

**HIGH PEAK BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE**

**Date 22<sup>nd</sup> July 2024**

<b>Application No:</b>	HPK/2023/0505	
<b>Location</b>	126 George House, Buxton Road, Furness Vale	
<b>Proposal</b>	Demolition of existing Garages and workshop facilities to create 3x terraced houses with residential accommodation over three floors	
<b>Applicant</b>	Mr Neil Richards June-2024	
<b>Agent</b>	Matt Hewitt, Time Architects	
<b>Parish/ward</b>	Whaley Bridge	<b>Date registered</b> 20 <sup>th</sup> Dec 2023
<b>If you have a question about this report please contact:</b> James Stannard, Tel. 01298 28400 extension 4298, james.stannard@highpeak.gov.uk		

**1. SUMMARY OF RECOMMENDATION**

<b>Approve with Conditions</b>
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**1. REASON FOR COMMITTEE DETERMINATION**

1.1 This application has been brought before the Development Control Committee owing to the number of objections received from local residents.

**2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 The application site comprises a parcel of land immediately south of the A6 Buxton Road, near to what can reasonably be described as the centre of Furness Vale and within the built-up area boundary. The site is within walking distance of Furness Vale railway station and the limited services and amenities within the village, and is well served by a frequent bus service connecting Buxton with Manchester and towns and villages in between.

2.2 The site currently contains No.126 Buxton Road, a two storey former light industrial/commercial unit that adjoins an end of terrace property No.128 to the west and fronts the junction with Coachmans Lane, which connects the A6 with Charlesworth Road to the south, providing pedestrian access to a communal playground, bowling green and a sports facility.

2.3 It is not known how long the existing unit has remained dormant/vacant. The planning history indicates that permission was granted in 1984 to use the building as a furniture manufacturers workshop and showroom. Permission was then granted to demolish

the existing building and construct a garage workshop with offices above in 1992. Given the visual appearance of the existing building, with what appears to be first office offices above a larger ground floor workshop, it is assumed that this 1992 permission was implemented, and that the lawful use of the building, having regard to recent changes to the Use Classes Order, is B2 Use (Light Industrial).

- 2.4 In 2004, planning permission was granted for the change of use of the existing garage, to construct 5no. new residential flats. This permission was never implemented, and as such has expired.
- 2.5 As it stands today, the building is visibly in a dilapidated state, and has obviously been in state of decline for some considerable time. The building shows the main form of the building covering the same footprint as two neighbouring terraced properties, with the eastern gable characterised by a single storey lean-to with an odd contrived roof form.
- 2.6 The principal elevation is characterised by two sets of double doors in the main part of the building, with a third set of doors contained in the principal elevation of the lean to, the latter supplemented by a single window. All elevations are finished in a tired, unsympathetic off white render that is showing clear and obvious signs of disrepair.
- 2.7 The site is bounded to the north by the public highway with two storey terraced properties situated beyond. The western partition wall is shared with No.128 Buxton Road, which is one of 7no. terraced properties of a similar character, which mirror the characteristics of properties on the northern side of Buxton Road, with walls finished in a traditional natural stone with slate tiled roof, and simple architectural detailing.
- 2.8 To the south of the site is No.124 Buxton Road, which is situated to the side and to the rear of the footprint of the host building, situated on elevated land. This property has a principal elevation facing southwards characterised by large ground and first floor bay windows, primarily constructed in red brick with slate tiled roof.

### **3. DESCRIPTION OF THE PROPOSAL**

- 3.1 The application seeks full planning permission to demolish the existing light industrial/commercial unit and construct 3no. residential dwellinghouses.
- 3.2 The description of development as submitted made reference to residential accommodation being over three floors. The proposed scheme has been through a number of revisions, and as a consequence, the description of development has been amended, to reflect the final version of the scheme under consideration within this report.

