

**7. FULL APPLICATION – CHANGE OF USE TO 3 OPEN MARKET DWELLINGS AT HURST WATER TREATMENT PLANT, DERBYSHIRE LEVEL, GLOSSOP (NP/HPK/0217/0140, P.8289, 405202 / 393910, 08/03/201/MN)**

**APPLICANT:** Paul Milner

**Site and Surroundings**

The application site includes the former water works building and its curtilage and is located approximately 1.7km to the east of Glossop. Glossop lies outside of the National Park, with Hurst Road, 180m to the west of the site indicating the boundary line at the nearest point. The site is separated from the edge of Glossop by open fields and the Glossop and District Golf Course and is therefore considered to be in open countryside.

The site is dominated by a substantial building which was erected in 1960 to serve the former Hurst Reservoir. This use has since ceased following the decommissioning and removal of the reservoir and the building on site is vacant. The building measures 23m by 7m with a further single storey flat roofed section measuring 21m by 5.2m and almost covering the whole of the front elevation. The building is constructed from gritstone with the main part under a shallow pitched roof. The site area which forms the curtilage of the building extends to approximately 0.25 hectares. There is a block of woodland to the immediate south of the site and the golf course lies across the access lane to the north.

The nearest neighbouring properties are the buildings relating to the golf club to the north west and two domestic properties located to the south east and adjacent to the application site. Access to the building is via the existing private way which serves the golf club and the neighbouring dwellings.

**Proposal**

The conversion and alteration of the former water works building to create three open market dwellings.

The submitted plans show that the entirety of the existing building would be converted to create the proposed three dwellings. New window and door frames would be installed within the existing openings, four new door openings would be created on the rear elevation and four single and three double roof lights installed on the front elevation.

Each of the three dwellings would provide accommodation on two floors with bedrooms above open plan living space. Plots 1 and 2 on the submitted plans would each have a total of three bedrooms, whilst Plot 3 would have two bedrooms.

Parking space would be provided to the front of the building and garden space to the rear and side. The submitted plans show that close boarded timber fencing would be erected to bound the gardens, also running along the northern side of the site.

**RECOMMENDATION:**

**That the application be APPROVED subject to the following conditions:**

- 1. 3 year time limit**
- 2. Development in accordance with the submitted plans**

3. **Removal of permitted development rights for alterations and extensions**
4. **Reduce number of rooflights**
5. **Detailed landscaping scheme to be agreed**
6. **Obscure glazing to south east gable**
7. **Further contaminated land assessment to be undertaken and mitigation implemented where necessary**
8. **Details of package treatment plant to be confirmed**
9. **Provision of bat boxes**
10. **Highway conditions to secure site construction compound, parking and bin storage**

### **Key Issues**

- Whether the principle of conversion to open market dwellings is acceptable in principle.
- Whether the development achieves a design that conserves the appearance of the built environment.
- Whether the development would preserve the amenity of neighbouring properties.
- Whether the development would be served by safe and suitable access and adequate parking and turning arrangements.

### **History**

2016: NP/HPK/0916/0875: Planning permission refused for change of use to 3 no. affordable dwellings.

2015: NP/HPK/1114/1162: Planning permission granted conditionally for conversion of building into B1 Class managed office space comprising of 12 office units and associated parking.

2014: NP/HPK/0514/0493: Demolition of water works building and change of use for the stationing of caravans for occupation by gypsy-traveller site, with associated development including hard standing, utility building and external lighting, refused.

Appeal against the 2013 decision for change of use to a dwelling dismissed.

2013: NP/HPK/0513/0441: Change of use from former waterworks to dwelling including partial demolition and re-modelling of building, refused.

2012: NP/HPK/0312/0239: Change of use of building to dwelling and office, refused.

2011: NP/HPK/0811/0831: Change of use of building to dwelling and commercial office, refused.

Appeal against a 1998 decision for change of use to a dwelling dismissed.

## **Consultations**

Derbyshire County Council – Highways – Refer to comments on 2016 application. These advised no objections subject to conditions to secure site construction compound, parking and bin storage.

High Peak Borough Council – Environmental Health – The site was subject to a land contamination assessment under a condition of approval NP/HPK/1114/1162. This assessment identified contamination and was made with regard to a commercial end use. As the proposed residential end use is more susceptible to the presence of land contamination a condition requiring further survey and mitigation work is recommended to protect the health of future occupiers.

Clarity is also requested in relation to details of the proposed sewage treatment system to be utilised, with a condition recommended to secure this.

A condition requiring confirmation of means of water supply to the properties is also recommended.

Charlesworth Parish Council – No response to date.

## **Representations**

The Authority has received a total of three representations. Two support the application and one objects. The reasons given in support or objection are summarised below, the letters are available to read in full on the website.

### Support

- Previous applications have not been suitable and this is the most appropriate re-use of the building put forward to date.
- The site has not been used for over 20 years and is a dilapidated state and therefore has an impact on the surrounding area.
- More housing is needed in the area.
- There is a shortage of this kind of housing within the parish.

### Object

- Object to the application due to the sites previous planning history.
- The size of the proposed developments they would not fall into the category of affordable housing and there is no evidence of a proven need for affordable housing of this type in the area.
- Pre-application advice has not been sought.
- The privacy of the neighbouring property privacy would be compromised by the east facing gable end of the proposed development overlooking it.
- On previous applications the Highway Authority advised that a turning area was required for delivery vehicles and has not been provided. [Officer note: a turning area is detailed on the submitted plans]

## **Main Policies**

Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L2 and HC1

Relevant Local Plan policies: LC4, LC17, LC18, LC24, LT11 and LT18

### National Planning Policy Framework

The National Planning Policy Framework (The Framework) is a material consideration which carries particular weight where a development plan is absent, silent or relevant policies are out of date.

Paragraph 55 of the Framework says that housing should be located where it will enhance or maintain the vitality of rural communities. New isolated homes in the countryside should be avoided unless there are special circumstances.

Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight. Paragraph 115 refers to the National Parks and the Broads Circular which states that Government Policy is that the National Park should encourage affordable housing to meet local need and that the Parks are not suitable locations for unrestricted housing and therefore does not provide general housing targets.

### Development Plan

Policy HC1 of the Core Strategy sets out the Authority's approach to new housing in the National Park; policy HC1(C) I and II say that exceptionally new housing will be permitted in accordance with core policies GSP1 and GSP2 if it is required in order to achieve conservation and/or enhancement of valued vernacular or listed buildings or where it is required in order to achieve conservation or enhancement within designated settlements.

Local Plan policy LC4(a) says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, conserves and where possible it enhances the landscape, built environment and other valued characteristics of the area. Local Plan policy LC4(b) goes on to say, particular attention will be paid to scale, form, mass and orientation in relation to existing buildings, settlement form and character, landscape features and the wider landscape setting.

L1 and L2 state that all development must conserve landscape character and biodiversity, LC17 and LC18 provides detailed criteria to assess proposed development where it would or could impact upon protected species or habitats.

LT11 and LT18 require satisfactory parking and safe access as a pre-requisite for any development. LC24 requires appropriate assessment and treatment of contaminated land.

### Wider Policy Context

The Authority's adopted Supplementary Planning Document entitled 'Meeting the local need for affordable housing in the Peak District National Park (July 2003) is relevant and provides more detailed policy in regard to affordable housing within the National Park. The Authority's adopted design guide is also relevant in regard to detailed design guidance.

## **Assessment**

### Principle of conversion to open market dwellings

The application site is considered to be within open countryside as it is separated from the edge of Glossop by open fields and the Glossop and District Golf Course.

A proposal to convert the building to an open market dwelling was refused planning permission by the Authority in 2013 and the subsequent appeal was dismissed.

At that time, the Authority – and subsequently the Inspector – were of the view that the building did not represent a valued vernacular building, and as such it did not comply with the policy criteria of HC1 that would justify an exceptional permission for conversion to an open market dwelling.

However, since that time the Authority's Members have considered a scheme for conversion to three dwellings in 2016. Whilst the application was refused, Members were of the view that the building did represent a valued vernacular building, being a good example of the water-related industrial heritage of the area, and therefore conflict with policy HC1 was not stated as a reason for refusal in the final decision. Members also considered that this is a relatively sustainable location, close to the edge of Glossop, and that, as such, it accords with the principles in the National Planning Policy Framework

The applicant has also now submitted a number of historic records relating to the building, explaining the importance of the reservoir and treatment plant in securing Glossop's water supply in the 1960s. Whilst this does not serve to change the buildings character, it does provide previously unavailable evidence that the building and its connection with Glossop's water supply is of some local historical significance.

On the basis of the above, and on balance, it is considered that conversion of the building to open market dwellings would be acceptable.

### Design and visual impact

The proposal would make use of a previously developed site and the conversion would be contained within the existing building without any significant extensions. The proposed use and car parking areas would be effectively contained within the curtilage of the existing building. The application site is located in a slight dip to the south of the golf course and is generally well screened in the wider landscape by existing mature tree planting associated with the golf course and by the woodland to the immediate south of the site.

Closer views into the site are limited to a section of the Derbyshire Level (a highway approximately 160m to the west of the application site) and from parts of the adjacent golf course, the two nearest neighbouring dwellings and from parts the private way which provides access to the site from Hurst Road. It is therefore considered that due to the established tree planting around the site, the re-use of the existing building as dwellings along with the associated hard standings and parked cars would not have an adverse impact upon the scenic beauty of the wider National Park landscape.

The applicant has submitted historic newspaper articles and photographs that demonstrate that the flat roofed section to the front of the building is an original part of the building. As such, it contributes to its historic interest and significance and its retention is considered acceptable.

Other external changes to the building are generally minor in nature, including the addition of some new door openings. It is accepted that these are necessary to facilitate the conversion of the building, and area considered to have a less than significant impact on the buildings overall character and appearance.

The proposed rooflights to the front roof slope are considered to over-clutter the roof slope due to their number and arrangement. It is considered that those double lights serving the first floor studies should be reduced to single lights to minimise this disruption. This could be controlled by planning condition if permission were to be granted.

Proposed landscaping includes lawns to rear gardens and tree and shrub planting. Whilst generally appropriate, species have not been specified.

Therefore, subject to requiring minor design amendments and the submission of a comprehensive landscaping scheme by condition, it is considered that the proposed development would not have an adverse landscape or visual impact or harm the character or appearance of the building.

Further alteration or extension of the building would be likely to have an adverse impact on its industrial character and appearance – which is a primary reason for the support of the application. It is therefore considered that permitted development rights for alteration or extension of the dwellings should be removed by condition if permission is granted.

#### Impact upon neighbouring properties

Concerns have been raised by the occupants of the neighbouring property in regard to the impacts of the proposed development.

The application site shares a boundary with the neighbouring dwelling. The proposed use would take place within the shell of the existing building, and no further extensions are proposed along this boundary. It is therefore considered that the development would not be any more overbearing to the neighbouring property or overshadow that property compared to the existing building.

The south east facing gable of the building does look towards the neighbouring property at a distance of approximately 9m (gable to gable) or 4.25m to the boundary. The existing windows on this elevation would be retained; the gable window would serve a kitchen / living room at ground floor and a bedroom at first floor.

Officers consider that if clear glazing was used in windows to this elevation then occupants of the neighbouring property would be likely to suffer a significant loss of privacy due to occupants of the bedroom in particular being able to look out through these windows towards the neighbouring dwelling and its rear garden, contrary to policy LC4.

It is considered that a scheme for obscure glazing to this elevation would satisfactorily mitigate this potential impact by preventing views into and out of the dwelling from the neighbouring property. This could be secured by a suitably worded planning condition if permission was granted.

It is understood that the occupants of the neighbouring property own and manage the woodland to the rear (south west) of the site. This woodland would be overlooked by occupants of the dwellings. The woodland does not form part of the domestic garden of the neighbouring property and therefore, subject to an appropriate boundary treatment, it is considered that overlooking of activities within the woodland would not have such a significant impact upon privacy or amenity to warrant refusal of planning permission.

