

**Planning Statement - The erection of a new
commercial unit with 2 bed apartment
above, and a new detached garage and
studio apartment**

23-25 Main Street, Hilton

November 2021

Erection of commercial unit with apartment and detached garage with studio - 23- 25 Main Street

Project	23 – 25 Main Street, Hilton, DE65 5GG
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1 Introduction

- 1.1 JMI Planning is a Midlands based town planning consultancy. Its directors are chartered town planners with over 35 years combined experience in both the public and private sector.
- 1.2 The author of this statement, Teodora Golemdzhiyska graduated from University of Liverpool with a 1st Class Masters in Town and Regional Planning. She is a Chartered Member of the Royal Town Planning Institute and is currently working as a Planner in the private sector.

2 Site and Planning History

- 2.1 The wider site comprises of three buildings one is the Post Office/Premier Express which has a residential unit above and fenced off garden land to the rear, the other two buildings are single storey outbuildings used for garage/domestic storage associated with the residential unit.
- 2.2 The land where the new commercial unit/apartment is proposed to be sited is currently used as yard space associated with the Post Office / Premier Express.
- 2.3 The wider site's boundaries comprise a mixture of boundary treatments including a blockwork/brick wall along the east boundary, a tall timber boarded fence along the south boundary and the boundary around the garden area.
- 2.4 The site is located within the centre of Hilton where it is surrounded predominantly by residential uses alongside some commercial and community uses.
- 2.5 The site is accessed off Main Street.

- 2.6 Permission to extend the existing building with a substantial two storey side extension, rear extension and loft conversion was granted approval in 2012 as part of application ref: 9/2012/0028.
- 2.7 This previous scheme provided for ground retail space and additional floor space associated with the existing residential accommodation on the first floor. The proposal would have widened the overall building from 9160mm to 15300mm across both floors and the depth would have increase from 12980mm to 16580mm.
- 2.8 This permission was not implemented and has now lapsed.

3 Proposed Development

- 3.1 It is proposed to erect a two-storey extension off the east elevation of the two-storey building fronting Main Street. Within the extension it is proposed to include a commercial unit on the ground floor and a two-bedroom apartment on the upper floor.
- 3.2 It is also proposed to replace the garage/storage building to the rear of the site with a one and a half storey building comprising a garage/store on the ground floor and a studio apartment on the upper floor.
- 3.3 The existing yard area which currently provides a parking space for the residents of the residential unit will continue to be used for parking. This will be accessed through the 'under pass' arrangement. It is proposed to utilise part of the garden area as part of the to ensure 3 vehicles (one associated with each unit) can park and exit the site in a forward gear.

- 3.4 The proposed new build elements would be constructed from brick and tile to match the existing building. The fenestration dimensions, style and the materials used on the openings would also match those of the existing building.

4 Planning Policy Context

National Planning Policy Framework

- 4.1 Paragraph 11 of the NPPF advises that plans and decision should apply a presumption in favour of sustainable development, for decision making this means approving development proposals that accord with an up-to-date development plan.
- 4.2 Paragraph 60 of the NPPF supports the delivery of a sufficient supply of homes in order to support the Government's objective of significantly boosting the supply of homes.
- 4.3 The NPPF bolsters the importance of building a strong, competitive economy. Paragraph 81 of the NPPF encourages planning decisions to help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 4.4 Paragraph 119 states policies and decision should promote an effective use of land and encourages the use of previously developed land. The effective use of land should help meet the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.5 Chapter 12 of the Framework houses a number of relevant paragraphs relating to the importance of appropriate design. Paragraph 124 encourages the creation of high-quality buildings which raise the quality of the built environment and create better places in which to live and work. Paragraph 127 advises that decision makers

should aim to ensure that development responds to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture and appropriate landscaping.

South Derbyshire District Council Local Plan

- 4.6 Policy BNE1 Design Excellence (Part 1) of the Local Plan relates to the design of all new development. Proposals will be expected to adhere to the Design Principles listed as part of the policy. The ones that are relevant to this proposal are listed below –

e) Local character and pride:

New development should create places with a locally inspired character that respond to their context and have regard to valued landscape, townscape and heritage characteristics;

g) Visual attractiveness:

New development should be visually attractive, appropriate, respect important landscape, townscape and historic views and vistas, contribute to achieving continuity and enclosure within the street scene and possess a high standard of architectural and landscaping quality;

h) Neighbouring uses and amenity:

New development should not have an undue adverse affect on the privacy and amenity of existing nearby occupiers. Similarly, the occupiers of new development should not be unduly affected by neighbouring land uses;

- 4.7 Policy SDT1 Settlement Boundaries and Development (Part 2) states that settlement boundaries define the built limits of a settlement. Within settlement boundaries as defined on the policies map and in Appendix A, development will be permitted where it accords with the development plan. The policy identifies Hilton as a Key Service Village.

- 4.8 Policy RTL1 Retail Hierarchy (Part 2) relates to applications for new retail development. The policy goes on to state that within Other Centres in Key and Local Service Villages development within Use Class A1, A2, A3 (all now in Use Class E) and A4, A5 (both now Sui Generis) will be permitted provided that:

- I. It is appropriate with the scale and function of the Centre; and*
- II. It would not lead to unsustainable trip to generation or undermine the vitality and viability of a neighbouring centre; and*
- III. It does not adversely impact on neighbouring properties.*

5 Planning Consideration

Principle of development

- 5.1 The proposals are within the settlement boundary of Hilton where the principle of development is accepted by Policy SDT1 of the Local Plan.
- 5.2 The proposals would make effective use of previously developed land, which is encouraged by Paragraph 119 of the NPPF, that is not currently used to its full potential. The proposals would deliver both a residential and commercial element to the site and in accordance with Paragraph 119 would help meet the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 5.3 Two residential units are proposed as part of the development, one being a 2-bedroom apartment and another being studio accommodation. Whilst the number of units delivered is only two, they would nonetheless contribute to the Government's initiative to boost housing growth in the forthcoming years, as encouraged by Paragraph 60 of the NPPF.

- 5.4 The proposals would also provide an economic benefit through the delivery of an additional commercial unit on the site. Paragraph 81 of the NPPF encourages planning decisions to help create the conditions in which businesses can invest, expand and adapt and advise that significant weight should be placed on the need to support economic growth.
- 5.5 The economic benefits brought forward by the development should therefore be given significant weight.
- 5.6 Policy RTL1 supports a verity of use classes within Key Service Villages such as Hilton, these being Use Class A1, A2, A3 (all now in Use Class E) and A4, A5 (both now Sui Generis).
- 5.7 The proposals are therefore capable of accommodating a variety of uses which would appear attractive to local businesses looking for a unit within Hilton, whilst at the same time helping to contribute to the vitality of the village and improving the services/facilities on offer.
- 5.8 Policy RTL1 goes on to state that such uses will only be permitted providing they comply with the criteria listed as part of the Policy. The proposal's compliance with the criteria will be considered below.
- 5.9 Criterion (i) required for the development to be appropriate with the scale and function of the Centre.
- 5.10 The proposals would deliver a modest unit suitable for a boutique shop or office use suitable for local businesses. The village already has a few units (Mr C's Barber Shop, The Salon at Hilton, Renaissance) of similar size to that proposed, which have proven to be attractive to local businesses. A unit of this size would therefore be appropriate with the scale and function of the village.

- 5.11 Criterion (ii) resists proposals that could lead to unsustainable trip generation or undermine the vitality and viability of the village centre.
- 5.12 There is not currently an end user in mind, however owing to the size of the unit proposed it is not anticipated to be occupied by a use that could generate significant trip numbers. Similar to the existing, small units along Main Street the future occupiers are likely to provide a service/business aimed at local residents.
- 5.13 It is anticipated most visitors would either walk to the unit or park in one of the public car parks, such as the village car park located 65m west of the site which is free and accessible at all times.
- 5.14 A search on local land agent's website and Zoopla shows that there are no commercial properties available for rent and sale within Hilton thus suggesting the demand for such units is high. The addition of a new commercial unit will not therefore undermine the vitality and viability of the area, instead it would make a positive contribution.
- 5.15 Criterion (iii) of Policy RTL1 requires proposals to ensure they do not adversely impact on neighbouring properties.
- 5.16 The proposed commercial unit will be located on the ground floor of the proposed extension therefore there is no scope for the unit to impact on neighbouring properties in terms of visual impacts. The unit would be marketed as a retail/office/professional service space, all of which are not of a type that could result in noise and disturbances to neighbouring properties and are considered suitable uses for this predominantly residential context.

- 5.17 The above paragraphs therefore demonstrate the proposal's compliance with the relevant Local Plan policies and national guidance.
- 5.18 The sustainable location of the site should also be given consideration when assessing whether it is suitable for commercial and residential development. The site is located within the middle of Hilton and can be accessed by residents of the area on foot using the pedestrian footpaths.
- 5.19 The site is also within close proximity to a bus stop further west along Main Street which benefits from a regular bus service which stops twice every hour, connecting the village to Burton and Derby.
- 5.20 Future occupiers of the residential accommodation could therefore access employment opportunities in nearby towns using the bus service, as well as walking to access facilities and services in the village itself, including the two public houses, village hall, convenience store and post office, medical centre and the primary school.
- 5.21 Occupiers of the residential accommodation and potential occupiers of the commercial unit will therefore have the opportunity to be well integrated within the community, as well as themselves helping to contribute to the vitality of the village ensuring local services and facilities remain viable.

