ROAD
NEW MILLS

CREATION OF A RAISED
WEATHER CANOPY OVER
OUTDOOR CIRCULATION
SPACE

(FULL - MINOR)

MAIN ISSUES

- Principle
- Impact on designated heritage asset and design
- Impact on neighbour amenity
- Highways

DESCRIPTION OF SITE

The application relates to a mid-terrace building located within New Mills. The building is an apartment block and the front of the building fronts Union Road. The site is adjacent to the River Goyt and The Torrs Riverside Park. The building is located within New Mills Conservation Area.

PROPOSAL

Consent is sought for the erection of a raised weather canopy over the outdoor space on level 2.5 of the building. The canopy will project above the eaves of the adjacent flat roof and pitched roof.

The development proposes to be constructed on steel posts with open sides with a transparent perspex sheet roof.

The development has commenced on site. However, the partially built structure does not appear to reflect the design of the proposed development. However, no information has been provided to state that the intentions are to construct something other than that proposed on the submitted drawings. Therefore, the application has been assessment on the basis of the drawings as submitted.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles

S 1a Presumption in Favour of Sustainable Development

S6 Central Sub-area Strategy
EQ 6 Design and Place Making
EQ7 Built and Historic Environment
CF 6 Accessibility and Transport

National Planning Policy Framework

Section 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant

CONSULTATIONS

Publicity

Site Notice expiry date: 29.06.2023
Neighbour consultation period ends:31.05.2023
Press Advert: 08.06.2023

Public Comments

One letter of representation has been received objecting to the development as the development has already been built and the structure overlooks their garden area.

Town / Parish Comments

New Mills Town Council have no objections.

Environmental Health

No comments to make.

Derbyshire County Council Highways

No objection.

Conservation Officer

Objects to development due to inappropriate design and materials and lack of detail within heritage statement.

OFFICER COMMENTS

Principle of Development

The application site is located within New Mills and is considered to be one of the most sustainable locations identified by the Policy S2 of the Local Plan as being a market town.

New Mills is located within the Central Sub- area and Policy S6 requires new development to promote the sustainable growth of the Central Area, and to reflect the historic character of the settlements, provide increasing range of employment opportunities, promote the growth of a sustainable tourist economy and meets the housing needs of the local community.

The proposed development relates to the erection of a roof canopy over the landing area of the apartments located within the building. The development would not provide any additional living space for occupants but would provide a covered outdoor amenity space. As such the development is considered acceptable in principle.

Impact on character of Conservation Area and Design.

The site is located within New Mills Conservation Area location on Union Road in New Mills.

Policy EQ 6 states that all development should be well designed and of a high quality that responds positively to both its environment and the challenge of climate change, whilst also contributing to local distinctiveness and sense of place and requires that development contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, and the relationship to adjacent buildings and landscape features

Policy EQ 7 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 in accordance with sub area strategies S5, S6 and S7.

Policy S6 states that in the Central Area the council will seek to protect and enhancing the historic environment.

Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The application site is not specifically mentioned within the New Mills Conservation Area appraisal but Union Road is mentioned several times. The site is adjacent to Union Bridge also mentioned within the appraisal. The map detailing Sub Area 7, shows that there are views from the application site across the Torrs and on the Sub area 1 map that views up Union Road are a significant view. Within the appraisal it is

noted at paragraph 2.3 that *“The Union Road approach to the town centre first goes over the Union Bridge where high parapets obscure views down to the Torrs, but give distinct views to the hills to the east and west.”*

The comments from the Conservation Officer have been taken into consideration when assessing the application.

The proposal sees a tall contemporary canopy installed at a very high point above roofline of the main building. The lay of the land in this vicinity sees a drop towards the south on Union Road and in reverse of course this then sees this portion of Union Road quite a lot. The site is visible a points along Union Road as well as being visible from Hurst Lea Road although partly screened at times by tree cover.

The River Goyt affords this area to be fairly open and able to be viewed from various points, this is a concern due to this being a main approach toward the northerly part of the Conservation Area. Consequently, it is seen as being a sensitive area vulnerable to visual conflict.

The proposal is a completely alien and random feature among the local vernacular roofscapes of New Mills and would therefore be viewed as a visually prominent and incongruous addition. The curved roof form and the use of steel posts and transparent perpeX sheeting would be completely alien to the traditional slate roofs and natural stone elevations of the surrounding buildings. The proposal is therefore not considered to protect or enhance the character of the Conservation area and is considered to lead to less than substantial harm.

Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The applicant agent has not demonstrated any public benefits of the development to outweigh this harm.

In addition to the above, paragraph 194 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. The heritage statement submitted within the application fails to identify the potential impact of the development on the significance of the heritage assets.

Amenity

EQ6 of the adopted Local Plan identifies the need to ensure that new development achieves a satisfactory relationship to the existing residents, taking into account factors such as orientation, overlooking, the overbearing impacts of development and visual intrusion.

Due to the internal floor level remaining as existing the proposed development would not result in an additional overlooking or loss of privacy to neighbours. As such although the neighbours' comments have been considered it is not considered that the application would be refused for this reason. In addition, due to siting and proposed building materials the development would not result in any loss of light to neighbouring dwellings.

Highway Safety

Due to the nature of the development, it is considered that the development would have minimal impact on highway safety.

CONCLUSION / PLANNING BALANCE

Therefore, in giving considerable importance and weight to the duties at section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in consideration to NPPF, NPPG and Policies S5 and EQ7 of the High Peak Local Plan it is recommended that planning permission be refused.

OFFICER RECOMMENDATION : That consent be refused.

Case Officer: Rebecca Bowers

Recommendation Date: 21.06.2023

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council