

DELEGATED DECISION REPORT

HPK/2024/0266
Valid 08/07/2024

76 MARKET STREET
NEW MILLS

RETROSPECTIVE
APPLICATION FOR THE
CONSTRUCTION OF A NEW
OUTBUILDING TO THE REAR
OF THE ORIGINAL PROPERTY

(FULL - MINOR)

MAIN ISSUES

- Design
- Impact on Conservation Area
- Amenity

DESCRIPTION OF SITE

The application site relates to a restaurant at 76 Market Street New Mills, the site lies within the built up area boundary of New Mills and sits within New Mills Conservation Area, which is also subject to an Article 4 Direction.

The building at 76 Market Street, has a history as a restaurant, and had been vacant for a period of time with signs of neglect with some of its windows boarded up.

The new owners, a local established Indian restaurant business, took over the building and have refurbished the interior and provided new signage to the exterior. The restaurant has now been open for several months.

The application site lies at the southern end of Market Street, the commercial centre of New Mills, close to the junction with Union Road and Hague Bar road. These are the three principal shopping streets, characterised by shop units, pubs, and some employment units.

PROPOSAL

The application seeks retrospective permission for the construction of an outbuilding to the rear of the premises. As part of the restaurant's refurbishment works, an existing masonry outbuilding to the rear was demolished and replaced with a timber framed and metal clad outbuilding, used for the storage of food. No photographs are available of the now demolished masonry outbuilding.

This building was brought to the attention of High Peak as a possible breach of planning and the enforcement team have investigated. As a result the applicant was advised to reduce the height of the outbuilding and to apply for planning approval retrospectively.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
EQ 6 Design and Place Making
EQ 7 Built and Historic Environment
CF 6 Accessibility and Transport

National Planning Policy Framework

Chapter 2: Achieving Sustainable Development
Chapter 12: Achieving Well Designed Places
Chapter 16: Conserving and enhancing the historic environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0001/7916 - proposed Incorporation Of Adjoining Empty Cottages Into Licensed Premises And Alterations To External Elevation

CONSULTATIONS

Publicity

Site Notice expiry date: 23/08/2024
Neighbour consultation period ends:23/08/2024
Press Advert: 18/07/2024

Public Comments

Neither:

- Materials not in keeping with the stonework. There are wooden sheds on the other side of the driveway, being non permanent additions to the building environment in the conservation area.

Town / Parish Comments

New Mills Town Council: No objection

Environmental Health

None

Derbyshire County Council Highways

None

OFFICER COMMENTS

Principle of Development

The property lies within the built up area boundary of New Mills, which is identified as a Market Town in the settlement hierarchy under Local Plan Policy S2 in recognition of it being a moderately sustainable location with access to services and facilities. Therefore, although the general principle of development is acceptable, this is subject consideration against the relevant heritage asset policies and all other planning considerations.

Design and Heritage

Section 12 Paragraph 135(c) of the NPPF states that development should be sympathetic to the character and history of the area, while not restricting change.

Section 16 Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

LP Policy EQ 6 states that all development should be well designed, of a high quality and responds positively to the areas character, history and scale.

LP Policy EQ 7 states that the council will conserve heritage assets in a manner appropriate to their significance.

The site lies within New Mills Conservation Area. This part of the Conservation Area is characterised by principal shopping streets and two-three storey narrow shop units, Market Street has almost continuous shopping frontages.

The outbuilding is modest in size measuring 2.5m in height, with a width of 3.45m and a depth of 2.75m. The outbuilding is situated to the rear of the restaurant and is heavily screened from Market Street by the existing boundary timber fence, set back from the street, adjacent to a private driveway which runs perpendicular to Market Street.

It has been noted a public comment has been received regarding concerns over the materials of the outbuilding. These concerns are acknowledged, and whilst the materials of the outbuilding would not normally be considered to be in keeping with the Conservation Area, in this instance, given the very limited visibility of the outbuilding from Market Street it is not considered the outbuilding causes any harm to the character and appearance of the Conservation Area or the wider street scene.



As shown in the photograph above, only glimpses of the outbuilding are visible from Market Street when looking up the private drive, as such it is considered the outbuilding has minimal visual impact on the street scene and therefore, would not negatively impact the Conservation Area.

The roof is visible from this vantage point, however, the grey roof and dark cladding make the outbuilding appear visually recessive within the context of the surrounding buildings. Furthermore, due to the surrounding shop fronts and signage non-traditional colours and materials are not uncommon along Market Street.

Accordingly, the siting, scale and proposed materials are considered appropriate and accord with the requirements of policies S1, EQ6, and EQ7, and the NPPF.

Amenity

Section 12 Paragraph 135(f) of the NPPF states that development should create places with a high standard of amenity for existing and future users.

LP Policy EQ 6 states that all development should achieve a satisfactory relationship to adjacent development and doesn't cause unacceptable effects by reason of vision intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The built form of the outbuilding is single storey, with the majority of the building sitting below the fence line, it is sited sufficient distance from neighbouring properties to not give rise to any harm through overbearing, overshadowing, overlooking or loss of daylight.

The nearest residential properties to the application site are No.4 and No.6 Longlands Road, both of which sit over 25m from the rear of the application site. This is considered a more than acceptable distance to mitigate any adverse amenity impact.

As such this presents no amenity concerns. Therefore, the application is considered to be compliant with Local Plan Policy EQ 6, the Residential Design Guide SPD, and the NPPF, with regards to impact on neighbouring residential amenity.

Highway Safety

The outbuilding does not increase demand for off-street parking or impact parking provision. As such there are no highway safety concerns and the proposal complies with local plan policy CF 6.

CONCLUSION / PLANNING BALANCE

The proposal is considered acceptable in terms of design and amenity and will not result in any adverse amenity impacts and is of acceptable design and is considered to be in accordance with the relevant policies put forward in the Local Plan and NPPF. Additionally, it is considered the proposal would not detract from and have no adverse impact on the character of the Conservation Area.

Therefore, the application is recommended for approval.

OFFICER RECOMMENDATION : Approve

Case Officer: Jennifer Robb

Recommendation Date: 19/09/2024

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council