

DELEGATED DECISION REPORT

HPK/2022/0516 & 517 Valid 09/01/2023	NORTHERN GLASS WORKS LTD MANOR PARK ROAD GLOSSOP	DIVISION OF EXISTING INDUSTRIAL PREMISES INTO 3NO. DWELLINGS TO GROUND AND FIRST FLOORS (INCLUDING NEW FIRST FLOOR TO FORMER CHAPEL AREA). (FULL - MINOR) (LISTED BUILDING CONSENT)
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MAIN ISSUES

- Principle of Development
- Design & Conservation
- Amenity
- Parking Provision and Highway Safety

DESCRIPTION OF SITE

The site comprises a parcel of land situated east of Manor Park Road, within the Old Glossop Conservation Area within Glossop, which contains a detached building known as the Northern Glass Works.

The site is bounded to the west by the public highway which runs north-south, with a recreational area and Bowling Green beyond, whilst the eastern boundary is shared with Glossop Cricket Club. The southern boundary is characterised by the single access track that connects the Cricket Club with Manor Park Road, beyond which stands a block of apartments within a detached building known as 'The Coppice'. To the north stands the end of terrace property No.67 Manor Park Road.

The site is characterised by the detached building which is Grade II Listed, and has an attractive appearance, with walls finished in a natural stone and the roof finished in a natural slate tile. A small area of hard standing is situated between the principal elevation and the public highway which is utilised for limited off-street parking provision.

The building is actively in use as a small scale light industrial use associated with glass production which also includes a showroom. Given that the use has both an industrial/manufacturing and retail component, it is considered that the building as a whole amounts to a Sui Generis use.

The existing building is spread across two floors. The Ground Floor comprises 3no. workshops, WC's, and external storage that benefits from a separate access. The

First Floor of the existing building comprises a fourth Workshop, a storage area by way of a mezzanine floor and an ancillary office.

PROPOSAL

The applicant seeks Full Planning Permission (HPK/2022/0516) and Listed Building Consent (HPK/2022/0517) for the change of use of the current light industrial premises to create 3no. independent dwellings.

As per the submitted Floor Plans, Unit 1 is shown to be made up of a large open plan lounge, dining and kitchen area, utility room and bathroom at ground floor level, with two double bedrooms contained within the mezzanine area above. Unit 2 is contained solely at ground floor level, which is made up of a contained open plan kitchen, dining and lounge, a study, storage area, bathroom, and two bedrooms (one single, one double). Unit 3 is contained solely at first floor level and similar to Unit 2, is made up of an open plan kitchen, lounge and dining room, bathroom, two bedrooms (one single, one double) and an office. The external storage is shown to be used as a communal cycle storage area.

The accommodation is set out as follows:

Unit 1 – 2no. bedroom, 4no. person occupancy	113.6sqm
Unit 2 – 2no. bedroom, 3no. person occupancy	76.8sqm
Unit 3 – 2no. bedroom, 3no. person occupancy	56.8sqm

In order to facilitate the conversion, minor works are proposed to both the internal and external aspects of the building, as summarised below having regard to the latest Floor Plans (Ref: 2120L.12 Rev D); Roof Plans (Ref: 2120L.13 Rev D and Elevation Plans (Ref: 2120L.14 Rev D):

Internal:

- *Existing modern mezzanine associated staircase, glass racking removed. Demolition as per Section A-A drawing*
- *New floor installed to extents shown on first floor plan supported on steelwork structure.*
- *Walls to be metal stud partition*
- *Existing timber panelling to walls at low level to remain exposed and not to have new skirting board fixed*
- *Existing timber flooring to remain in situ with localised openings for steel frame to support new mezzanine made good*

External:

- *Existing non original UPVC windows to be replaced with white finished timber framed window to match existing with double glazed units*

- *Existing non-original timber doors to be replaced with stained timber doors to match existing*
- *Signs, walls, windows, doors indicated on Elevation Plans to be removed, with all surrounding surfaces made good*
- *Existing sheet cladding removed and replaced with new roof structure and covering to be flat roof membrane (grey colour)*
- *Where structural openings are adjusted then walls to be infilled to extends indicated with random stone work to match existing*

In addition to Existing and Proposed Plans (as revised), the application is accompanied by a Heritage Statement prepared by Adapt Heritage (Nov 2022), and a Marketing Statement (Oct 2024).

