

7. FULL APPLICATION - DEMOLITION OF REDUNDANT INDUSTRIAL UNITS 2 & 3 ON THE FORMER INDUSTRIAL SITE AND THE CONSTRUCTION OF 4 OPEN MARKET HOUSES COMPRISING OF A PAIR OF SEMI-DETACHED DWELLINGS AND 2NO DETACHED DWELLINGS WITH LANDSCAPING AND CARPARKING AT LEEK ROAD, WARSLOW (NP/SM/1116/1180. P779, 2/12/2016 408508 / 358755/SC)

APPLICANT: MR GEORGE DUNICLIFF

Site and Surroundings

This application proposes the redevelopment of the remaining former Warslow Industrial Estate, which is situated on the north western edge of the village and accessed directly from Leek Road. The development covers approximately 0.24 acres and sited on reasonably level ground. There is a line of mature trees and hedgerow along the western boundary together with a small cluster of trees/vegetation in the south west corner. The site itself is omitted from the Warslow Conservation Area (CA); however, the CA surrounds and abuts the development site boundaries.

There are two pairs of relatively newly-built semi-detached local needs dwellings fronting Leek Road and positioned between the road and the development site and a pair of newly-built semi-detached local needs houses to the west, with their frontages and parking spaces orientated towards the access onto Leek Road. Additionally, there are two unoccupied industrial units within the site, one on the eastern boundary of the site and one to the south. The garden area of a converted chapel building (Ye Olde Chapel) abuts part of the north eastern edge of the development site, with another local needs housing development located to the south of the site at St Lawrence View.

Proposal

Permission is being sought for the removal of two existing industrial buildings and the erection of four unrestricted open market dwellings, with associated parking and landscaping. The dwellings would comprise of a pair of 3 bed semi-detached dwellings and two 4 bed detached houses. The properties would be constructed in natural stone under blue slate roofs, with parking spaces, (two per dwelling) and associated hard and soft landscaping treatment within the site boundaries. Timber sheds would be located in the rear garden areas.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 year time limit.**
- 2. Adopt amended plans.**
- 3. Withdraw permitted development rights for alterations, extensions, porches, ancillary buildings, walls, fences and satellite dishes.**
- 4. Maintain garage spaces.**
- 5. Underground service lines.**
- 6. Appropriate highway conditions.**
- 7. Minor design details to include stone and slate samples.**
- 8. Submit and agree landscaping scheme.**

8. Submit and agree a scheme of environmental management.

Key Issues

1. Whether the proposal is acceptable in principle.
2. Whether the development has an adverse impact on the character and appearance of the surrounding Conservation Area.
3. Whether the proposed dwellings are considered acceptable in terms of design, landscaping, highways and neighbourliness.

Brief Planning History of the site

In 1983 an application for 4 industrial units was granted permission on the Warslow Industrial site. In 2009 an application was submitted by the Peak District Rural Housing Association (PDRHA), to demolish two of these industrial buildings and erect 6 affordable local need dwellings, the application being approved in 2010. The approved dwellings were constructed and almost completed when the PDRHA lost funding; consequently the dwellings were not finished by the Housing Association. In the approval there were conditions requiring the remaining industrial units being refurbished as part of the overall scheme and also a S106 legal agreement, which required the completed dwellings to be owned by a social landlord and the occupation by people meeting the local need criteria.

The new dwellings and the industrial units were under separate ownership at the time, with the company owning the industrial units going into liquidation. The units and associated land were then bought by a separate company (the current applicants). Several applications have since been made, discharging conditions relating to the refurbishment of the industrial units on the original permission, which had previously prevented the dwellings from being completed and occupied. These have now been fully discharged and the dwellings subsequently completed. In 2016, the owner of the local needs dwellings submitted an application to amend the S106 legal agreement, to remove the restriction for the dwellings to be sold to a registered social landlord only, thus allowing the properties to be sold of separately to private individuals, but who still meet the Authority's policies regarding local need. This has consequently been granted. Enquiries by interested parties wishing to occupy the local needs dwellings are currently being assessed by the Authority.

