

DELEGATED DECISION REPORT

HPK/2026/0235
Valid 12/06/2026

38 THORNSETT
BIRCH VALE

THE SUBDIVISION OF 38
THORNSETT FROM A 4-
BEDROOM DWELLING TO
TWO 2-BEDROOM
DWELLINGS. SUBDIVISION OF
5/7 RIVERSIDE FROM A 3-
BEDROOM DWELLING TO
TWO 1-BEDROOM
DWELLINGS. EXTERNAL
ALTERATIONS

(FULL - MINOR)

MAIN ISSUES

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

DESCRIPTION OF SITE

The application site relates to an established residential block that lies immediately to the south of Thornsett, Birch Vale.

The block reads as a pair of two storey semi-detached properties from the public highway. However, owing to the significant change in levels to the south, the block reads as a four storey building when viewed from the rear.

An application for a Certificate of Lawful Development that was granted under HPK/2026/0095 has confirmed that at the level of the public highway stand 2no two storey residential dwellings (No.36 and 38 Thornsett), with a further 2no dwellings located the rear. Nos 5 and 7 are deemed to amount to one single dwelling towards the western side, with No.38A situated to the east of this unit.

The building is characteristic of its street scene, constructed in traditional materials comprising stone walls and tiled roof. The wider setting has a distinctly rural village character, with mature trees, sloping landform and views towards the surrounding High Peak landscape.

For the purposes of the Local Development Plan the site lies outside of the built-up area boundary in the open countryside.

PROPOSAL

The application seeks full planning permission for the sub-division of No.38 Thornsett to create 2 x 2no bedroom dwellings as well as the sub-division of Nos. 5 and 7 Riverside to create 2 x 1no bedroom dwellings.

External alterations are proposed to the front elevation which amounts to the addition on an additional entrance door.

As shown on the Location Plan, the application as submitted included a separate parcel of land that was to provide off-street parking for 3no vehicles. However, for reasons set out within the body of the report, this aspect of development has been omitted.

Revised plans have been submitted to reflect this change. The description of development has been amended with the agreement of the agent to omit reference to proposed parking provision.

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
- S3 Strategic Housing Development
- S6 Central Sub-area Strategy
- EQ3 Rural Development
- EQ6 Design and Place Making
- H1 Location of Housing Development
- H3 New Housing Development
- CF6 Accessibility and Transport

Supplementary Planning Guidance

Residential Design Guidance (2005)
Design Guide SPD (2018)

National Planning Policy Framework 2026

Delivering a Sufficient Supply of Homes	Chapter 6
Making Effective Use of Land	Chapter 12
Achieving Well Designed Places	Chapter 14
Promoting Sustainable Transport	Chapter 15
Conserving and Enhancing the Natural Environment	Chapter 19

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2026/0095 Certificate of Lawfulness for the existing use of No5 and No7
Riverside as existing residential units (Granted 26/05/2026)

CONSULTATIONS

Publicity

Site Notice expiry date: 11th August 2026
Neighbour consultation period ends: 20th July 2026
Press Advert: N/A

Public Comments

None

New Mills Town Council Comments

No Objections

HPBC Tree Officer

No Objections

The conversion of the dwellings will not affect retained trees and the proposed parking (although within a TPO'd area) is already laid to hardstanding with no further works proposed.

Derbyshire County Council Highways

The proposed subdivision of the existing properties will increase the overall number of dwellings and the consequential potential parking demand generated by those dwellings.

It appears that the existing dwellings have no off-street parking provision; however, the proposed scheme will provide three spaces accessed off the rear access road.

The layout of the junction of the rear access road with High Hill Road/Thornsett is not ideal, being at an angle and having restricted emerging visibility. However, considering that the existing uses off the rear access road could generate vehicle movements, the potential increase in movements generated by the proposed subdivision of the existing dwellings would be relatively low. It is considered likely that some parking

related to the new dwellings would take place on Thornsett for some parts of the day for convenience, which could occur under the current scenario.

Whilst one additional parking space would be beneficial for the proposed dwellings to accord with DCC's parking guidance, it is considered that there are insufficient grounds to warrant an objection to the proposed parking provision of three spaces.

Based on the analysis of the information submitted and a review of Local and National policy the Highway Authority concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Conditions

1. The development hereby approved shall not be occupied until the parking facilities have been provided as shown on the submitted drawing(s).

OFFICER COMMENTS

Principle of Development

Local Plan (LP) Policy S1 contains a number of sustainability principles to ensure that all new development makes a positive contribution towards the sustainability of communities. One of the ways in which this will be achieved is by providing for a mix of types and tenures of quality homes to meet the needs and aspirations of existing and future residents in sustainable locations.

