

DELEGATED DECISION REPORT

HPK/2023/0204
Valid 07/07/2023

MARKOVITZ BUILDERS
MERCHANTS LTD PARK
ROAD
HADFIELD
GLOSSOP

DEMOLITION OF TWO
EXISTING BUILDINGS AND
ERECTION OF REPLACEMENT
RETAIL / STORAGE BUILDING,
PARTIAL DEMOLITION AND
ALTERATIONS TO EXISTING
TRADE COUNTER BUILDING
AND AMENDMENTS TO
FRONT BOUNDARY WALL
AND ACCESS

(FULL - MINOR)

MAIN ISSUES

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

DESCRIPTION OF SITE

The application relates to a site with an area of some 0.9ha which is home to an existing well established builders merchants yard adjacent to Park Road, Hadfield operated by 'Markovitz Builders'.

The site benefits from an existing gated access to the public highway which runs in a north-south direction to the west of the site. Parking is allocated to the front of and within near proximity to the trade counter, with a large yard area beyond.

The site contains a number of buildings, comprising a two storey brick building situated near the entrance, operating as a trade counter and retail unit, constructed in buff coloured brick, 4no. smaller detached buildings all with mono-pitched roofs situated more centrally within the plot, and a larger portal framed building used for storage which is situated adjacent to the north-eastern boundary.

The wider context is characterised by residential development to the west adjoining Park Road, with rural agricultural land to the south and east. The majority of the site lies within the built-up area boundary of Hadfield, with the far north-eastern fringes of the site situated within the Green Belt.

PROPOSAL

The application seeks full planning permission for the following aspects of development:

- Demolition of 2no. existing buildings
- Erection of replacement retail/storage building
- Partial demolition and alterations to existing trade counter building
- Amendments to front boundary wall and access

The two buildings to be demolished are referred to on the Site Plan as Building No.2 and Building No.4. The replacement building is shown to span a length of some 30m and depth of 7.5m which runs parallel with the site boundary, broadly on the site of Building No.4.

The replacement building would be constructed from a steel portal frame clad in powder coated profile grey sheeting to the walls and roof. The north western elevation of the building would be blank whilst the south eastern elevation is shown to be fitted with 3no. glazed openings. The majority of this building would function and operate as a retail/trade counter, with the remaining space dedicated to storage. 3no. parking spaces would be provided in conjunction with this new building.

The existing trade counter/storage building at the front of the site (Building No.1) is shown to be altered in so far as the front entrance porch and stepped approach removed, having an amended function solely for storage purposes.

The site has been subject to a number of recent planning applications, as set out within the Planning History section, all of which are extant and are material to the assessment and determination of this application.

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
- E1 New Employment
- EQ6 Design and Place Making
- EQ10 Pollution and Unstable Land
- CF6 Accessibility and Transport

National Planning Policy Framework 2023

Achieving Sustainable Development	Chapter 2
Building a Strong Competitive Economy	Chapter 6
Promoting Sustainable Transport	Chapter 9
Making Effective Use of Land	Chapter 11
Achieving Well Designed Places	Chapter 12
Conserving and Enhancing the Natural Environment	Chapter 15

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0001/4599	For Proposed Storage Building For Pre-packed Fuel And Building Materials In An Area Already Used For Storage Of Same Materials (Approved)
HPK/0001/5371	For Proposed Storage Building For Pre-packed Fuels And Building Materials, In An Area Already Used For Storage Of Same Materials (Approved)
HPK/0003/3026	Extension and alterations to form additional shop area (Approved 11/11/1993)
NMA/2021/0021	Application for a non-material amendment following a grant of HPK/2019/0460 to allow a front entrance porch to be added to the building (Withdrawn)
HPK/2022/0026	Alterations and extensions to existing builders merchants building with associated alterations to front boundary wall and access (Approved 22/08/2022)

CONSULTATIONS

Publicity

Site Notice expiry date: 10th October 2023
Neighbour consultation period ends: 7th August 2023
Press Advert: N/A

Public Comments

2no. neutral comments have been received that raise the following points:

- Inaccuracies on Site Plan
- Deliveries should access the site from Cemetery Road and not via Park Road
- Sign directing HGV's up Park Road is being ignored

Town / Parish Comments

N/A

Environmental Health

No objections subject to conditions

Derbyshire County Council Highways

The County Council note a previously approved application for this site under HPK/2022/0026 where the following advice was provided:

“The information submitted with the application refers to two previous applications, indicating that the alterations to the access have already been approved. Whilst the layout does indeed appear similar, this latest submission indicates parking spaces within the opening/closing arc of the gates. Such spaces would be unusable. It is noted that the gates now open outwards from the site rather than inwards as would generally be specified. As this is not over the highway and there is still a reasonable distance between the highway and the opening arc of the gates, the Highway Authority is prepared to accept this in this instance. In view of the history of the site, providing the remaining off-street parking provision accords with your Authorities parking standards, there are no objections to the proposal.”