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
- S5 Glossopdale Sub-area Strategy
- EQ6 Design and Place Making
- EQ7 Built and Historic Environment
- EQ10 Pollution and Unstable Land
- E4 Change of Use of Business/Industrial Premises
- H1 Location of New Housing
- H3 New Housing Development
- CF6 Accessibility and Transport

National Planning Policy Framework 2021

Achieving Sustainable Development	Chapter 2
Delivering a Sufficient Supply of Homes	Chapter 5
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 Historic Environment	Chapter 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 7th March 2023

Neighbour consultation period ends: 31st January 2023

Press Advert: 9th February 2023

Public Comments

None

Town / Parish Comments

N/A

HPBC Planning Policy

I have reviewed the attached marketing statement; and in light of the Council's current general marketing guidelines, I would make the following comments in relation to the marketing undertaken:

I see that Reeds Rains estate agents have an online presence, but also a local branch on Glossop High St

*The premises appears to still be advertised on both Reeds Rains
<https://www.reedsrains.co.uk/property/detached-house-for-sale-manor-park-road-glossop-sk13-id-glo230238?searchId=71e188580874a2380a1079cb82a1f3bf&offset=2> and
Rightmove
https://www.rightmove.co.uk/properties/137920325#/?channel=RES_BUY under identical terms*

The marketing should attract any policy compliant future use (Pol E4 etc) – the website listing refers to “large commercial premises” without referring to which future uses may be suitable, subject to planning

It appears that the premises was only available as a freehold, there were no other tenure options

It appears that only the entirety of the premises was available to purchase, not parts thereof (floors or rooms for example)

The original asking price (£595k, later reduced to £565k) appears to have been based on a comparison valuation of square footage of “other commercial buildings which were on the market” – it is unclear how many other premises were evaluated;

what type of commercial usage they exhibited; and where these other examples were located (in Glossop or elsewhere?). Therefore it is unclear whether the freehold asking price is a fair market value

The premises is heritage listed. It is unclear whether the listed status was taken into account during the valuation. Presumably a listed commercial premises would exhibit a lower valuation than a non-listed commercial premises, all else being equal?

Were sales particulars produced and subsequently displayed at the agent's local office during the period of advertising? I could not locate this in the planning particulars

Was a for sale (or to let) board erected on the premises during the period of advertising, and is there photographic proof of this in the particulars?

Was a property agent's report carried out and submitted with the application? (ie . Type of property; how, where and when marketed; tenure offered, general / specific level of enquiry shown; commercial property agent's view as to the commercial viability of the building/site). I could not locate this in the planning particulars

If newspaper advertising occurred, there should also be evidence of this ie, copies of all adverts including dates

The marketing statement refers to interest from 2x parties (ie 3x responses): it would be useful to understand why initial interest was not proceeded with ie, technical requirements of prospective purchasers?, listed building issues?, asking price issues etc?

Note that the Council's current general marketing guidelines are currently being reviewed and updated.

Also note that whilst Policy E4 (1) allows for marketing exercises to demonstrate the general commercial unsuitability of premises; heritage listed status of the premises does not in itself preclude continued commercial use. Further, the wider application does not appear to be on the basis of a heritage enabler scheme (under Pol EQ7) either.

Therefore given the above, it appears that it has not been satisfactorily demonstrated that the application site has been actively marketed for continued employment use, as expected by High Peak Local Plan Policies.

AES Waste

Whilst it is noted that the storage of wheel bins will be within the footprint of the existing car park it must be noted that waste collection for domestic properties is from the point where the property meets the adopted highway. The collection crews

will not enter the car park to collect or return the wheel bins. Residents must present them for collection at the highway.

Environmental Health

No objections subject to compliance condition relating to unexpected contamination.

Glossop and District Heritage Trust

The application is for conversion from industrial to residential use of a former small Methodist chapel, built in the 1830s and known locally as “The Tabernacle”, together with its attached school which was added about 10 years later. Glossop, like many former cotton towns, has a rich history of Methodism, with numerous chapels, some very small and built by congregations which had broken away not just from the Established Church but also from mainstream or “Conference” Wesleyan Methodism. The Tabernacle, built by the local society of the Wesleyan Methodist Association or “Warrenites” was one such.

