

DELEGATED DECISION REPORT

HPK/2025/0103
Valid 14/04/2025

ROSEMOUNT 42 NORFOLK
STREET
GLOSSOP

LAWFUL DEVELOPMENT
CERTIFICATE FOR A
PROPOSED RETURN OF TWO
FLATS TO A SINGLE
DWELLING

(CERTIFICATE OF
LAWFULNESS - PROPOSED)

MAIN ISSUES

- Whether the proposed works comprise permitted development and would result in a material change of use.

DESCRIPTION OF SITE

The application site at present refers to a two storey detached dwelling which is in use as two flats. The site is located on Norfolk Street within the established settlement boundary of Glossop.

The surrounding area comprises a mix of different house types including but not limited to two storey detached dwellings and two storey terraced properties.

PROPOSAL

This application seeks a certificate of lawfulness (Section 192) application to confirm that the proposed works to convert the property from two flats to a single dwelling comprises permitted development.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

Reference no. HPK/0002/2492

Description: Erection of fire escape

Decision: Approved (05/02/1985)

Reference no. HPK/0002/3854

Description: Enlargement of kitchen/diner & conversion of roof space into double bedroom.

Decision: approved (14/01/1986)

Reference no. HPK/0002/9762

Description: temporary caravan
Decision: Refused (09/10/1990)

Reference no. HPK/0002/9931
Description: Alterations and extensions
Decision: Refused (15/11/1990)

Reference no. HPK/0003/1281
Description: Extension
Decision: Refused (26/02/1992)

Reference no. HPK/0003/2542
Description: Change of use to private dwelling
Decision: Approved (08/08/1993)

Reference no. HPK/0003/3543
Description: Conversion of dwelling into two flats
Decision: Approved (08/06/1994)

CONSULTATIONS

Publicity

Neighbour consultation period ends: N/A

OFFICER COMMENTS

Assessment

The application site has been previously in use as a single dwelling. In 1994, planning permission was granted to allow 42 Norfolk St, Glossop to be turned into two flats for family use. This application proposes to revert the house back to a single dwelling by reinstating a staircase connecting the ground floor elements further to the removal of the kitchen to the first floor.

Section 55 of the Town and Country Planning Act 1990 states that the use of a building as two or more separate dwellinghouses, of any building previously used as a single dwellinghouse, involves a material change of use. There is, however, no such provision for the reverse (ie. the consolidation of 2 dwellings into 1). It is, therefore, only where the use of the building would result in a material change, that planning permission will be required. It is also noted that definition of 'development' does not include alterations which only affect the interior of a building or where the external alterations are also not classed as development.

It is therefore necessary to consider whether the change would, as a matter of fact and degree in the circumstances of this individual case, result in a change that would be material.

There are no external changes to the property and the existing parking provision is unchanged. Moreover, the occupation of a single dwelling house would be very similar to the use of the building as two separate flats, given that the number of bedrooms would remain the same. The only difference would be the removal of a first floor kitchen, with the remaining areas identified in both the two flats and single dwellinghouse being in the same use. The overall coming and goings associated with a single dwelling would be similar to that of the two separate flats given that the number of people they would house would be comparable.

Having regard to the above, the proposals would not result in a material change of use of the site (the intensity in which the site is used would remain relatively consistent). There would be no difference in terms of impact on amenity or the character of the dwellinghouse, that would indicate that a material change of use has occurred. The proposals includes internal modifications which are not considered to be development which would require planning permission.

CONCLUSION

The consolidation of 2 dwellings in to 1 is not considered to result in a material change of use of land in this instance and is therefore not 'development' under Section 55 of the Town and Country Planning act. Planning permission is **NOT** required for the development described above and on the basis of the submitted information, plans and drawings.

OFFICER RECOMMENDATION : Grant

Case Officer: Stuart Talbot

Recommendation Date: 09/06/2025

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council