

DELEGATED DECISION REPORT

HPK/2023/0525
Valid 19/12/2023

ROCKHEAD BUSINESS
PARK STADEN LANE
BUXTON

ADDITIONAL STORAGE
BUILDING IN FAR SIDE OF
YARD, TO FACILITATE DRY
STORAGE OF GOODS AND
MACHINERY

(FULL - MINOR)

MAIN ISSUES

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

DESCRIPTION OF SITE

The application relates to a small area of an existing yard associated with an established builders merchants (B8 Use) that lies within the Rockhead Business Park, accessed via Staden Lane, Buxton and designated as a Primary Employment Zone by virtue of Local Plan Policy E3.

The site is accessed via a ramp from the north with the existing builders merchant building having a rectangular form sat to the south of the site with the large yard area utilised for storage and parking sitting to the north. The site is bounded by agricultural land to the east with neighbouring industrial and office development situated to the west and north.

PROPOSAL

The application seeks full planning permission for a new storage building to be located in the existing yard area towards the northern fringes of the site.

The proposed single storey building is shown to have a simple square form, having an approximate width and depth of 10m, reaching a modest eaves height of 3.1m, with a dual pitched roof reaching an approximate height of 4.1m.

The building would be used in ancillary to the main builders merchants building, consisting of a steel portal frame, with a powder coated steel profiled anthracite grey sheeting, with similar coloured rainwater goods, and fenestration.

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
- S4 Maintaining and Enhancing an Economic Base
- S7 Buxton Sub-area Strategy
- E1 New Economic Development
- E3 Primary Employment Zones
- 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
Achieving Well Designed and Beautiful Places	Chapter 12
Conserving and Enhancing the Natural Environment	Chapter 15

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

The site has been subject to an extensive planning history, The following has occurred since 2000:

HPK/2002/0593	7no. Industrial Units (Approved 09/09/2002)
HPK/2007/0066	New Industrial Unit (Approved 27/03/2007)
HPK/2007/0511	Modification To Existing Approved Building, Introduction Of New First Floor (Approved 06/09/2007)
HPK/2008/0121	Change of Use to Builders Merchant and Erection of Buildings (Approved 22/04/2008)

CONSULTATIONS

Publicity

Site Notice expiry date: 5th February 2024

Neighbour consultation period ends: 10th January 2024
Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

Environmental Health

No comments received

Derbyshire County Council Highways

Considering the scale of the additional storage, it is considered that there will be significant increase in vehicle movements, or any at all, generated by the site and on that basis, there are no highway objections.

OFFICER COMMENTS

Principle of Development

The application site lies within the built up area boundary of Buxton, one of the larger Market Towns in the Borough that sits at the top of the Settlement Hierarchy under Local Plan (LP) Policy S2, such settlements being the focus of housing and economic growth. The site also lies within the Staden Lane Industrial Estate, which is designated under LP Policy E3 as a Primary Employment Zone.

LP Policies E1 and E3 supports development associated with the expansion and growth of existing industrial and commercial businesses within Primary Employment Zones. Chapter 6 of the NPPF contains relevant policies dedicated to building a strong competitive economy. Paragraph 85 states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The proposed development would function as an ancillary storage unit for a well established builders merchant and thereby supports the aims and objectives of the Local Plan and Chapter 6 of the NPPF.

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 135 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 proposed building is of a modest scale and height which is positioned in an area that has a strong spatial and visual relationship with the much larger parent building and larger neighbouring industrial units. The choice of materials is consistent and appropriate with the functional and practical nature of the proposed building, and would not look out of keeping with the overall urban and industrial character of the area.

As such, the proposed development is considered to be of an appropriate scale, height, massing and visual appearance that aligns with the design principles set out under LP Policies S1 and EQ6, 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.

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

Paragraph 191 of the NPPF states that 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.

The site lies in a heavily industrialised area at the eastern fringes of Buxton, that is designated as a Primary Employment Zone and within a considerable distance of any neighbouring residential dwellinghouse. As such, given the modest scale and ancillary nature of the proposed storage building, and the industrial context in which it is located, it is not considered that the proposal would give rise to any adverse impact on public or residential amenity, in accordance with LP Policies EQ6 and EQ10, and relevant paragraphs 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 114 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 115 states 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 proposed building would be used for storage in ancillary manner to the existing builders merchants and would not operate as a separate commercial unit. As such, it is not anticipated that any further vehicle movements would be generated and in line with comments provided by the Highways Authority, it is considered that the proposed development would not result in any harm to highway safety, in accordance with LP Policy CF6 and paragraph 114 of the NPPF.

Other Matters

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. However, the proposal does involve additional roof area and will therefore increase surface water run-off. However, given the very limited extent of the additional roof and the fact that the area is already hard surfaced it will not significantly increase run-off from the site and in turn 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. 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 full planning permission for a small scale storage building that would be ancillary to a large well established builders merchants, on a site that lies within the Staden Lane Primary Employment Zone. The proposal fully supports the aims and objectives of LP Policies E1 and E3, and relevant paragraphs under Chapter 6 of the NPPF by virtue of encouraging the growth and expansion of a local business, and is thus supported in principle.

A detailed assessment of the application has found that the proposed development would be of an appropriate design and appearance that is of an appropriate scale, height, massing and visual appearance that respects the industrial character of the area. The proposed building would preserve the amenity of the public and any residential property and not give rise to any unacceptable impacts to highway safety.

As such, the application is considered to comply with all relevant Local Development Plan policies and other material considerations including relevant paragraphs contained within the NPPF. 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: 7th February 2024

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council