### Highway safety and amenity of road users

Access is via a private way which serves the site, the golf course, neighbouring properties and the former reservoir site. The private way is single track with a passing place adjacent to the golf club car park. The private way joins Hurst Road, which is relatively narrow for 130m before meeting Fairways Close to the north, where the road widens up to the junction with the A57. There is no public footpath along the route other than this last section between the A57 and Fairways Close.

The Highway Authority's consultation response advises that due to the similarities between this and the previously refused scheme their comments remain unchanged. These state that whilst the proposal would be likely to result in an increase in vehicular activity associated with the site, this would be considerably less than those associated with the office use which is subject to an extant planning permission granted in 2015.

Having regard to the Highway Authority comments, Officers consider that traffic generated by the proposed development would not be likely to harm highway safety or the amenity of road users. There is adequate space and visibility along the access to allow vehicles and pedestrians to be aware of each other and pass safely and there are places along the access where vehicles would be able to pass each other. Visibility onto Hurst Road / Derbyshire and the A57 is acceptable.

In addition, a turning area for refuse and delivery vehicles has been proposed adjacent to the development, minimising any congestion that might arise from increased numbers of larger vehicle movements; although this increase would only be minor in any case, based upon three additional dwellings.

### Ecology

The application site is located approximately 260m to the north west of the land forming part of the South Pennine Moors Special Area of Conservation (SAC), Peak District Moors Special Protection Area (SPA) and the Dark Peak Site of Special Scientific Interest (SSSI).

Natural England were consulted on the 2016 application to convert the building to three dwellings, and provided no comment. They were also consulted on the 2015 application to convert the building to offices. They raised no objections to this. As a result of these former responses (or lack thereof), and based upon the similarities and scale of the proposed development, the intervening distance and the lack of direct access from the application site, it is not considered that the development would be likely to affect the SSSI or the other designated sites. Natural England have therefore not been re-consulted and the ecological impacts of the development are considered less than significant and acceptable.

The applicant has previously submitted a report following a survey of the building by an ecologist as part of the 2015 office conversion. The bat report found no evidence of bats and considered the site to offer low potential with very limited suitable habitat available. It is agreed that the building – and its generally good condition and roof form in particular - are not such that would provide appropriate bat habitat and it is therefore considered that subject to appropriate mitigation secured by planning condition that the development could take place without harming individual bats and populations of bats in the area and secure enhancement in accordance with L2 and LC17. Such a condition should require the provision of bat boxes to conserve and enhance habitat in accordance with planning policy.

### Other issues

The site was formerly used to treat water and the Environmental Health Officer has commented that that ground contamination was likely to be an issue here and has recommended conditions to ensure this is addressed. The applicant has submitted reports following ground surveys that accompanied a previous application for use of the building as office space, which indicated that any ground contamination is not serious and could be dealt with by appropriate mitigation. However, these surveys relate to a commercial use and the Environmental Health Officer considers that because a residential use is more susceptible to impacts of ground contamination that further survey works (and remedial actions where necessary) should be secured by condition. Subject to such a condition it is therefore considered that any ground contamination could be mitigated in accordance with LC24.

The Environmental Health Officer has also requested a condition be imposed in relation to site sewerage. A package treatment plant is proposed to deal with foul water drainage from the dwellings. A brand of plant has been proposed, but the model is not specified. Subject to the model being of a suitable capacity to serve three dwellings, which could be controlled by condition, it is considered that this would be acceptable. Control of sewerage beyond this would be covered by building regulations and other legislation and is not considered to require further planning control.

The Environmental Health Officer has also queried how fresh water would be supplied to the site, recommending that this information is secured by condition. The applicant has since confirmed that water will be supplied from the existing mains pipe that runs through the back of the site and already serves the neighbouring houses. This is considered sufficient from a planning point of view, and any further permissions required to secure this would be dealt with under other consent regimes.

### Conclusion

Based on the additional information and material considerations that have become available or apparent since consideration of previous applications on the site, the conversion of the building to three open market dwellings is considered to be acceptable in principle. Subject to minor design amendments, the proposal is considered to conserve the character and appearance of the building, and to protect neighbouring amenity.

All other material issues have been considered and the development has been found to either have acceptable impacts, or to have impacts that could be mitigated by planning conditions.

The application is therefore recommended for approval subject to 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