LP Policy S2 presents a settlement hierarchy whereby the focus of housing and economic growth is targeted towards the larger towns and villages. In rural areas outside of the defined built-up area boundary, development is to be strictly limited to that which has an essential need to be located in the countryside of comprises affordable housing in accordance with LP Policies EQ3 and H5.

LP Policy S3 provides the overall housing strategy for the Borough throughout the plan period and confirms that the Central Sub-area is to provide 30-33% of the overall number of dwellings.

LP Policy EQ3 refers to all development proposals in the Rural Areas outside of the defined built-up area boundaries. The policy aims to strictly control new development in order to protect the landscape's intrinsic character and distinctiveness. Certain types of residential development are supported in principle in the Rural Areas, which include:

“the re-use of redundant and disused buildings and/or the redevelopment of a previously developed site, where it does not have an adverse impact on the character and appearance of the countryside.”

LP Policy H1 relates to the location of housing development and promotes the effective reuse or land by encouraging housing development including redevelopment and conversion of existing dwellings on all sites suitable for that purpose.

NPPF Policy H03 requires local authorities to identify a supply and mix of sites to meet or exceed the housing requirement figure for their areas over the plan period which includes a supply of specific, deliverable sites for five years.

NPPF Policy L2 states that substantial weight should be given to the benefits where a development proposal would achieve certain results which include the following:

b. Making better use of vacant and underutilised land and buildings

The application relates to an existing building which contains multiple residential units across four floors, which is located outside of the built-up area boundary in the open countryside. Despite its countryside location, the site is within walking distance of Birch Vale and New Mills and therefore reads as one of the more sustainable locations in the rural areas with regards access to services and amenities.

The proposed re-development of the block to create 2no additional residential units fully supports the aims and objectives set out within the Local Development Plan and the NPPF and is therefore supported in principle.

The creation of the supplementary parking area on a nearby small parcel of land within the applicant's control will also be acceptable in principle provided that this does not result in any harm to rural landscape character.

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.

The High Peak Residential Design Guide SPD (2005) and more recently adopted Design Guide SPD (2018) contains further design guidance for extending and altering domestic properties. Extensions and alterations should respect the scale and height of the parent building reading as a subordinate and secondary addition and respecting the character and appearance of the building through an appropriate choice of materials.

NPPF Policy DP3 contains a number of key principles for creating well designed places which include the following:

- g. Identity: create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.

As a consequence of the proposed conversion of the existing building, the only change to the appearance of the exterior would be the introduction of a new entrance door to

the principal elevation fronting Thornsett. Notwithstanding the fact that this element does not require planning permission, it would nevertheless help to establish a more orderly and symmetrical frontage that aligns with existing fenestration and is therefore acceptable in design terms.

The application as submitted included a small separate parcel of land a short distance south of the proposed dwellings that comprises an informal gravel verge immediately north of an access serving the Thornsett Trading Estate. This land is within the control of a different land ownership, as confirmed by Certificate B on the Application Form.

During the consultation period, it was identified that this area of land was incorrectly drawn on plan, which showed the piercing of the existing hedgerow and encroachment beyond the boundary with the access to accommodate parking.

Further to conversations with the applicant's agent, this aspect of the proposal has been removed from the application, and as such there is no longer a requirement to consider the potential impacts resulting from this aspect.

The application in its revised form is therefore considered to be acceptable with regards to its design and appearance, in accordance with LP Policies S1 and EQ6, relevant Supplementary Design Guidance and NPPF Policy DP3.

Amenity

LP Policy H3 refers to all new housing developments and requires applications to provide a high standard of amenity for future occupiers by demonstrating compliance with Nationally Described Space Standards (NDDS) 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 developments 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.

The application seeks permission for the sub-division of an existing four storey building that currently contains four lawful residential units to create an additional two units (six in total).

At the request of Officers, revised Proposed Floor Plans for the residential units to be located on the basement and lower ground floor were submitted, that correctly show each floor and the internal floor area of each unit.

A review of the latest Floor Plans confirms that each residential unit either complies with or exceeds NDDS, both with regards their overall floor area and the size of each

bedroom relative to occupancy, thereby providing the required standard of amenity for future occupiers internally.

Whilst it is the case that each residential property would not benefit from much in the way of outdoor amenity space, this is already the case with the residential units that exist within the building. Moreover, it is very common for properties in this locality that have a traditional character and appearance to not always benefit from outdoor garden space.

A condition is recommended which removed Permitted Development rights for gates, walls and other means of enclosure within the curtilage of each property, in order to avoid the sub-division of the shared amenity space to the rear. If this were not to be controlled, future occupiers could experience adverse impacts by way of a narrow outlook and oppressive, overbearing impacts.

The conversion and alteration will make use of existing habitable windows and therefore no material change will occur with regards to the relationship between existing and proposed habitable windows. The absence of any new physical development or extension means that there will be no potential for overbearing impacts for neighbouring properties.

The application is therefore judged to comply with LP Policies H3 and EQ6 and Residential Design Guide SPD.

Parking Provision & 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.

NPPF Policy TR4 refers to street design, access and parking and states that development proposals (amongst other things) should:

- e. Provide a suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development, any locally set standards in the development plan, and including adequate provision of spaces and infrastructure that allow for the charging of electric vehicles in safe, accessible and convenient locations..

The building subject to this application currently contains 4no dwellings, which together with the required parking provision shown in brackets, as set out by the Council's parking guidelines is set out as follows:

Nos 5 and 7 Riverside	2no bedrooms	(1.5 spaces)
No 38A Thornsett	1no bedroom	(1.5 spaces)
No 36 Thornsett	2no bedrooms	(1.5 spaces)
No 38 Thornsett	4no bedrooms	(3.0 spaces)

Having regard to the Council's parking guidelines, the total off-street parking provision by modern standards to serve the existing residential units is 7.5 (8) no parking spaces.

The Proposed Floor Plans show the sub-division of the existing building to create the following residential units, with the appropriate level of parking provision shown in brackets:

No.5 Riverside	1no bedroom	(1.5 parking spaces)
No.7 Riverside	1no bedroom	(1.5 parking spaces)
No.9 Riverside	2no bedrooms	(1.5 parking spaces)
No.38A Thornsett	2no bedrooms	(1.5 parking spaces)
No.38 Thornsett	2no bedrooms	(1.5 parking spaces)
No.36 Thornsett	2no bedrooms	(1.5 parking spaces)

As a consequence of the proposed development, an additional 1no parking space is required, having regard to the Council's parking guidelines, taking the total number of parking spaces required to 9.

The site does not benefit from any existing off-street parking provision.

In its original form, the application showed the provision of 3no parking spaces immediately adjacent to the access road serving the Thornsett Industrial Estate. However, due to complications with the fact that this area is an informal verge area, and that the allocation of parking spaces would require specific dimensions that were unlikely to be achieved without piercing the hedgerow boundary, the applicant has agreed to remove this element, further to Officer advice.

The proposed sub-division and creation of additional residential units results in a degree of conflict with LP Policy CF6, the Council's parking guidelines, and NPPF Policy TR4, owing to the fact that there is no opportunity to provide off-street parking within the curtilage.

As such, this harm must be weighed in the overall planning balance, having regard to the presumption in favour of sustainable development set out under NPPF Policy S5.

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.

NPPF Policy S3 presents the presumption in favour of sustainable development as follows:

1. Decisions on development proposals should apply a presumption in favour of sustainable development, which means:
 - a. Policy S4 in this Framework should be applied when considering development proposals within settlements;

- b. Outside settlements, policy S5 should be applied; and
- c. In all locations, development proposals that accord with an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

The application refers to a site that lies outside of the built-up area boundary in the rural area and therefore the presumption under NPPF Policy S5 applies.

The presumption under NPPF Policy S5 states that only certain forms of development should be approved outside settlements unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national-making policies in this Framework. The forms of development are set out in a list which includes the following:

- d. The redevelopment of previously developed land;

The application seeks full planning permission for the sub-division of a building that currently contains 4no residential units, to create a further 2no residential units. The site constitutes previously developed land having regard to the definition set out within the NPPF Glossary and as such complies with one of the forms of development under NPPF Policy S5.

The proposals are not considered to generate any adverse effects with regards to design and appearance or residential amenity.

In light of the parking provision being removed, this generates an additional off-street parking shortfall of 1no parking space, thereby resulting in conflict with LP Policy CF6 and NPPF Policy TR4. Owing to the fact that the site is located within 1.5km (walking distance) of New Mills Town Centre and its suburbs that contains a number of shops and local facilities, Officers judge that limited harm will result from the absence of off-street parking provision.

The application will deliver 2no residential units in a broadly sustainable location on previously developed land that fully supports the aims and objectives of LP Policy H1, and relevant policies contained under Chapters 5 and 12 of the NPPF.

At the time of writing, the Council are unable to demonstrate a 5 year housing land supply and therefore whilst making a negligible contribution to overall housing delivery, significant weight is attributed to this public benefit in the overall planning balance.

When balancing the benefits of providing an additional 2no residential units on a previously developed site in a broadly sustainable location against the identified harm that occurs as a consequence of there not being any designated off-street parking, Officers judge that the level of harm does not meet the threshold of “substantial” that is required to outweigh the benefits.

As such, in the overall planning balance, the application is recommended for approval subject to appropriately worded planning conditions.

OFFICER RECOMMENDATION: **Approve with Conditions**

Case Officer: James Stannard

Recommendation Date: 14th September 2026

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council