

DELEGATED DECISION REPORT

DET/2024/0016
Valid 29/04/2024

1 WHARF ROAD
BIDDULPH

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR A
PROPOSED: CHANGE OF USE
FROM COMMERCIAL,
BUSINESS AND SERVICE
(USE CLASS E) TO THREE-
BEDROOM DWELLINGHOUSE
(USE CLASS C3) THERE WILL
BE NO STRUCTURAL WORKS,
WITH ROOMS SIZES
REMAINING THE SAME WITH
REALLOCATED USES.
REPLACEMENT WINDOWS
WILL BE PROVIDED AS PART
OF THE WORKS AS WELL AS
OTHER THERMAL
IMPROVEMENTS

(NOTIFICATION - CHANGE OF
USE PRIOR APPROVAL)

MAIN ISSUES

Is the proposed development permitted by the terms of the GPDO 2015. Is prior approval required for any of the matters listed at condition (2) of Class MA Part 3 of Schedule 2 of the GPDO?

DESCRIPTION OF SITE

The building is historically and originally a town centre dwellinghouse dating from the 19th century. The building is on a side street to the west of Biddulph High Street. The building is currently, and has for many years, been used by an insurance broker. The building is adjacent to an existing dwelling that has almost identical appearance, opposite the glazed side wall of Sainsbury supermarket, and adjacent to a hall used for martial arts classes. Wharfe Road is one way, provides a bus stop, and has double yellow lines that prohibit on street parking. The building does not have vehicle access or off street parking provision.

PROPOSAL

Change of use of the building from a financial/professional service to a single dwellinghouse Class C3.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 21/06/2024

Neighbour consultation period ends: 21/06/2024

Press Advert: N/A

Public Comments

One comment has been received they neither support or object, but make the following comments:

The proposal is to return the premises to its original purpose after being used as commercial office space for a long period. The property backs on to other residential properties in similar settings. In principle there may be no material planning issues to restrict this change of use. However, in light of modern living, the provision of street parking is a usual policy requirement. It may be considered that the proposed dwelling unit is in a sustainable location close to amenities and also public transport links and as such may not necessitate the implementation of off street parking.

Utilising town centre units for residential accommodation meets current planning principles for sustainable town centres and town centre living.

Town / Parish Comments

Biddulph Town Council: Councillors were generally supportive of a residential property in the High Street. It was felt that planning permission should be requested as there were concerns about parking, permits, etc.

OFFICER COMMENTS

Part 3 Class MA of the GPDO permits development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classed Order to a use falling within Class C3 (dwellinghouses).

The building has been used to provide professional services for more than 2 years prior to the date of the application as an insurance broker (old use class A2). The building and its curtilage do not form part of a site of special scientific interest; a listed building; a scheduled monument; a safety hazard area; or a military explosives storage area. The building is not within an AONB, an area specified by the SoS for the purposes of the Wildlife and Countryside Act 1981; the Broads; a National Park; or a World Heritage Site. The site is not occupied under an agricultural tenancy.

The development is therefore permitted by the terms of the GPDO (Sched 2, Part 3, Class MA) the Council can not request or insist on a planning application for planning permission.

Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

(a) transport impacts of the development, particularly to ensure safe site access;

There would be no transport access to the development nor parking provided. Double yellow lines prohibit roadside parking to the front of the building and any parking within the prohibitions would be subject to parking enforcement. As such, the development does not directly present any transport impacts. Any future occupant, would need to consider whether they require off site parking, whether that would be available to them, or whether that is an insurmountable constraint to their future residency. In the town centre within proximity of shops, services and public transport there is more likelihood of a person deciding they can live without motorcar ownership.

(b) contamination risks in relation to the building;

Historically a town centre dwellinghouse, the building has last been used, and used as such, for many years as offices to provide insurance services. There is no evidence in the planning history of any intervening use that would cause risks to human health from contamination. No impacts in these regards.

(c) flooding risks in relation to the building;

The building is not in an area or zone that is at risk from flooding, it is not within any proximity of a water course or body of water. No impacts in these regards.

(d) impacts of noise from commercial premises on the intended occupiers of the development;

The building is opposite the largely glazed wall of a large supermarket that has its own car park and entrance to the rear and High Street entrance to the front. The adjoining building at no3. Wharfe Road is an existing residential neighbour. The adjacent hall on the other side of the building is used for martial arts classes. None of these uses would be considered inherently noisy or excessively noisy when considered against normal expectations within a town centre. Noise would not unreasonably impact on the intended occupiers of the development.

(e) impacts on conservation area

The building is not in the conservation area, no impacts in these regards.

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

The building was originally and historically a town centre dwellinghouse its windows and layout accordingly serve its internal rooms with adequate daylight.

(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses;

The building is not in such an area. No impacts in these regards.

(h)where the development involves the loss of services provided by—
(i)a registered nursery, or (ii)a health centre,the impact on the local provision of the
type of services lost

The existing use is a professional/financial service it would not result in the loss of either of these services or uses. No impact in these regards.

(i)where the development meets the fire risk condition, the fire safety impacts on the
intended occupants of the building

The building would not contain two or more dwellinghouses and is not 18 metres or more in height or contain 7 storeys or more. The development does not therefore, meet the fire risk condition and fire safety impacts do not fall to be considered under the context of this application.

CONCLUSION / PLANNING BALANCE

The development is permitted and prior approval is not required for any of the matters listed at (a)- (i) Condition MA.2(2) (Class MA, Part 3, Sched 2 of the GPDO)

OFFICER RECOMMENDATION : PRIOR APPROVAL NOT REQUIRED

Case Officer: Ben Hurst

Recommendation Date: 24th June 2024

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council