Impact on Character and Appearance

- 5.22 Policy BNE1 of the Local Plan expects new development to be of high-quality and respectful of the character of the area and the quality of the natural landscape.
- 5.23 The proposed extension would broadly follow the form and appearance of the existing properties along Main Street, which are mainly arranged in a terrace style

with varying ridge/eaves heights and varying set back intervals, as to ensure it contributes to achieving continuity within the street scene.

- 5.24 The extension would respond well to its context and has regard to the townscape characteristics. The ridge height of the proposed extension would be slightly higher to that of the building which it adjoins, it would also be set back at a slightly further distance from the main thoroughfare as to ensure the building does not dominate the existing built context.
- 5.25 Consideration should be given to the previous approval (LPA ref: 9/2012/0028) on the site which permitted an extension of a similar form, scale, appearance and use. It is acknowledged that this permission dates to 2012 and was considered under the previous Local Plan where spatial policies may have been slightly different however the policies relating to design would not have differed greatly to those in the current plan.
- 5.26 It therefore follows that the visual impacts of the proposal have previously been considered appropriate.
- 5.27 Turning to the proposed garage/studio accommodation this would not be dissimilar to the building which it replaces. It will appear typical of a converted outbuilding which is a form of development readily experienced in more historic village environments, where outbuildings were relatively common.
- 5.28 The replacement building takes design cues from the existing building whilst at the same time providing a better sized structure which is more useable and has the added benefit of delivering a small residential unit.

- 5.29 Both the extension and the replacement outbuilding would be finished in materials to match those on the existing building which will appear both appropriate and visually attractive.
- 5.30 The proposals will therefore appear contextually appropriate and be viewed as high-quality development in accordance with Policy BNE1 of the Local Plan and Chapter 12 of the NPPF.

Impact on Amenity

- 5.31 Paragraph 119 of the NPPF requires proposals to improve the environment and ensure safe and healthy living conditions. This is also a consideration set out in Policy BNE1 of the local plan which requires new development to not have an adverse impact on the privacy and amenity of existing nearby occupiers.
- 5.32 The impact of the commercial unit on neighbour amenity has already been considered in the previous sections of this statement. This section will focus on the impacts of the residential units on neighbouring properties.
- 5.33 The accompanying plans show that the extension would not fall within the 45-degree visibility line of the neighbouring property at 21 Main Street. The extension is sited such that it would not cause overbearing impacts on either of the neighbouring properties at 21 or 23-25 Main Street.
- 5.34 The sizes of the living rooms and bedrooms of both the apartment and the studio are in line with the Government's space standards and each will be provided with appropriate levels of natural light.
- 5.35 It is proposed to incorporate part of the garden of 23 -25 High Street, to form part of the parking area. The loss of part of the garden will not detrimentally impact on the

amount of useable garden space left over ensuring residents of the first floor flat can still undertake outdoor activities in privacy.

- 5.36 The residential units will not therefore result in unacceptable impacts to neighbour amenity.

Other Considerations

- 5.37 The site is located in Flood Zone 1 on the Environment Agency's Flood Risk Map where there is a less than 1 in 1000 annual probability of fluvial flooding. The proposals would not therefore be at an unacceptable risk from flooding, nor would it exacerbate the risk of flooding elsewhere.

- 5.38 The site is not of any biodiversity merit given it is a surfaced yard with minimal vegetation. The building to be demolished is not considered the type suitable to provide habitat for protected species.

6 Conclusions

- 6.1 The site is located within the settlement boundary for Hilton where both commercial and residential development is accepted, the village is a key service village which Policy SDT1 identifies as a suitable location for new development.
- 6.2 The proposals would deliver economic and social benefits in the form of a modest commercial unit suitable for local businesses and two additional residential units, thus providing significant benefits in line with Paragraph 60 and 81 of the NPPF and Policy RTL1 of the Local Plan.
- 6.3 The proposals would make optimal use of previously development land, as encouraged by Paragraph 119 of the NPPF, whilst delivering high-quality

development which improves the environment and provides satisfactory living conditions.

- 6.4 In accordance with Policy BNE1 the proposals would respect the character of the locality and ensure the development makes a positive contribution to the character of the streetscene.
- 6.5 The proposals will not result in any impacts to ecology, flooding or highway safety.
- 6.6 The proposals therefore constitute sustainable development which accords with Policy BNE1, SDT1 and RTL1 of the South Derbyshire Local Plan as well as Paragraphs 81 and 119 of the National Planning Policy Framework. In accordance with the presumption in favour of such development established by Paragraph 11 of the National Planning Policy Framework, it is therefore respectfully requested that the application be approved.