The latest application has provided drawing number 2019-2480-Rev C which has removed one parking space in close proximity to the arc gates, but still propose parking spaces which are only available when the gates are opened.

Therefore, the access alterations have already been agreed in principle so (as previously recommended under reference HPK/2022/0026, no objection subject to conditions.

OFFICER COMMENTS

Principle of Development

The site amounts to previously development (brownfield) land that lies predominantly within the built-up area boundary of Hadfield, with the area of land that lies in the open countryside and Green Belt not subject to any proposed development. Hadfield is identified under Local Plan (LP) Policy S2 as a Larger Village which are stated as having a capacity to accommodate development of a modest scale.

LP Policy E1 relates specifically to new employment development, and states that new business and industrial development in sustainable locations will be supported, through encouraging the redevelopment and intensification of existing sites within the built-up area where it would not create undue harm to the character, appearance and amenity of the area.

Chapter 6 of the NPPF contains relevant national planning policies aimed at building a strong competitive economy. Paragraph 81 states that policies and decisions

should help create the conditions in which business can invest, expand and adapt, and that significant weight should be placed on the need to support economic growth, taking into account both local business needs and wider opportunities for development.

Chapter 11 of the NPPF contains national planning policies that encourage and promotes the prioritisation of previously developed (brownfield) land.

Having regard to the above policy context, and the recent planning history associated with the site, the principle of development is fully supported 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.

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 recent planning application approved under HPK/2023/0026 granted permission for extensions and alterations to the existing trade counter and retail unit that would see this existing building enlarged.

This application seeks to retain the existing built form of this existing building near to the entrance, which includes minor alterations, and erecting a building with a considerable width in place of two existing buildings, transferring and re-purposing the functions and roles of buildings within the employment unit.

The proposed building, whilst having an extensive width, it would nevertheless continue to respect the existing pattern of development both within the site and its immediate surroundings, and be of a scale and height that respects that of existing buildings on site and nearby residential properties. Due to the fact that there would be little to know public views of this new building and having regard to the existing character and appearance of building on site, the choice of materials and overall visual appearance of the replacement building is considered to be acceptable for its immediate and wider context.

Similarly, minor changes to the existing trade counter building and minor changes to the boundary treatment immediately adjacent to the public highway is not considered to result in harm to the character and appearance of the site.

In light of the above, it is considered that the siting, scale, height, massing and visual appearance of the proposed development is appropriate for its context and aligns with the design principles set out under LP Policies S1 and EQ6, and paragraph 130 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.

LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.

Paragraph 130 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

Paragraph 185 of the NPPF states that policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, and should amongst other things mitigate and reduce to a minimum potential adverse impacts resulting from noise, and limit light pollution from artificial light.

The site lies within relatively close proximity to neighbouring residential properties, and therefore any redevelopment or intensification of the site must be carefully considered.

The proposed development results in a similar scale of redevelopment than that considered and approved under HPK/2022/0026, with the layout and function of the site being altered, in the form of a new larger building rather than extensions to the existing.

Given the siting of the proposed new building further away from residential properties than other buildings within the site and the fact that the large site has a long established light industrial use, it is not considered that the proposed development would give rise to any adverse impacts to the amenity of neighbouring residential properties or indeed the general public, subject to appropriate conditions as recommended by the Environmental Health Officer and relevant conditions that are consistent with the previously granted consent.

Subject to such conditions the application is considered to accord with LP Policies EQ6 and EQ10 and relevant policies contained under Chapters 12 and 15 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 130 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

The Site Plan shows the provision of 3no. customer car parking spaces adjacent to Building No.3, which combined with a further 5no. spaces near to the entrance totals 8no. customer car parking spaces. Staff car parking is retained to the west of the proposed building.

The Highways Authority have considered the proposals within the context of extant planning permissions issued recently and confirmed that in light of these extant permissions, there are no objections to the current proposals subject to appropriate conditions.

Having regard to these comments from the Highways Authority, the proposals are considered to provide an appropriate level of off-street parking provision, and do not give rise to any adverse impacts relating to highway safety in accordance with LP Policy CF6 and paragraph 110 of the NPPF.

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 development associated with a well established light industrial builders yard which is predominantly located within the built-up area boundary of

Hadfield with a small proportion of the site (not connected with this application) situated in the countryside and Green Belt.

The principle is fully supported by LP Policy E1 and relevant policies contained under Chapter 6 of the NPPF. An assessment of the application has found that the proposal is compliant with all other relevant local development plan policies and other material considerations which includes the NPPF, subject to appropriate conditions.

As such, the application is considered to constitute a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF is recommended for approval.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 17th October 2023

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council