- 3.3 The application, the details attached to it including the plans, comments made by residents and the responses of the consultees can be found on the Council's website at <http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=264511>

#### **4. RELEVANT PLANNING HISTORY**

- 4.1 The site has been subject to the following planning history:

HPK/0002/1774	Change Of Use To Furniture Manufacturers Workshop And Showroom (Approved 13 <sup>th</sup> August 1984)
HPK/0003/1879	Proposed Garage Workshop With Offices Above - Existing Buildings To Be Demolished (Refused 25 <sup>th</sup> August 1992)
HPK/0003/2100	Proposed Garage Workshop With Offices Above - Existing Buildings To Be Demolished (Approved 9 <sup>th</sup> December 1992)
HPK/2004/0609	Change of Use from garage to 5no. new build flats (Approved 27 <sup>th</sup> August 2004)

#### **5. PLANNING POLICIES RELEVANT TO THE DECISION**

##### **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
- EQ6 Design and Place Making
- EQ10 Pollution Control and Unstable Land
- E4 Change of Use of Existing Business Land and Premises
- H1 Location of Housing Development
- H3 New Housing Development
- CF6 Accessibility and Transport

##### **Supplementary Planning Guidance**

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

##### **National Planning Policy Framework 2023**

- |   |           |
|---|-----------|
| Achieving Sustainable Development       | Chapter 2 |
| Delivering a Sufficient Supply of Homes | Chapter 5 |

Promoting Sustainable Transport	Chapter 9
Making Effective Use of Land	Chapter 11
Achieving Well Designed and Beautiful Places	Chapter 12
Conserving and Enhancing the Natural Environment	Chapter 15

## 6. CONSULTATIONS CARRIED OUT

<b>Site notice</b>	Expiry date for comments: 15 <sup>th</sup> Feb 2024
<b>Neighbour letters</b>	Expiry date for comments: 23 <sup>rd</sup> Jan 2024
<b>Re-Consultation</b>	Expiry date for comments: 16 <sup>th</sup> May 2024
<b>Press Notice</b>	Expiry date for comments: N/A

### Neighbours

11no. objections were received in connection with the plans as originally submitted. The grounds for objection are summarised as follows:

- Impact on highway safety as a consequence of parking layout
- Harm to residential amenity (overlooking, privacy and loss of sunlight)
- Safety of children coming and going to nearby school
- Excessive scale and height of three storey properties above the existing roofline
- Insufficient living space to serve 3no. bedroom properties

The plans subject to assessment within this report were the subject of a formal 21 day re-consultation with neighbours and all members of the public that commented on the original scheme.

1no. objection has been received in connection with these latest revised plans. The material grounds of objection are summarised as follows:

- Concerns relating to extra vehicles have not been addressed
- 'Shoe horning' parking for 6no. vehicles to serve 3no. dwellings is dangerous
- Less residential units would be a better option

### Town / Parish Comments

No comments received at time of writing.

### AES Waste

Not enough thought has been given to the waste storage provision. The storage for property 2 is outside property 3 and property 3 is within their garden. This will lead to issues and complaints with someone else's waste being stored outside another property.

In line with guidance properties should be planned so bins can be stored within the property boundary and be moved to the presentation point without the need to go up or down steps or through the property.

Garden gates need to be wide enough to accommodate a standard 240l wheeled bin.

## **Environmental Health**

No objections subject to conditions.

## **Derbyshire County Council Highways**

### Initial Comments

We note that the applicant has submitted a proposed parking drawing which shows 4 small dots to the front of the site. Can you confirm these represent the bollards as per what is shown on Google Street View?

It is also noted that a Public Right of Way (PRoW) Whaley Bridge Footpath No.8 runs along the side of the site where it is proposed to be an access for 2no. vehicles, but the access to the PRoW contains a stone pillar and fencing which are not shown on the proposed parking layout. I have consulted our PRoW team.

Can you confirm that the parking provision accords with your Authority's parking standards as set out in the Local Plan?

We would wish to see the highways issues addressed prior to determination. However, should the LPA be minded to approve the application in its current form we would be grateful if the LPA could reconsult the Highways Authority so that consideration can be given to formulating an appropriate response.

### Further Comments

Although the vehicle access is onto a classified A road, the speed limit is 30mph, the site is in close proximity to a school, so I do have concerns regarding layout and orientation of spaces and I request changes to the vehicle access arrangements.

The parking is no different to the parking on the opposite side of the road (albeit on private land), but my main concern is the bollards, as they will prevent vehicles from leaving the site if a vehicle is parked at the front of the parking area and also encourage vehicles at the back of the parking area to reverse onto the public highway (Buxton Road), so the proposals as drawn are a highway safety issue.

Can you please ask the applicant to remove the bollards and provide a dropped kerb along the whole of the frontage of the site to allow parallel parking as per the parking arrangements on the opposite side of the road and for information of the applicant, each parking space should be 6m x 2m plus to minimise the risk of collision between pedestrians and car doors, a buffer zone of at least 0.5 metres between footways and parked cars (e.g. parallel

parking arrangement) must be provided (as per the County Council Design Guide).