Consultations

Highway Authority - There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-

1. *The development hereby permitted shall not be brought into use until the parking; servicing and turning areas have been provided in accordance with the approved plans and allocated to dwellings. The parking, turning and servicing areas shall thereafter be retained unobstructed as parking, turning and servicing areas for the life of the development.*

District Council – No response to date

Parish Council - Object..."have concerns and questions about the status of the homes that were constructed over six years ago on the same site. They remain unoccupied and, from comments made in the application, it is not clear whether there are still any existing restrictions regarding social housing needs on these properties. The Parish Council resolved that it would seem more appropriate that a decision on this development be withheld until at least 50% of the existing

housing on this site is occupied and the exact circumstances of that occupation have become clear to the community”.

Main Development Plan Policies

Relevant Core Strategy policies: GSP1 ,2, 3, DS1, HC1, L3

Relevant Local Plan policies: LC4, LC5, LT11, LT18

Core Strategy (CS)

GSP1 and GSP2 jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.

GSP3 requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park.

DS1 provides the development strategy, including the need to secure effective conservation and enhancement in all settlements.

HC1C allows new build housing where it is required in order to achieve conservation or enhancement (in settlements listed in DS1) and that any scheme proposed under CII that is able to accommodate more than one dwelling, must also address local need, unless it is not financially viable to do so.

L3 is particularly relevant, as it deals with Cultural heritage Assets. It explains that development must conserve and where appropriate enhance or reveal the significance of historic assets and their setting.

Local Plan (LP)

LC4 considers design, layout and landscaping and points out that particular attention will be paid to scale, form, mass and orientation in relation to existing buildings.

LC5, states, that applications for development in a Conservation Area, or for development that affects it's setting or important views into or out of the area, should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.

LT11 & LT18 require adequate means of access and parking facilities in new development.

LC21, LC22, & LU2 require adequate measures to deal with utilities infrastructure.

CC1 and the associated supplementary planning document on Climate Change and Sustainable Development, encourage incorporating energy saving measures and renewable energy into new development.

Further Supplementary Planning Guidance is provided in the National Park Authority's Design Guides.

National Planning Policy framework (NPPF)

Paragraphs 56 - 66 require good design whilst paragraphs 109 - 116 promote the protection of sensitive landscapes. It is considered that there is no significant conflict between the above policies in the Development Plan and government guidance in the NPPF, with regard to the issues that are raised in the following appraisal.

Officer Assessment

Principle

DS1 provides the development strategy, including the need to secure effective conservation and enhancement in all settlements. Whilst HC1 provides the detailed housing policy, which explains that provision will not be made for housing solely to meet open market demand. The most relevant provision to the current proposal is part C, which in accordance with GSP1 and GSP2, HC1C (II) allows new build housing where it is required in order to achieve conservation or enhancement (in settlements listed in DS1) and that any scheme proposed under CII that is able to accommodate more than one dwelling, must also address local need, unless it is not financially viable to do so.

Paragraph 12.18 of the Core Strategy sets out the key aspects of policy HC1, as follows:

Occasionally, new housing (whether newly built or from re-use of an existing building) may be the best way to achieve conservation and enhancement or the treatment of a despoiled site. Sometimes this requires the impetus provided by open market values, but wherever possible and financially viable, such developments should add to the stock of affordable housing, either on the site itself or elsewhere in the National Park'.

However, where it is established that a scheme is able to accommodate more than one dwelling unit, there is no requirement within policy for that unit to be affordable if it is not financially viable to do so. In this case, the application has been submitted solely for open market housing. The key judgment therefore is whether open market dwellings are required in order to achieve conservation or enhancement of a degraded or redundant site and to demonstrate that any scheme proposed that can accommodate more than one dwelling is not financially viable as to consider including or contributing to the provision of affordable housing.