These early breakaway chapels, often funded by the mainly working-class congregations themselves rather than wealthy benefactors, were usually very plain and simple structures, but many, such as the Zion (Methodist New Connexion) Chapel in Simmondley which has recently been demolished, were altered and embellished externally during their working life, or conversion proposals involve significant external alterations, which significantly reduce their heritage value. In this case, however, the original chapel appears to be essentially as built including railings, and the proposals would retain that appearance.

The Heritage Statement is also much more thorough than tends to be the case for schemes of this size, or indeed many much larger ones, and very unusually the author took the trouble to contact the Trust, which has a collection of material on local Methodism, rather than relying solely on the standard online sources. The Trust therefore regards this proposal as being an example of good practice which if approved will protect a significant local heritage asset.

HPBC Conservation Officer

The Grade II former Glass Works and former Chapel building is quite smart and humble, and has a clear relationship with the line of terraces and its neighbour, Grade II listed Tabernacle Chape. Much historic interest is demonstrated in this vicinity. The buildings on Manor Park Road frame Manor Park, and despite the southern portion not being within the Conservation Area, they do in fact contribute to the setting of the wider area and designated Old Glossop Conservation Area. The locations of the two Grade II Listed Buildings appear to behave like markers along the road, as the remainder of the buildings are typical vernacular dwellings.

I am pleased to see what appears to be a respectful intervention and rejuvenation to a listed building. From the scheme I can gather most if not all historic elements are endeavoured to be retained where possible, or reinstated.

I am content with the removal of plastic modern window units and the reinstatement of timber window units. This is seen to be in line with Historic England guidance regarding traditional windows and is the correct approach for a Listed Building. Though naturally further information regarding their specification, colour code and the like is required. Additionally, details of timber doors required.

There is a glazed inscribed pane above the front door, is this to be reinstated or revitalised into something more in keeping?

I can see the mezzanine is to be retained in its current position and relative sizing. I have no issue with this as it will remain unseen to a degree from the exterior, and will not impede or visually fragment the tall glazing on the side elevations.

Further information required for the lime repointing and the current status. Will this be across all elevations? What mix ratio? From preliminary investigation the current mortar is inappropriate and seemingly daubed on quite heavily. The mortar courses in this stone would traditionally have been quite fine.

Acknowledge the datastone will be revealed and this is appropriate, though feel the current traditional black handwritten sign does also contribute to the frontage.

I appreciate the railings at the frontage and their respective details will be reinstated. Further details required. I presume they will also be cleaned/repainted etc?

I note that the structural survey identifies damp and some dislodged roof tiles. This needs to be addressed and any rainwater goods repaired or replaced, similarly any roof valleys and flat portions would need attention.

I will note that I am not keen on the rooflights to the core of the building (2120L.13 Rev C). I am concerned that this would give the building somewhat of a generic warehouse appearance not best suited to the vernacular. Additionally, it is not a traditional feature found in this age or style of Chapel and I feel it would lessen the character.

I think perhaps the vehicle parking as seen on Site Plan 2120L.15 Rev B is not an ideal use of this outdoor space. I am concerned a collection of vehicles in this area will not enhance nor contribute to the setting of the listed building. Though there is an idea of four spaces allocated here, from a street facing perspective there looks to be no adequate room to manoeuvre and I would be concerned of vehicles catching the building.

Derbyshire County Council Highways

No comments to make

OFFICER COMMENTS

Principle of Development

The applicant seeks Full Planning Permission and Listed Building Consent to convert a building which is currently in active use as a light industrial glass making and showroom facility (Sui Generis) to accommodate 3no. dwellinghouses, together with minor internal and external works as described above and as shown on the Proposed Plans.

Strategic Housing Policies

With regards to Local Development Plan strategic policies, the site lies within a sustainable location within the built-up area boundary of Glossop, and as such the introduction of new housing is fully supported by Local Plan (LP) Policies S1, S2, S3, and H1, which taken together, encourage and support new housing including conversions and changes of use within the built-up area boundary of Market Towns such as Glossop. Moreover, relevant paragraphs contained under Chapters 5 and 11 of the NPPF support the use of brownfield sites for housing delivery in sustainable locations.

Loss of Light Industrial/Commercial Premises

However, given the sites active use as a light industrial glass production and showroom facility, the loss this light industrial/commercial use and the change of use for a purpose outside of the industrial/employment use classes (B2 and B8 Use Classes and relevant sub-paragraphs of Class E) must be justified in so far as the site no longer being suitable or financially viable, supported by appropriate Marketing Evidence, as set out under LP Policy E4, and having regard to relevant paragraphs under Chapter 6 of the NPPF, which support the growth and retention of businesses.

The submissions in their original form were not accompanied by any Marketing Evidence, and following an assessment by Officers, the applicant was invited to market the property for a period of 6 months and subsequently to produce a report which set out the methodology used to actively market the property to potential buyers who would want to retain the building in its current lawful use. Guidance was provided by Officers as to what the report should contain:

- Independent land valuation from chartered Quantity Surveyor
- Details and Photographic Evidence of all publications and websites where the site has been marketed (e.g. Estate Agents, Newspaper)
- Opening sales price and any further reductions/changes to this price and dates of any change
- Log of enquiries detailing the date, name/company (will be redacted), and summary of enquiry (whether offer was made and/why interest has been withdrawn)

The applicant duly submitted a Marketing Statement in February 2024, which was the subject of comment from the Council's Policy Team and a review from Officers.

Taking account of comments received from the Council's Planning Policy Team, and having regard to a relevant Appeal Decision whereby the loss of an industrial use was a material consideration, Officers moved to offer the following assessment, by way of an email dated 29/02/24:

In our view, there are two 'limbs' to LP Policy E4, which need to be satisfied, where a proposal involves the loss of a commercial/business use, which amount to the following:

- 1. Has the applicant carried out an appropriate Marketing Strategy/Exercise with regards to its methodology and process?*
- 2. Is the marketed price commensurate with the going rate for both commercial sale and rent for this type and size of building in this location and how does the site offer opportunities to respond to the supply and demand for commercial/business premises in Glossop and the High Peak more widely?*

These 2 questions are considered below as follows:

1. Has the applicant carried out an appropriate Marketing Strategy/Exercise with regards to its methodology and process?

With regards to the methodology and process of the Marketing Strategy/Exercise, the Planning Authority have sought comments from the Council's Planning Policy team, who are well placed to comment on the expectations on an applicant on how and where a site or property should be marketed in order to justify that an existing commercial/business use is not viable.

Further to the above, and comments made by Planning Policy, I have reviewed Economic Regeneration comments made in connection with HPK/2017/0254, the Appeal Statement submitted by the Council in defence of the Appeal, and the assessment made by the Planning Inspector with regards to the justification of the loss of the existing employment use. It is acknowledged that every application should be determined on their own individual merits. However, this appeal is useful with regards to how the policy is applied.

The following comments were made by Economic Regeneration with regards to HPK/2017/0254:

"I can find no evidence that the site has been marketed via the Estates Gazette Property link or via the High Peak Borough Council website. HPBC Economic Development Officers receive a high number of enquiries from businesses seeking employment space in Whaley Bridge and would request that these enquiries are fully investigated and the site is marketed in line with the required guidance before a change of use is considered."

Further comments during the consultation process were made by Economic Regeneration which states (amongst other things) that:

"The particulars only show the current premises and do not show a design for re-designed space (which might obtain higher values) so I don't think the agent can make the assumption stated (i.e. leasehold enquiries continue to be for low budget space which would not allow the new development to go ahead) as they have not actually designed or tested the market with a new scheme – all they have advertised is an older industrial site with a statement 'potential for 10,000sqm'"

“We continue to receive enquiries for freehold and leasehold business space that we cannot meet and as a clearly there remains interest in the site for employment uses. With this in mind, I see no reason to change my opposition to a housing application at this time”.

The Council defended this position at Appeal, which included a Supplementary Statement of Case, which is attached, together with the Appeal Decision. I would draw your attention to Paragraphs 1.4-1.9 of the Supplementary Statement of Case, which makes the following key points regarding the methodology of a Marketing Strategy:

- 1. Site must be marketed for leasehold and freehold across a number of platforms*
- 2. Site must be marketed at the market value for the site as per its existing use and not for potential uses (e.g. residential) which if over market value, cannot be taken into account*
- 3. Site must be marketed on Estates Gazette Property Link which data feeds HPBC and DCC commercial website listings*
- 4. The updated marketing that was eventually carried out included marketing the site for commercial rent (£3-4 per sq foot in line with local area)*
- 5. At the time of the appeal, HPBC continued to receive a number of enquiries from local expanding firms or other companies looking to relocate into the district*
- 6. At the time of the appeal there were no freehold/leasehold properties of a comparable size that are available within the larger towns including Glossop*

The Inspector considers the loss of the employment site in his Appeal Decision at paragraphs 20-25.

Whilst it is acknowledged that the Inspector found no conflict with LP Policy E4, the specific analysis is relevant to this application by way of the following:

- 1. The site subject to this appeal was vacant (not actively in use as is this case with this site) and is constrained with regards to its location (unlike this site)*
- 2. The building was marketed for sale and for rent (which is not the case with this site – as identified by the Planning Policy comments)*
- 3. The site was in need of investment which is needed to improve its condition (there is no evidence of any need for investment to this building to make it viable for commercial use)*

Taking all of the above into account, and the documents submitted with the application, it is the Council's position that the Marketing of the existing Northern Glass Works is severely lacking and insufficient with regards to its methodology and scope to demonstrate to the Council's satisfaction that the ongoing use of the building for various uses compatible with surrounding residential uses (which extends far beyond the former B1, B2 and B8 uses in light of the recently established Class E) is not commercially viable or unsuitable, owing to the fact that:

- (i) the building has not been marketed on the Council's own platform for marketing such premises, which receives a high number of enquiries;*

- (ii) *the building has not been marketed for commercial rent, either as a whole or as a number of smaller units under the same lawful commercial/business use;*
- (iii) *the building has an active use (is not vacant) and has considerable architectural merit being a Listed Building and appears from a site inspection to be in good condition*
- (iv) *the site is located within an attractive location for small companies looking to start up or relocate, being within close proximity to the centre of Glossop with good connections to Manchester.*

2. *Is the marketed price commensurate with the going rate for both commercial sale and rent for this type and size of building in this location and how does the site offer opportunities to respond to the supply and demand for commercial/business premises in Glossop and the High Peak more widely?*

The Economic Regeneration team were invited to comment on this application and another application that is subject to LP Policy E4.

Unfortunately, it has come to light that hard data regarding the supply and demand for a range of commercial and industrial premises within the High Peak and specific towns within is not currently held with the Council, and as such the Economic Regeneration Officer was not able to provide substantive comments to respond to my consultation request.

It is therefore in our view not possible for the Council to assess whether the property has been marketed at market value for the site as per its current use, rather than the market value for any prospective use (i.e. residential). Neither is it possible to comment on the level of supply and demand for this specific type of building and space within.

However, whilst it is not possible to comment on the value of the property or the level of supply and demand of commercial/business properties within Glossop or the High Peak more generally, it is possible to conclude that, having regard to all relevant material considerations and as a matter of planning judgement, as set out above, that the methodology and process applied to the Marketing Strategy of the site is insufficient to demonstrate that the ongoing lawful commercial/business use of the site (which extends far beyond the former B1, B2 and B8 uses in light of the recently established Class E) is not commercially viable or unsuitable.

Further to the above, the applicant agreed to market the premises for a further 6 months, and duly submitted an updated Marketing Report in October 2024. In reviewing this updated document, Officers made the following observations, as presented to the agent within an email dated 22/01/25:

Valuation

From an initial review of the latest Marketing Report, it isn't clear how the valuation was for both sale and rent was arrived at, and how this is comparable with other similar properties on the market of a similar size in a similar location (in order to

demonstrate that the sale/rent price represents a credible valuation). It would be useful if you would update the document to include this information. Page 24 just simply says the valuation was undertaken by Reeds Rains (Estate Agent) however no analysis has been undertaken regarding the going market rate for this type of premises in this location, which I would expect to see within this Report.

With regards to the open market valuation for sale, I note that the price has been on the market at £500,000 but no analysis has been incorporated as to how this compares with similar premises within the Glossop area and High Peak more broadly? Similarly with regards to rental, the premises (3,400 square feet, which equates to some 315 square metres) has been marketed for £4000 per calendar month, which equates to £12.69 per square metre. How does this compare with other commercial premises in Glossop and the High Peak more broadly? This analysis is likely to be crucial in our assessment as to whether the principle of the change of use can be supported.

Potential Sub-Division

I note that the report has discounted the marketing of the premises of sub-division on the basis that this would be unviable due to the fact the building is Listed, owing to such works requiring Listed Building Consent. However, no floor plans have been presented showing how the premises may be sub-divided alongside supporting analysis from a suitably qualified heritage consultant as to why sub-division would be harmful to the architectural and/or historic significance of the building. Similar to the above, such analysis is likely to be crucial, given that smaller units are likely to be far more attractive for both sale and rent to start up/smaller firms that are seeking a premises within the Glossop area.

Overview

I can see that you have liaised with Stephanie Birkinshaw in our Regen Team who provided input into the methodology of the marketing, and can see that this has been followed. However, whilst the general methodology is acceptable, there do appear to be some gaps (as per my above comments) which need to be 'boxed off' in order to demonstrate that all reasonable steps have been taken to secure the ongoing light industrial or commercial use of the premises.

Please be advised that ultimately, the onus is on the applicant to fully explore and exhaust all potential future uses for the site under either the B2 or Class E Use Classes, and that given the fact that the Council can demonstrate a 5 year supply of housing land and that full weight can and will be given to Local Plan Policy E4, a change of use to introduce residential development on this site will be supported as a 'last resort' only at the point where the Council are fully satisfied that all reasonable steps have been taken to secure the current lawful use of the building and that as a matter of planning judgement based on available evidence, the ongoing use of the site for light industrial or commercial purposes is unviable.

In light of the above, it is the view of Officers that the Marketing Report does not satisfactorily demonstrate that all reasonable steps have been taken or exhausted to secure the ongoing light industrial/commercial use of the premises, and as such the

application results in a degree of conflict with LP Policy E4 and relevant paragraphs contained under Chapter 6.

However, in light of the newly published NPPF (Dec 2024) and increased housing targets imposed on a number of authorities including the High Peak, the Council are, at the time of writing this report, no longer able to demonstrate a 5 year supply of deliverable housing land, and as such, strategic policies that restrict the delivery of housing, which include LP Policy E4, are considered to be out-of-date. As such, the presumption in favour of sustainable development (often referred to as 'the tilted balance') is engaged.

As set out at paragraph 11 of the NPPF, this means granting planning permission unless:

- i) *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii) *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

As such, the conflict with LP Policy E4 and any perceived harm that arises from the loss of the active small scale light industrial/commercial premises, must be assessed against the benefits in the overall planning balance, in addition to all other material considerations.

Heritage Assets

Notwithstanding the above, the application relates to a Grade II Listed Building, on a site that lies within the Old Glossop Conservation Area. As such, the principle of development, beyond those considerations relating to the loss of an existing industrial/commercial premises, can only be supported where the scheme is judged to preserve or enhance the historic and architectural interests and significance of the Listed Building, and the wider character and appearance of the Conservation Area, having regard to LP Policy EQ7, relevant Supplementary Design Guidance, and relevant paragraphs relating to heritage conservation contained under Chapter 16 of the NPPF, underpinned by Sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

In the event that any harm be identified in relation to heritage assets including their setting, the degree of harm must be weighed against any public benefits, in the overall planning balance.

Design & Conservation

Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for

development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.

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.

LP Policy EQ7 has regard to the Built and Historic Environment. It states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.

Chapter 5 of the Design Guide SPD (2018) contains useful guidance for the alteration and conversion of existing buildings, in the interests of achieving high quality design that is respectful to its context. Relevant guidance is set out as follows:

- 5.2 Alterations need to be undertaken with care. Insensitive changes can easily spoil a building. The key to a sensitive approach is to take note of what is there already before preparing the design and to work with, and not against, the building's character. The aim should be to revitalise the building without altering its fundamental character.
- 5.4 It is best to use existing openings to the full, if necessary rearranging the functions of the rooms to suit, before considering their alteration.
- 5.5 The guiding principle behind the design of any conversion should be that the character of the original building and its setting should be respected and retained. This means that in most cases the barn, mill or chapel should afterwards look like a converted barn, mill or chapel, and not like a new house or new block of flats...

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.

Chapter 16 of the NPPF contains the restrictive national policies relating to the conservation and enhancement of the historic environment. Paragraphs 212-221 sets out how a local planning authority should assess the significance of a heritage asset and the potential impact of a development proposal upon that asset. Where a proposal will lead to substantial harm or total loss of a designated heritage asset, local planning authorities should refuse consent unless there are substantial public benefits that outweigh that harm. Where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits.

Both applications relate to the conversion of a former Chapel that dates from the 19th Century and has an attractive appearance by virtue of the use of traditional materials, and contributes positively to the setting of the Conservation Area. As such, any alterations required in order to facilitate the conversion, both external and internal, must be handled with care.

These applications follow positive pre-application advice and are shown to retain the current internal layout of the building, with only minor facilitating works internally relating to floors and walls. Externally, the plans show that where modern less sympathetic window detailing has been added, these are to be replaced with more traditional timber openings, which is welcome, and will without doubt enhance the historic significance of the building.

Owing to concerns raised by the Conservation Officer, revised plans show the omission of roof lights, which together with the replacement of the inscribed fanlight with a clear glazed fanlight is welcome.

Comments relating to the undesirability of cars being parked to the front of the building, and its subsequent impact on the setting of heritage assets, in addition to concerns that the building would be hit as a result of awkward manoeuvring are noted. Whilst Officers fully acknowledge these concerns, it is the case that this area is already used for off-street parking in conjunction with the current active lawful use of the building as a light industrial/commercial unit, and as such there would be no material impact as a result of the proposed change of use.

A number of pre-commencement conditions will be necessary to apply to the Listed Building Consent permission in order to secure and control details as shown on the latest drawings, which are summarised as follows:

- Joinery details for replacement windows and doors (1:20 scale) including specific material, colour, specifications etc.
- Further information regarding the lime repointing scheme and its current condition including whereabouts on elevations and mix ratio.
- Further details regarding how the reinstatement of railings to the frontage is to be carried out
- Further details regarding a scheme for the repair of the roof and rainwater goods including roof valleys and flat portions

Subject to the above conditions, Officers consider that the proposed conversion would preserve, and to some degree enhance the architectural and historic significance of the Grade II Listed Building and, as a consequence of high quality

design, would contribute positively to the wider setting of the street scene and Old Glossop Conservation Area, in accordance with LP Policies S1, EQ6 and EQ7, relevant Supplementary Design Guidance, and relevant paragraphs contained under Chapters 12 and 16 of the NPPF, underpinned by Sections 66 and 72 of the Act 1990.

Amenity

LP Policy H3 requires all new housing development to provide a high standard of amenity for future occupiers, by ensuring that each unit is compliant with or exceeds Nationally Described Space Standards (NDSS) as published by DCLG (2015).

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 extensions 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. A minimum of 21m should be achieved between existing and proposed habitable windows.

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

Firstly with regards to the potential impact on future occupiers of each residential unit, it is accepted and acknowledged that each dwellinghouse would not benefit from any external amenity space. However, this is perfectly normal and is to be expected when assessing the conversion of a building, especially one with a tightly drawn curtilage such as this. Prospective buyers or tenants of each property would be fully aware of the absence of such space prior to occupation.

With regards to NDSS, Units 1 and 2 both exceed the minimum internal floor area in relation to their occupancy as described on the proposed plans. Unit 3 falls marginally short (1.2sqm) however given the listed nature of the building, it is not considered that this marginal difference generates any material conflict with LP Policy H3. The internal dimensions of all single and double bedrooms exceed the minimum NDSS – 7.5m² for single and 11.5m² for a double respectively.

Turning to potential impacts on neighbouring amenity, the end of terrace property to the north is characterised by a blank gable that faces the site, and as such would not be impacted with regards to any overlooking or loss of privacy as a result of the conversion.

The Grade II Listed property to the south has been converted to flats and sees windows at both ground and first floor windows face the southern elevation of the Glass Works, which itself is defined by two large windows. Whilst this distance between these habitable windows would fail to achieve the necessary separation

distance as set out in the Residential Design Guide, it is the case that owing to the height of the windows in the Glass Works being approximately 1.9m above the internal ground floor level, no harm to privacy or overlooking would occur.