### Latest Comments

You will be aware of the Highways Authority's previous consultation response raised a number of issues in connection with an adjacent Public Right of Way, bollards and access from the public highway and the intervening period a number of discussions have taken place to try and resolve the highways issues, which has culminated in the recently submitted revised drawing (201 Rev A).

From a highways perspective the drawings are now acceptable in principle although it should be noted that in order to implement the scheme a separate construction approval process with the Highways Authority will need to be progressed – this scrutinises construction details and will be necessary in order for the Highway Authority to enter into a Section 184 Agreement for any works.

As the principle of development has already been accepted from a highways aspect and as highlighted, above, notwithstanding the information already submitted further minor modifications could well be required as part of the subsequent construction approval processes with the Highways Authority and on the basis the Highway Authority would recommend the following conditions be appended to any consent:

1. The development hereby approved shall not commence until drawings of the highway improvements (site access) works which comprises the extension of existing dropped vehicle crossing to Buxton Road, has been submitted to and approved in writing by the Local Planning Authority and the building shall not be occupied until those works have been constructed in accordance with approved details.
2. No individual dwellinghouse hereby approved shall be occupied until sheltered, secure and accessible cycle storage has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.
3. No development shall take place until a Demolition Management Plan/Demolition Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition period. The plan/statement shall provide for: i. parking of vehicles for site operatives and visitors; ii. storage of plant and materials and site accommodation; iii. details/method of demolition of buildings on site; iv. method of prevention of mud/debris being carried onto the public highway; v. proposed temporary traffic management/restrictions; vi. Arrangements for loading/unloading and turning vehicles within the site; vii. roadside fencing/hoarding

4. Prior to commencement of the development hereby permitted, details of a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plans shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not restricted to:
- Parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
  - Any temporary access to the site;
  - Locations for loading/unloading and storage of plant, waste and construction materials;
  - Method of preventing mud and dust being carried onto the highway;
  - Arrangements to receive abnormal loads or unusually large vehicles;
  - Highway Condition survey;
  - Method of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses

## **7. POLICY AND PLANNING BALANCE**

### **Planning Policies**

- 7.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.
- 7.2 Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016.
- 7.3 Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Paragraph 11 of the NPPF explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

- 7.4 Local Plan policy S1a establishes a presumption in favour of sustainable development as contained at paragraph 11 of the NPPF.

### **Principle of Development**

- 7.5 The application seeks to demolish an existing dilapidated building that has an existing lawful B2 Use as a Garage and Workshop and replace the building with 3no. residential units.
- 7.6 The site lies within the built-up area boundary of Furness Vale, which is identified as a Larger Village within the settlement hierarchy under Local Plan (LP) Policy S2 which states that such settlements have the capacity to accommodate growth of a moderate scale.
- 7.7 LP Policy S3 contains the Housing Delivery Strategy for the Borough which directs the majority of new housing development towards the Market Towns and Larger Villages.
- 7.8 LP Policy H1 refers to the Location of New Housing Development and promotes and encourages the reuse of a building or the redevelopment of brownfield sites within the built-up area boundary.
- 7.9 Chapter 5 of the NPPF contains the relevant national policies aimed at delivering a sufficient supply of homes throughout the country. Paragraph 70 states that small and medium sites can make an important contribution to meeting the housing requirement of an area, and thus authorities should support the development of windfall sites through their decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes.
- 7.10 Chapter 11 of the NPPF contains relevant policies designed to ensure that land is used effectively. Paragraph 124 states that substantial weight should be given to the use of brownfield (previously developed) land within settlements for homes and other identified needs.
- 7.11 Having regard to the above, the principle of housing in this location is fully supported by all relevant strategic housing policies contained within the Local Plan and the NPPF.
- 7.12 However, the site amounts to a light industrial commercial unit, and as a result of the application seeking a change of use outside of the former B1 (now Class E), B2 and B8 Use Classes, the application must demonstrate compliance with LP Policy E4.
- 7.13 LP Policy E4 applies to the change of use of existing business land and premises and states that development proposals involving the redevelopment or change of use of existing business of industrial land or premises (B1, B2 and B8) for non-employment uses will only be permitted where:



