

DELEGATED DECISION REPORT

HPK/2023/0250
Valid 04/07/2023

24 LIGHTWOOD ROAD
BUXTON

REMODELING OF THE
INTERNAL LAYOUT OF THE
EXISTING BUILDING TO
PROVIDE PARKING AND THE
REBUILDING OF THE FRONT
ELEVATION.

(FULL - MINOR)

MAIN ISSUES

- Design, Character and Appearance
- Amenity
- Parking Provision and Highway Safety
- Nutrient neutrality

DESCRIPTION OF SITE

The application relates to No.24 Lightwood Road, Buxton, a two storey building situated immediately adjacent to the public highway on its eastern side, on a site which lies within the built-up area boundary of Buxton and not constrained by any sensitive statutory designation.

The building is constructed predominantly of a natural stone, with elements of dark brickwork at the upper reaches of the first floor below the roof. The principal elevation is characterised by a timber door with random ad-hoc openings of various design and sizes across its width. The roof form is of a mono-pitch which is angled away from the highway.

The photographs provided by the applicant and verified by Officers on site show that the existing building contributes negatively to the character and appearance of the street scene and thus any alterations that would visually enhance the site and wider area is welcome.

The building has two storeys. The existing plans show the ground floor to have a main entrance, with the remaining parts of the ground floor divided into smaller rooms/workshops. At first floor level is a larger unit.

PROPOSAL

The application seeks to make alterations to the interior and exterior to the building to enhance its visual appearance and improve its usability as a light industrial unit, which includes the provision of off-street parking for 3no. vehicles.

The proposed plans show that as a result of the works, one unit (Unit 1) at ground floor level would be retained that spans an area of 70sqm. At first floor level, Unit 2 would remain broadly consistent with how it stands at present, with a connecting staircase positioned centrally.

Externally, the plans show the front elevation to be rebuilt in natural stone and changes to the design and layout of windows and doors. Overall the height of the building would be maintained at the same height as existing.

A black cladding would be introduced at first floor level. Minor elements of timber in the form of a new entrance door and cycle storage door would be introduced.

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
EQ6 Design and Place Making
CF6 Accessibility and Transport

National Planning Policy Framework 2021

Achieving Sustainable Development	Chapter 2
Promoting Sustainable Transport	Chapter 9
Achieving Well Designed Places	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 28th August 2023
Neighbour consultation period ends: 2nd August 2023
Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

Derbyshire County Council Highways

The County Council note the existing vehicle access to the site contains a sliding access gate with limited visibility, so the proposal is an improvement in terms of being ungated and a widening the vehicle access point.

After an internal request, I have obtained a copy of the Highway Maintainable at Public Expense (HM@PE) which shows the building line abuts the HM@PE, so to ensure any windows/doors do not open outwards and construction traffic does not impede traffic, it is recommended that the following Conditions/Notes are appended to any consent granted:

1. Before any other operations are commenced, a new vehicular access shall be created to Lightwood Road in accordance with the application drawings.
2. The proposed parking shall be provided in accordance with the application drawing for a vehicle to be parked. Once provided, the space shall be retained free from any impediment to its designated use for the life of the development.
3. There shall be no gates or other barriers on the access/driveway.
4. The proposed access/driveway shall be no steeper than 1:12
5. No development shall take place until a Construction Management Plan or Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for the storage of plant and materials, site accommodation, loading, unloading of goods vehicles, parking of site operatives and visitors, hours of operation, method of prevention of debris being carried onto highway and any proposed temporary traffic management.
6. Notwithstanding the provisions of Town and Country Planning (General Permitted Development) (England) Order 2015, or any statutory instrument amending, revoking and/or replacing that Order, any doors/windows shall not open across or project over the adjacent highway at the time.

OFFICER COMMENTS

Principle of Development

The application seeks full planning permission for alterations to an existing workshop/light industrial building that in the absence of any planning history has an extant lawful use as such. The site lies within the built-up area boundary of Buxton, one of the larger Market Towns that sits at the top of the settlement hierarchy under Local Plan (LP) Policy S2. Buxton is identified as an area which will be the focus of housing and economic growth, and is not constrained by any sensitive statutory designation.

As such, the principle of development is acceptable subject to a detailed 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 altering existing buildings, and the appropriate choice of materials.

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

The site lies within the lower Fairfield area of Buxton. The existing building has a principal elevation with a layout of ad-hoc windows doors and openings that contrast and conflict with each other, with little symmetry or rhythm, are in poor condition and wholly unsympathetic. The appearance of the building contributes negatively to the overall character and appearance of the building and wider street scene. Any opportunities therefore to improve the aesthetics of the building and, as a consequence, the wider area, should therefore be welcomed.

The application proposes alterations that introduces a contemporary material in the form of black metal cladding at first floor level and smaller elements of timber cladding to the ground floor entrance doors. The application is supported by indicative 3D artistic impressions which supplement the Proposed Elevation Plans.