As such, the application would preserve the amenity of both future occupiers and neighbouring properties in accordance with LP Policy H3 and EQ6, the Residential Design Guide SPD and relevant paragraphs contained under Chapter 12 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 115 of the NPPF states that in assessing sites for specific applications, it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 116 of the NPPF goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact impacts on the road network would be severe.

The application site lies within the built-up area boundary of Glossop and within walking distance of the Town Centre, which is home to a wide variety and quantum of shops, services, facilities, employment opportunities and educational institutions, in addition to public transport links to the wider region.

The site contains an area of hard standing to the front of the property that as a result of an onsite inspection, contains enough space for 2no. vehicles to park independently. The pre-application enquiry was accompanied by a Site Plan showing provision for 4no. parking spaces set out in a square formation which would essentially result in blocking each other in. In line with the Council's parking guidelines, the development is required to provide a minimum of 3no. spaces to serve the total of 6 bedrooms within the development.

Whilst it is accepted that there is technically a deficiency in the provision of off-street parking spaces having regard to the Council's parking guidelines, it is judged that owing to the highly sustainable location of the site, and its connections to Glossop Town Centre, and the absence of any objections from the highway authority, any reason for refusal on grounds of highway safety could not reasonably be substantiated or defended at appeal, and thus the application is considered to be acceptable with regards to LP Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF.

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-date⁸, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii) 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination

The applicant seeks Full Planning and Listed Building Consent to convert an existing glass production, manufacturing and retail facility (Sui Generis) known as the Northern Glass Works, thereby ceasing its current use, and facilitate a conversion to 3no. dwellings with varying occupancy. The property is Grade II Listed and lies within the Old Glossop Conservation Area.

Owing to the Council not being able to demonstrate a 5 year supply of deliverable housing land, the presumption in favour of sustainable development (the tilted balance) is engaged, and as such a planning balance is required which weighs the benefits of the scheme, against any harm arising from the development.

In line with paragraph 11 above, the application should be approved unless there are policies relating to protected areas/assets that provide a strong reason for refusal, or any harm identified significantly and demonstrably outweighs the identified benefits of delivering the scheme. This balance is undertaken as follows:

Benefits

The scheme would see the delivery of 3no. dwellinghouses on a previously developed (brownfield) site that would provide a small but nevertheless positive contribution to the Council's housing delivery targets. This benefit attracts significant weight in the overall balance.

The scheme would, as a consequence of high quality design and subject to appropriate conditions, preserve and to some degree enhance the historic and architectural significance of the Listed Building and wider setting of the Old Glossop Conservation Area. This benefit attracts significant weight in the overall balance.

Harm

The scheme would see the loss of an existing small scale industrial/commercial and retail premises (Sui Generis). For the reasons outlined within this report, the Council have concerns regarding the latest Marketing Report (Oct 2024) and are not satisfied that the applicant has carried out and exhausted all reasonable steps to retain an industrial or commercial use that is compatible with surrounding land uses, either through open market sale or rent, and as such conclude that the proposal is in direct conflict with LP Policy E4.

However, in light of the Council's 5 year land supply position, limited weight can be given to this policy, in that it restricts housing delivery. Owing to the small scale and niche nature of the existing industrial/commercial use, and that it does not employ a significant number of staff, Officers take the view that the loss of this facility would not result in significant and demonstrable harm to the provision of employment land in the Borough. As such, only moderate weight can be attributed to this identified harm.

Planning Balance

Having regard to all material considerations, the Council conclude that in light of the tilted balance, the benefits associated with the provision of housing on a highly sustainable brownfield site within the built-up area boundary of a Market Town is not outweighed by the moderate harm that would arise from the loss of an active small scale light industrial/commercial premises, in the absence of any acceptable marketing evidence, and as such the application is on balance, considered to constitute a sustainable form of development.

In line with LP Policy S1a and paragraph 11 of the NPPF, Full Planning Permission under HPK/2022/0516 and Listed Building Consent under HPK/2022/0517 is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : **Approve Planning and Listed Building Consent with Conditions**

Case Officer: James Stannard

Recommendation Date: 28th January 2025

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council