1. The continuation of land or premises in industrial or business use is constrained to the extent that it is no longer suitable or commercially viable for industrial or business use as demonstrated by marketing evidence commensurate with the size and scale of development; and the proposed use is compatible with neighbouring uses; or
  2. An appropriate level of enabling development is required to support improvements to employment premises or supporting infrastructure. In such cases, a viability appraisal should be submitted to demonstrate that a change of use or redevelopment of the site is required to fund the improvements. Mixed-use proposals should not create any environmental, amenity or safety issues.
- 7.14 The above policy makes clear that irrespective of the state of an existing building or whether the site facilitates an operational business or is vacant, an applicant is required in all instances to justify that where a change of use of an industrial/commercial use (i.e. B2 Use or relevant uses falling under Class E) to a non-industrial/commercial use is proposed, the existing business/industrial use is constrained to the extent that it is no longer suitable or commercially viable, through marketing evidence, commensurate with the size and scale of the development.
- 7.15 The timescales and methodology to be applied to a marketing strategy is a matter of judgement to be made by the Local Authority, taking account of aspects including the current condition of a site, its suitability and attractiveness for prospective owners/tenants, its current lawful use, its location relative to public transport links and service centres, and its relationship with neighbouring land uses.
- 7.16 Officers identified early in the consultation process that the application was not accompanied by any marketing evidence to justify compliance with LP Policy E4. Further to Officers requesting this information, documentary evidence in the form of email correspondence and a marketing brochure has been submitted that shows that the building has been marketed by Bridgefords Estate Agents for a period of four years between 2017 and 2022, when it was withdrawn from the market. The email correspondence notes that whilst the site was the subject of many enquiries, no formal offers were ever made, and explains why an alternative redevelopment of the site is being pursued.
- 7.17 In many instances, for example where the building is home to an active operational trading company, and/or comprises an attractive high quality build in an attractive location in one of the larger Market Towns (e.g. Buxton or Glossop), with obvious potential to lease out or sell to one or multiple firms, this level of marketing evidence would be found to be inadequate and further information would be required to demonstrate and justify compliance with LP Policy E4 and that all

potential uses within the B2 or relevant Class E Uses have been fully exhausted.

- 7.18 However, given the fact that this building is vacant, is in an obvious state of disrepair, lies in a Larger Village with little in the way of services and other amenities, and has shown to be marketed for a period of four years between 2017-2022, without a formal offer having been made, it is considered that in this specific instance, sufficient justification has been demonstrated with regards to the site no longer being commercially viable to sustain its current lawful use. In addition, limited but nevertheless some weight can be given to the fact that the Council have (albeit under former planning policy context) accepted the principle of redevelopment and housing on this site.
- 7.19 As such, having regard to all information submitted with the application, it is considered that the proposal supports the aims and objectives of LP Policies S1, S2, S3, H1 and E4 and relevant paragraphs contained under Chapters 5 and 11 of the NPPF, and thus the principle of development can be supported subject to a detailed assessment of all relevant planning considerations.

### **Design Character and Appearance**

- 7.20 WBNP Policy WB-E1 contains a number of design principles that new developments are expected to adhere to. These include the following:
- Development should compliment the townscape character and topography of the site and context and wider Whaley Bridge area in terms of scale, height, massing, roofscape, set back from the road, spacing of properties, and the pattern of front and rear gardens
  - Development should seek to enhance the architectural diversity of the area, avoiding excessive uniformity
- 7.21 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.
- 7.22 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.
- 7.23 The High Peak Design Guide SPD (2018) contains useful design guidance for new development including housing, covering a number of different aspects, to ensure that schemes are of a high quality that is appropriate for its context.

- 7.24 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.
- 7.25 The site currently accommodates a two storey building that is consistent with scale and height with a row of terraced properties on Buxton Road immediately to the north west. The immediate street scene is also characterised by standard two storey properties. The starting point for assessing what is an appropriate scale, height and massing of proposed residential development on this site is the application for residential development approved in 2004.
- 7.26 In assessing the plans as submitted, Officers advised the agent that the scale and height of the proposed dwellings in their original form (2.5 storeys) were not acceptable, as they failed to respect the existing pattern or 'grain' of development as referred to within the Design Guide SPD. It was requested that the starting point for amendments, should be the 2004 scheme, which shows a simple rectangular form, with two pitched gable ends, with two storeys that has a ridge line consistent with neighbouring terraced properties.
- 7.27 Further observations were made with regards to the introduction of dormer windows to the rear of the elevation not being acceptable in design terms, due to their prominence from public vantage points and their unsympathetic appearance.
- 7.28 With regards to materials, the agent was advised that the block of residential dwellinghouses should be constructed in a natural stone commensurate with the prevailing character of the street scene, omitting any proposed render, with a slate rather than concrete roof tile being adopted, both in the interests of good design and making a positive contribution to the character and appearance of the street scene.
- 7.29 Lastly, the agent was advised that the scheme should be amended to include fenestration that takes account of local vernacular by having a vertical rather than horizontal emphasis, with first floor windows positioned high up just under the eaves. It was requested that the scale and appearance of those seen in neighbouring and nearby terraced properties, complimented by stone headers and sills.
- 7.30 The final revised plans received on 02/05/24 shows a much changed scheme comparable to the original plans. The characteristics of the final scheme are summarised as follows:
- Simple rectangular form with a ridgeline that is consistent with the immediate terraced properties that extend westwards along Buxton Road

- Principal elevation with simple architectural detailing, with each residential unit characterised by a modest dual pitched entrance porch, alongside symmetrical and proportionate fenestration detail comprising a ground floor window, with first floor window of a consistent scale and design above, complimented by traditional headers and sills
- Main form of the block residential units has a consistent footprint with the neighbouring terraces, with a single storey flat roof annex providing additional living space at ground floor level.
- Rear elevation characterised by symmetrical and proportionate fenestration, each residential unit benefiting from a first floor window, with bi-fold doors at ground floor level
- Each residential unit benefits from a small area of amenity space to the rear

7.31 In its latest form, the scheme is considered to align with the requests set out by Officers during the consultation period, and, subject to conditions which ensure that the specific materials including colour are approved prior to construction, will result in a significant visual enhancement of the site and wider street scene, respecting the existing pattern of development and the overall character and appearance of the street scene.

7.32 As such, the application in its final revised form is considered to align with the design principles set out under Whaley Neighbourhood Plan Policy WB-E1, LP Policy S1 and EQ6, relevant Supplementary Design Guidance and relevant paragraphs under Chapter 12 of the NPPF.

### **Amenity**

7.33 LP Policy H3 requires all residential developments to provide a high standard of amenity for future occupiers by demonstrating compliance with Nationally Described Space Standards which include the size of bedrooms and overall residential unit based on occupancy.

7.34 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.

7.35 LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.

- 7.36 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.
- 7.37 Paragraph 135 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.
- 7.38 Paragraph 191 of the NPPF states that decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Consideration should be given to potential adverse impacts relating to noise and light pollution, amongst other things.
- 7.39 Firstly with regards to NDSS, the final scheme shows each residential unit to be two storey, containing two bedrooms with a total approximate floor area of 80m<sup>2</sup>, which marginally exceeds the minimum 79m<sup>2</sup> required for a 2no. bedroom, 4no. person occupancy.
- 7.40 Each dwellinghouse contains two bedrooms, with one shown to be a double and the other shown to be a single. However, both bedrooms fall short (albeit by a square metre) of the required 11.5m<sup>2</sup> required to facilitate a double bedroom. Nevertheless, the Authority have been consistent in their strict application of NDSS standards in all residential developments in the interests of providing a high standard of amenity for future occupiers and as such, it is recommended that a compliance condition be applied that restricts the occupancy of each residential unit to a maximum of 2no. persons.
- 7.41 Turning to potential impacts on neighbouring residential amenity, the final scheme is broadly consistent with the layout and scale approved in 2004. The spatial and visual relationship between existing and proposed habitable windows and amenity spaces have not changed in the last 20 years.
- 7.42 The single storey outrigger protrudes approximately 300mm beyond the rear elevation of the neighbouring property and will not result in any overbearing impacts, loss of privacy or loss of sunlight. A condition is recommended to ensure that boundary treatment is effectively controlled and secured. The minimum distance of 21m has been achieved between all existing and proposed habitable windows.
- 7.43 Lastly, with regards to public amenity, the application involves the demolition of the existing building. Both Environmental Health and the Highways Authority have no objections to the proposal, subject to appropriate conditions, particularly relating to the demolition process. It

is considered that subject to compliance with appropriate conditions, there will be no adverse harm to public amenity as a result of the proposed development.

- 7.44 Subject to appropriate conditions, it is considered therefore that the proposed development in its final revised form will provide a high standard of amenity for future occupiers and will preserve the amenity of neighbouring properties and the wider general public, in accordance with LP Policies EQ6 and EQ10, the Residential Design Guide SPD, and relevant paragraphs under Chapters 12 and 15 of the NPPF.

