

DELEGATED DECISION REPORT

HPK/2023/0123
Valid 16/06/2023

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

RETROSPECTIVE
PERMISSION FOR ERECTION
OF REAR ACCESS
STAIRCASE, AND
REPLACEMENT EXTERNAL
DOOR AT FIRST FLOOR

(FULL - MINOR)

MAIN ISSUES

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

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 retrospective works to the rear elevation of the building. These works comprise a staircase and external door, required to provide external access to the recently approved first floor flat (HPK/2023/0124).

Currently the converted first floor flat is accessed via the retail shop below.

Note: the planning application was originally submitted for rear access staircase, external door at first floor and timber canopy (retrospective). After consideration amended plans were submitted deleting the canopy element and this retrospective structure will be conditioned for removal.

The ground floor of this building, 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/2023/0124 Retention of use of first floor as 1 bedroomed flat – Approved

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: 25/07/2023

Neighbour consultation period ends: 27/07/2023

Public Comments

Objection received from two neighbours stating that:

- the canopy is not within keeping of the conservation area
- the flat will have access out the back and through the shop, is that permissible
- canopy is unsightly and has no purpose

Town / Parish Comments

No objection

Conservation Officer

In order to make this project more subservient within the Conservation Area, I encourage the removal of the plastic and timber frame canopy as this is unsightly and risks depreciating the vicinity. The staircase can remain.

Highways Authority

No objection

OFFICER COMMENTS

Principle of Development

As noted above, the application seeks full planning permission for a secondary point of access into the first floor flat via the rear of the building.

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. The property owner seeks a second point of access to the flat that does not require the occupant to go

through the shop. Within the context of Local Plan policies the principle of the proposed 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 first floor door and staircase leading to it (the canopy has been removed from the application). The external alterations are supported, as it is considered that the works are not detrimental to the character of the Conservation Area.

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

Impact on residential amenity

The proposed 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). The proposed rear door and staircase will give the option to enter/leave without going through the shop which will improve amenity for future occupiers.

There may be some potential for overlooking of adjoining properties from the landing at the top of the staircase. However, this is too small to form a patio or balcony area. Views to one side will be limited by the building itself and to the other side, the neighbouring premises has a similar staircase with door. The principal window is on a projecting outtrigger and therefore views from the staircase will not be possible. The

outrigger prevents views further down the terrace. To the rear the outlook is over a communal parking area.

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

Highways safety

There are no Highway issues.

CONCLUSION / PLANNING BALANCE

It is considered that the retrospective 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. As such it is recommended the application be approved.

OFFICER RECOMMENDATION: APPROVE

Case Officer: P. Twigg

Recommendation Date: 19.8.2023

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council