DELEGATED DECISION REPORT

HPK/2023/0496 **VALID 02/01/2024**	**2 LEA BANK, ST MARYS ROAD, NEW MILLS, DERBYSHIRE, SK22 3BW**	**PROPOSED DROPPED KERB AND FORMATION OF OFF-ROAD PARKING FACILITY (FULL - HOUSEHOLDER)**

MAIN ISSUES

- **Principle of Development**
- **Design Considerations (including Heritage Assets)**
- **Impact upon Residential Amenity**
- **Impact on Highway Safety**

DESCRIPTION OF SITE

The application site is located within the settlement boundary for New Mills as defined by the Local Plan policies map. The site relates to a two storey semi-detached dwelling which is located within a predominantly residential area. The dwelling is set back from St Mary's Road, located on higher ground than the highway. The front of the property comprises a front garden, set behind a stone wall, with stepped pedestrian access. To the north of the semi-detached pairing is a row of terraced properties, of fairly recent construction. These are set back from the highway with parking to the front behind a stone wall. To the south is a detached dwelling with flank gable positioned at the back of the pavement. The site is adjoined by the New Mills Conservation Area and lies within its setting.

PROPOSAL

This application proposes the creation of a dropped kerb and off street parking to the front of the dwelling. To facilitate the parking area, the existing boundary wall would be removed, while engineering operations, to lower the land would be required with tarmac hardstanding provided. A new retaining wall, deeper in the plot, would be proposed, with new stepped access to the upper land level. No elevations or sections of the engineering operations have been provided.

A separate planning application to create a dropped kerb and off street parking for the adjacent dwelling, No.1 (HPK/2023/0495) is also under consideration.

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
CF6 Accessibility and Transport

Supplementary Planning Guidance/Documents

Residential Design (2005)
High Peak Design Guide (2018)
New Mills Character Appraisal (2008)

National Planning Policy Framework

Section 12: Achieving Well-designed and beautiful Places
Section 16: Conserving and enhancing the Historic Environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0001/1134 – For proposed pedestrian access to be widened to form vehicular access – Refused

CONSULTATIONS

Publicity

Site Notice expiry date: 30/01/24
Neighbour consultation period ends: 25/01/24

Public Comments

None received

Town / Parish Comments

None received

DCC Highways

The County Council note that the proposed dropped kerb and formation of an off road parking space (as per submitted location plan & site plan) would have very little visibility in a north west direction (no visibility information has provided in either direction on any submitted drawing) onto St Mary's Road (public highway) due to an adjacent wall. The proposed parking layout also show vehicle parking at an oblique angle which further hampers vehicle access onto and off the site which does not benefit from any on-site turning facilities.

Therefore, the Highway Authority recommends the application be refused on the grounds that:

The proposals, if permitted, involving the creation of a new vehicular access to St Mary's Road (Non Classified highway), will introduce traffic movements to and from the public highway as a point where the exit visibility is severely restricted due to boundary walls and third party land and the proposed layout will thereby lead to a danger and inconvenience to other highway users

OFFICER COMMENTS

Principle of Development

The application proposes householder development within the settlement of New Mills. Policy S6 confirms that within the Central Sub Area sustainable growth will be promoted which reflects the historic character of the settlements, provides increasing range of employment opportunities, promotes the growth of a sustainable tourist economy and meets the housing needs of the local community.

Householder development in such locations is considered to be acceptable, as a matter of principle, subject to in this instance, matters relating design, including the setting of heritage assets, amenity and highway safety.

Design Considerations (including impact on Heritage Assets)

Policy S1 states that new development will be expected to make a positive contribution towards the sustainability of communities and where possible enhancing the environment which would be achieved by, inter alia, securing high quality and locally distinctive design and protecting the historic environment. Policy EQ6 states that all development should be well designed and of a high quality and that this will be achieved by requiring development to be well designed to respect the character of the townscape, and requiring development to contribute positively to an areas character, identity and history in terms of scale, height, density, layout, appearance, materials and relationship with adjacent buildings.

Further guidance for extensions is contained within the High Peak Residential Design Guide SPD (2005), and the Design Guide SPD (2018).

The Residential Design SPD (2005) provides some guidance, and at 5.12 advises that *"traditional dwellings were not designed with cars in mind but established building forms with some modification can sufficiently accommodate cars. Since car parking can have a significant effect on the quality of environment, options need to be explored to best mitigate the dominance of parked cars"*. 5.12.2 states that *"driveways and curtilage parking (where vehicles are parked in front or to the side of the dwelling) must be treated with care to reduce the visual impact of vehicles".* With regard to boundaries, the SPD states at 6.7 that *"a front boundary provides clear separation of public and private space, helping to frame the street. The move towards open plan layouts in the twentieth century is not favoured today. The traditional gritstone wall is universal in the Borough".*

The Design Guide SPD (2018) at 4.19 states that *"the omission of boundary walls from a development results in an environment that looks alien to the area. Similarly, insensitive alterations to the character of a street or public domain such as road*

improvements, signage, lighting and clutter can be very harmful". extensions should harmonise with the parent building and should respect the dominance of the original building, being subordinate to it in terms of size and massing.

Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance. The application site is located adjacent to the New Mills Conservation Area and as such is within its setting.

The adjacent dwelling Lea House, land on the opposite site for St Mary's Road, and land surrounding St Mary's RC Church to the north are all located within the New Mills Conservation Area. The application site is clearly within the setting of the Conservation Area. There is a statutory duty, under s.72 of The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.

The New Mills Character Appraisal identifies the adjacent St Marys Roman Catholic Church significantly contribute to the townscape quality of the conservation area and the character of sub-area 5 (High Lea Park). It is considered that the significance of the heritage asset, insofar as it relates to the application proposals, relates to the historic pattern of development reflecting the towns early development.

It has been identified that the application site lies within the immediate setting of the Conservation Area. Properties along this part of St Mary's Road are generally set behind stone boundary walls and, in the case of Lea House adjacent, its flank gable of stone construction which are located at the back of the pavement. The established boundary treatment within the Conservation Area, contribute positively towards the character and appearance of the area, and inform its significance. The application site, although outside of the Conservation Area boundary, has a tall stone wall, with detailed coping and its height and design, represents a continuation of this prevailing boundary treatment. There is no stark transition between land which lies within the Conservation Area and land beyond. The application site therefore makes a positive contribution to the setting of the Conservation Area.

The application would remove the existing front boundary wall in its entirety. Given that this is a positive feature within the setting of the Conservation Area it is considered that its removal would have a harmful effect on the character and appearance of the area, and the setting of the Conservation Area. The proposed wall would be replaced by an open frontage and off street parking area, with the plans indicating a tarmac surfacing treatment. The open frontage to facilitate parking would result in parked cars being visible and prominent within the streetscene. This would represent a form of development which would appear incongruous within the street. It is noted that there is forecourt parking in the development to the north. However, these are set behind a stone wall with landscaping and, as such, are no directly comparable to the open frontage proposed.

Full details of the engineering operations have not been provided to demonstrate the extent of works proposed. However, the plans show that a new retaining wall is proposed deeper in the plot which is indicated to be constructed from reclaimed materials from the existing wall. While the use of such materials would be

encouraged this would not be sufficient to make the scheme in any way acceptable. As identified above the established character is of boundary walls at the back of the pavement and the existing wall is a positive characteristic.

For the reasons identified above, the proposed development would have a harmful effect on the character and appearance of the streetscene and would remove elements which contribute positively towards significance. The scheme proposes a form of development which fails to preserve and enhance the setting of the Conservation Area and, as such, would affect the significance of the heritage asset.

It is therefore considered that the proposed development would cause less than substantial harm to the significance of the conservation area, due to erosion of its setting. Great weight is attached to harm to heritage assets, and ought only be approved where there are public benefits which outweigh the harm.

In this instance, the benefits of the scheme are largely private. It is acknowledged that the plans show that there would be electric vehicle charging points provided. This would provide some public benefits through seeking to tackle the effects of climate charge and moving towards a low carbon future. Nonetheless, the public benefits would not be so significant to outweigh the harm identified.

The development therefore conflicts with the Policies of the Development Plan and guidance contained within the NPPF.

Amenity

Policy EQ6 requires development achieve a satisfactory relationship to adjacent development and not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The nature of the development would not give rise to any adverse amenity issues regarding loss of light, privacy, overlooking, overbearing or visual intrusion. It is acknowledged that there would be noise and disturbance created during construction, however this would be for a relatively short time and not so significant to have a detrimental effect on living conditions.

Highway Safety

LP Policy CF6 ‘Accessibility and Transport’ seeks to ensure that new development can be safely accessed in a sustainable manner and minimise the need to travel, particularly by unsustainable modes. Policy EQ6 requires that the design of development provides well integrated car parking.

The proposal would provide off street parking to the front of the premises. The depth of the land to the front of the property created would be 4.32m. This would be of insufficient depth to provide parking for a car and, as shown on the submitted plans, vehicles would have to park at an angle to ensure that there would be no overhang of the pavement. This is an unacceptable arrangement and any overhang may push

users of the footpath onto the public highway which would represent potential harm to public safety.

The site does not provide sufficient space for vehicles to manoeuvre off site and therefore vehicles would have to carry out a reversing manoeuvre either onto or from the public highway. The geometry of the road, topography and existing boundary features means that visibility would be restricted. Therefore, for these reasons the scheme would not provide safe access from the public highway.

The application has been reviewed by DCC Highways who have advised that there would be limited visibility and hampered vehicle access. As such, they have advised that the access arrangements are unacceptable and would lead to a danger to highway safety and inconvenience to other road users.

The scheme would therefore be contrary to the Development Plan and guidance contained within the NPPF.

CONCLUSION / PLANNING BALANCE

It is considered that the proposals would fail to comply with the policies contained within the Development Plan and guidance within the NPPF, and as such it is recommended that the application be refused.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Declan Cleary
Recommendation Date: 21/02/2024

X B.J. Haywood

Signed by: Ben Haywood

On behalf of High Peak Borough Council