### **Parking Provision and Highway Safety**

- 7.45 WBNP Policy WB-T1 refers to Transport and sets out a number of requirements for new development. These include the following:

- Proposals for new homes should either include on-plot secure covered storage for cycles proportionate to the scale of development or demonstrate why such facilities are not required
- A mix of parking provision should be provided, taking account of local character, including curtilage spaces and garages, so that streets and the public realm are not dominated by parking.
- Proposals for all new development, including new homes, should include provision of infrastructure to facilitate installation of electric vehicle charging points

- 7.46 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.

- 7.47 Paragraph 114 of the NPPF states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users.

- 7.48 Paragraph 115 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 7.49 The site lies adjacent to the A6 (Buxton Road), and benefits from an informal area of hard standing between the principal elevation of the building and the carriageway edge which is understood to have been utilised for informal off-street parking provision, associated with the former industrial/commercial use. The existing context shows the presence of bollards, preventing easy access to the public highway. In line with initial comments provided by the Highways Authority, the

latest Site Plan as proposed (Ref: 201A) shows the removal of the bollards to the front of the site, allowing this area to be fully utilised for off-street parking. Additional off-street parking is provided from Coachmans Lane, and in total shows 6no. spaces to serve the 3no. 2 x bedroom properties, compliant with parking guidelines under Appendix 1 of the Local Plan.

7.50 Whilst this layout of parking provision parallel with the highway is unusual, the Highways Authority have no objections subject to appropriate conditions, which includes details relating to construction and demolition.

7.51 Having regard to these comments, it is considered that the proposed development in its final revised form will not give rise to any harm to highway safety, in accordance with LP Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF.

## **Other Matters**

### Procedural Matters

7.52 The application was submitted with an Application Form that showed Certificate A being completed, claiming that all land was within the control of the applicant. However, Officers identified that as the existing building is adjoined to the neighbouring residential terrace No.128 Buxton Road, and as such the applicant was required to serve notice on this neighbour having regard to Article 15 of the General Management Procedure Order.

7.53 An amended form showing Certificate B completed, and evidence of notice being served on this neighbour has subsequently been submitted to the Local Planning Authority, which addresses this procedural point.

## **Planning balance & Conclusion**

7.54 LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).

7.55 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-date, granting permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- 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.
- 7.56 The application in its final revised form seeks full planning permission to demolish an existing dilapidated former light industrial/commercial building and to redevelop the site with 3no. two storey terraced residential dwellinghouses.
- 7.57 As set out within the body of this report, Officers are satisfied that sufficient information has been submitted, having regard to the specific characteristics, location and context of the site, to demonstrate that the building is no longer viable to support its existing light industrial/commercial use (B2 or Class E Uses) in line with LP Policy E4. Given its location within the built-up area boundary of Furness Vale, the principle of redeveloping this brownfield site for a housing development of a modest scale, on a site that is not constrained by any statutory designation is supported by LP Policies S1, S2, S3 and H1, and relevant paragraphs under Chapters 5 and 11 of the NPPF.
- 7.58 A thorough assessment of the application, which has involved multiple revisions to the scale, height, layout, massing and visual appearance of the development, has, in its final form, been found, subject to appropriate conditions, to be of a high quality design that respects and compliments the existing pattern of development and character of the street scene, provides a high standard of amenity for future occupiers, preserves the amenity of neighbouring properties, and provides an appropriate level of off-street parking provision not amounting to any harm to highway safety.
- 7.59 The application in its final revised form thus constitutes a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF is recommended for approval subject to appropriate conditions.

## **8. RECOMMENDATIONS**

### **A. APPROVE subject to conditions as follows;**

1. *Time Condition 3 years*
2. *Approved Plans*
3. *Materials Schedule to be approved prior to any works above foundation level*
4. *Boundary Treatment to be approved prior to works above foundation level*
5. *Restriction on hours of operation for demolition and construction*
6. *Land Contamination*
7. *Occupancy condition – each house limited to 2no. occupants*
8. *Highways improvement works agreed prior to commencement*
9. *Details of cycle storage to be approved prior to first occupation*
10. *Demolition Management Plan to be approved prior to commencement*
11. *Construction Management Plan to be approved prior to commencement*



12. *PD Rights to be removed for extensions and alterations*

**B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.**

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 187 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