Section 7 of the Design Guide SPD (2018) refers to 'Materials' and makes clear that there is no tradition of cladding within the High Peak.

It is accepted that the introduction of contemporary cladding to this building is not conducive to the building traditions of the High Peak and would introduce a new

material to the local street scene. In many situations, this contemporary material would not be appropriate, particularly in more sensitive areas (e.g. conservation areas).

However, it is considered that in this case, the contemporary cladding can be justified when considering the existing appearance of the building's exterior which contributes negatively to the character and appearance of the street scene. In this specific case, the proposed alterations would amount to a visual enhancement of the building.

In addition, the building would continue to retain a degree of natural stonework, and thus continues to have a visual relationship with its surrounding buildings, which are predominately finished in stone, and respect the existing character of the area.

The layout of openings as a result of the proposed alterations would introduce a more regularised and symmetrical appearance which would reflect surrounding buildings, including residential properties and provide a visual enhancement, when compared to the random and ad-hoc layout of existing openings, that are in poor condition.

The applicant has clarified that the parking area would be secure by way of some form of roller shutter and access gate. Whilst in more sensitive areas this would cause potential issues from a design perspective, it is considered that in this instance due to the low sensitivity of the area, this form of security and access is acceptable and would not result in any material harm to the street scene.

In summary, in this specific context, the introduction of more modern contemporary metal and timber cladding can be justified, and that the proposed alterations would result in a significant visual enhancement to the building, that would contribute positively to the character and appearance of the building and wider street scene. The development would therefore comply with LP Policies S1 and EQ6, relevant Supplementary Design Guidance and relevant paragraphs under Chapter 12 of the NPPF.

Amenity

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 alterations 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 site lies within the built-up area boundary of Buxton within an area that is predominantly residential. Whilst there are no changes proposed to the height of the existing building, consideration is required to the amenity of nearby residential properties due to the change to the scale and positioning of windows.

The site is located south of a garage which has been vacant for a number of years. The elevation of this neighbouring site that faces the northern elevation of No.24 Lightwood Road does not contain any habitable windows and as such the newly introduced windows to the northern elevation would not result in any adverse harm to the amenity of this neighbouring commercial premises.

No.1 Ash Terrace lies immediately adjacent to the site on the opposite side of Lightwood Road and comprises an end of terrace property which is orientated at right angles to the building subject of this application, with the side elevation and a rear amenity yard area fronting the highway. The side elevation contains an obscure glazed window which is understood to serve a bathroom. Given the fact that one of the replacement windows in the western elevation would be of a larger scale and depth would directly overlook the rear yard area of No.1 Ash Terrace (along with other in the this row of terraced houses), it is recommended that a condition be applied that requires this window to be obscure glazed and permanently fixed shut.

Subject to this condition, it is concluded that the proposed alterations would not result in any adverse harm to the amenity of any neighbouring land use or residential property, in accordance with LP Policy EQ6, the Residential Design Guide SPD and paragraph 130 of the NPPF.

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 and provides suitable off-street parking provision 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 a 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 existing building has a main vehicular access directly on to Lightwood Road which is far from ideal given it immediately abuts the highway. The proposed development seeks to amend, and improve this access, providing two way access into a ground floor parking and turning area, that provides for 3no. off-street parking spaces.

The introduction of 3no. vehicular spaces and a widened and improved access that allows for cars to wait before entering the public highway is a clear and obvious improvement or enhancement to highway safety. The Highways Authority have stated that there are no objections subject to conditions, which includes a pre-

commencement condition requiring a Construction Management Plan to be approved.

The plans and images appeared to show a brick wall underneath the vehicular entrance canopy, which if correct, would prevent access to the car parking area. The applicant's agent has clarified that this is a roller shutter security door. In order to ensure that parking can be accessed, it is recommended that a compliance condition be applied to ensure that this is the case.

Subject to compliance with these recommended conditions, it is considered that the proposed development would not result in any adverse harm to highway safety, and to some degree would result in a minor enhancement to highway safety, in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

Other Issues

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 or surface water run-off from the site. Therefore it 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.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework.

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 permission for internal and external alterations to an existing two storey light industrial building that lies within the built-up area boundary of Buxton in the lower Fairfield area. It is not constrained by any statutory designation and does not display any noticeable or high quality architecture, having an overall low sensitivity to change.

An assessment of the application has concluded that in this specific case, the introduction of contemporary materials is acceptable due to the significant visual enhancement that would occur as a result, and that there would be no adverse harm to residential amenity or highway safety.

In conclusion, the application is considered to constitute a sustainable form of development that complies with the Local Development Plan. In line with LP Policy S1a and paragraph 11 of the NPPF the application is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 31st August 2023

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council