Viability issues

The agent has submitted a financial site appraisal that includes a breakdown of total cost, revenue and nett realisation figures. (The report can be viewed in full on the Authority's website). In this case, the applicants acquired the site at a lower than market value, however, the inclusion of natural stone work/quoins/lintels etc. has raised the build cost considerably. With further design revisions, the appraisal shows a profit of approximately 19%, which according to the applicant is a very slim margin given the quality of materials and other build costs associated with the overall scheme. Taking this appraisal into account, there appears to be no scope for any contribution to deliver affordable housing elsewhere in the locality or fund other community uses within the village.

In justification, the applicant has stated that the houses would be family homes that would benefit the local community and contribute children to the local schools etc. and that the previous housing development is already contributing to affordable living within the village. Officers have assessed the information and concur that any further affordable housing or community provision would not be a viable in this case and therefore accept that the impetus of open market housing alone would be required to effectively develop the existing and remaining industrial site.

Marketing

According to the applicant's commercial estate agent, the vacant units have been available on the market since November 2010 and in this period the units were introduced to potential occupiers, with just two enquires regarding the units but no expressions of interest or offers to rent either of the units. The marketing included details available in their local office, distribution of particulars to the office data base of potential occupiers and advertising on their web site and prior to its demise, marketing on the InStaffs web site. The marketing has not generated any positive enquiries to rent either of the industrial units.

The applicants conclude that their experience, coupled with extensive marketing undertaken over the past five years, leads to the conclusion that there is no market for units of this type in the Warslow area and that the units are past their economic life, requiring significant investment if they are to be re-used. Taking the above into account, Officers consider the construction of four open market dwellings on this site would comply with policy HC1C II, with regard to achieving the conservation and enhancement of a degraded or redundant site, and which further demonstrates that the proposed scheme is not financially viable as to consider affordable housing or can financially contribute to other local community facilities.

With regard to the Parish Council objection, officers understand the Council's concerns about the lengthy period over which these 6 dwellings have been unfinished and then unoccupied. This was raised by the Council at meetings with the Authority's officers, with the Parish Council expressing its desire to see the whole site developed and occupied so that it could contribute to the village. Over the last 4-5 years officers have spent a significant amount of time discussing ways of achieving this with the site owner and have been agreed variations to the conditions on the original consent and in the section 106 agreement to achieve this. Consequently there is now a clear prospect of the existing housing being sold to local people who met the local occupancy criteria (officers are currently dealing with enquiries from prospective purchasers) and officers consider that it would not be reasonable to withhold permission for the current scheme.

Layout, Design and Landscaping

GSP3 requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority's Design Guide and development is appropriate to the character and appearance of the National Park. LC4 considers design, layout and landscaping and points out that particular attention will be paid to scale, form, mass and orientation in relation to existing buildings. Design principles are set out in the Authority's Supplementary Planning Documents on Design.

Layout

The development site is the remaining part of the Warslow Industrial Estate and comprises an area of approximately 0.24 acres and sited on fairly level ground. The proposed layout would comprise a row of four dwellings, a pair of semi-detached and two detached properties sited in a row towards the eastern boundary of the site. Access to the development would be from the existing road layout, off Leek Road. Car parking for the dwellings would be situated to the front of the dwellings, with further spaces being allocated to the north of the houses and opposite the access road on the western boundary of the site to the rear of the existing affordable dwellings. In streetscape terms, whilst the scheme is a relatively concentrated development of the site and in the form of a short cul-de-sac, the form and layout is considered to be and subsequently would help conserve and enhance the character and appearance of the area.

Design

The houses would be constructed of natural stone to the walls under blue slate roofs. The eaves height would be 5 metres, with the overall height to the ridge of 7.7 metres. The gable width would be 6.3 metres to reflect the local vernacular. In addition, proposed timber sheds would be positioned within the garden areas abutting the eastern boundary wall. Design revisions relating to the height to length ratio, gable widths, improved door and window detailing of the houses and the inclusion of stone walling to the road frontages to the dwellings have been submitted since the application was submitted. Consequently, with the required amendments to the design being acceptable, this is considered a sympathetic scheme, that reflects the vernacular style of other traditional properties in the locality, in accord with GSP3 and LC4.

Landscaping

The submitted layout drawings provide a hard and soft landscaping scheme, which shows the driving and parking areas to be blocked paved with granite of brindled finish, with the patio areas and pathways within the dwelling boundaries to be riven paving slabs. In addition, drystone walling (900mm in height) would be constructed along the garden frontages and between each front garden area, up to the front building line of the houses. A timber fence would divide the space between the gable elevations and into the rear private gardens. The garden areas would be generally grassed to the front and rear with some planting beds to the frontages. Timber sheds would be positioned within the rear gardens, abutting the eastern boundary walling. There is a small cluster of trees/vegetation on the south eastern corner of the site and whilst the applicants have not submitted a tree survey, the trees are not considered to be of any importance/merit that would warrant their retention. In addition, they are not sited within the CA. In this case, it is considered the removal of the trees/vegetation would have no detrimental impact on the site or adversely affect the character and appearance of the surrounding CA.

Impact on the surrounding Conservation Area.

Policy L3 is relevant, as it deals with Cultural Heritage Assets. It explains that development must conserve and where appropriate enhance or reveal the significance of historic assets and their setting. LC5 states, that applications for development in a Conservation Area should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and where possible enhanced.

The dwellings would not be sited within the Conservation Area of the village. However, together with the orientation and design of the new buildings and the addition of further drystone walling/soft landscaping, it is considered the overall effect of the proposed development would add value to the character and appearance of the area and in particular the setting when viewed from the surrounding Conservation Area, therefore complying with Conservation policies L3 and LC5.

Impact on Neighbourliness

GSP3 states that all development must respect the living conditions of communities whilst LC4, affirms that particular attention will be paid to the amenity, privacy and security of the development and of nearby properties.

In this case the nearest dwellings affected by the development are the affordable local needs housing sited over 20m away to the north and 8 metres to the west respectively. Due to the design and orientation of the proposed dwelling houses and the position of window and door openings, any potential overlooking into neighbouring properties has been kept to a minimum. Consequently, it is considered the amenity of neighbouring dwellings would not be unduly compromised by the development, therefore the proposal accords with GSP3 and LC4.

Highway/Access

LT11 states that the design and number of parking spaces associated with residential development including any communal residential parking, must respect the valued characteristics of the area, particularly in Conservation Areas. Whilst LT18 state amongst other things that the provision of safe access arrangements will be a pre-requisite of any development.

The existing and previously approved access from Leek Road into the development site would be used, with the Local Highway Authority raising no objections to the scheme, provided the development is not brought into use until the parking, servicing and turning areas have been provided in accordance with the approved plans and allocated to the proposed dwellings. Consequently, subject to the appropriate condition being appended to the decision, the development is considered acceptable in highways terms in accord with LT11 and LT18.

Environmental Management

No specific energy measures have been submitted, however, the applicants have stated, that the new dwellings would be a sustainable development, using locally sourced materials throughout. However, Officers consider an appropriate condition should be included, requesting further consideration by the applicants regarding the use of alternative renewable energies. Notwithstanding this, the proposed use of traditional materials should minimise weathering and enhance the sustainability of the buildings throughout their longevity. Moreover, the dwellings would require compliance with recently upgraded building regulations.

Conclusion

In conclusion, it is regarded that the impetus provided by open market values, is required in order to achieve conservation/enhancement of a degraded/redundant site and that after marketing the units for a long period of time without success, it is clear that there is no reasonable prospect that the units being retained for a viable employment use. Therefore to accommodate four open market dwellings on an exceptional basis, accords in principle with HC1C. In all other respects, the scheme is considered acceptable in design terms, is in keeping with the immediate surroundings and would have no adverse impact on the surrounding Conservation Area. Moreover there would be no adverse effect on any nearby residential amenity, whilst providing adequate space for garaging, parking and manoeuvring of vehicles. Consequently, the scheme is considered in accord with National and Development Plan Policies and adopted Design Guidance, therefore recommended for approval, subject to appropriate conditions.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil