



DEVELOPMENT CONTROL COMMITTEE AGENDA

Date: Monday, 22 January 2024

Time: 1.30 pm

Venue: Pavilion Arts Centre, Pavilion Gardens, Buxton

You can view the agenda online by using a smart phone camera and scanning the code below:



12 January 2024

PART 1

4. Update Sheet (**Pages 3 - 10**)

MARK TRILLO

EXECUTIVE DIRECTOR AND MONITORING OFFICER

Membership of Development Control Committee

Councillor R McKeown (Chair)

Councillor A Barrow

Councillor S Gardner

Councillor A Hopkinson

Councillor P Roberts

Councillor G Scott

Councillor D Lomax (Vice-Chair)

Councillor C Farrell

Councillor P Hardy

Councillor I Huddleston

Councillor J Todd

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22nd January 2024

HPBC DEVELOPMENT CONTROL COMMITTEE

UPDATES REPORT

HPK/2023/0061 – Land at Long Lane, Chapel-en-le-Frith

Additional Representations (2)

- This planning application is not in keeping with the local area. It will overburden the private access road to the site, which is heavily used by ramblers, dog walkers, and local residents for recreational walking, and this planning application, if approved, will ruin the aesthetic appeal of walking in this area. There is also a lot of birds that feed and nest in the area, including seasonal woodpeckers, that would be disturbed.
- I object to this proposal in the strongest terms possible. My family live in this area for its outstanding natural beauty and the local walks to our home. This proposal would tarnish the attraction of this public right of way.
- Wildlife will be ruined and the noise will carry to my property. The owners had a test run of the events they are planning to hold and the noise was awful, keeping my children awake.

Applicant Correspondence to LLFA (Lead Local Flood Authority)

13.09.23:

A “copy of the FRA (Flood Risk Assessment) and Drainage Strategy dated May 2021, prepared by Waterco and first submitted in respect of the earlier application for a similar but larger development. The larger scheme can be seen on the drawing at Appendix K in the FRA. The application for this scheme was withdrawn by the applicants.

I also attach a copy of the revised site plan subject of the current application. You will note the revised scheme relates to the same overall site area but is significantly smaller in terms of the numbers of glamping pods (down from 6 to 3), shepherd's huts (down from 7 to 3), yurts (down from 6 to 5), motorcaravan pitches (down from 5 to 0). This has a significant impact on the overall extent of hard surfacing, that being; access into the site and parking, access track for servicing the body of the site, a field storage shelter (for bikes and maintenance equipment etc), and a reception pod by the site entrance.

As before, it intended that all service tracks and the point of access will be constructed out of permeable materials. There will be no made access tracks to and from the pods off the central access track. Access will be provided along mown grass pathways.

You requested additional information on two points;

1. *Evidence that all types of SuDS components have been considered.* At least 90% of the site will remain permeable. There will be very little surface water to dispose of or "play with". The proposed Drainage Strategy is still as set out in the Waterco drawing in Appendix K of the FRA. Whilst the FRA of May 2021 related to a significantly larger scheme, I am of the opinion that the overall assessment, conclusions and

discharge limitations/proposals hold good for exactly the same but much smaller development.

Attenuation ponds discharging into existing water courses are required as filtration is not a suitable solution on this site. The Drainage Strategy proposes two attenuation ponds (to drain the northern and southern parts of the site separately). The southern attenuation pond will pick up the water from the WTP as previously proposed. In both cases storage capacity and outflow limits are proposed. The two ponds will provide habitat (adding to the overall biodiversity) as well as attenuation.

I can see no need for, nor any practicable possibility of providing, any other SuDS components for this particular development.

2. *Sufficient condition to accommodate discharge.* The Waterco report raises no concerns on this point and provides photographic evidence of the existing condition. Moreover, the assessed discharges in respect of the revised scheme will be significantly less (both in terms of surface water and treated outflow from the WTP) than the earlier scheme. In both the larger scheme and the revised scheme overall discharges are not significant and, in any event, discharge will be limited to the *green field run off rates* of 2.2 l/s and 4.3 l/s respectively. Reference Appendices in the FRA.

Finally, should the local planning authority be mindful to approve this application I would anticipate that they would attach a condition requiring that final details of the SuDS scheme (including the details of the WTP) be submitted in writing for approval prior to the commencement of development. Such proposals to be in accordance with the findings and conclusions of the Waterco FRA dated May 2021”.

10.10.23:

“You will note from the information already supplied that the size of the attenuation ponds is small and the engineering works required will be very limited.

Consequently, any hard engineered features will be limited and will not result in features such as headwalls, that will be of themselves or collectively, unduly obtrusive. Also, any such features will not be directly open to public view from short or long-distance views.

in addition, the attenuation ponds will be integrated into the overall landscaping proposals which seek to integrate the development into the existing landscape and provide a range of habitat to increase biodiversity. The two ponds will be an integral part of the overall landscaping and biodiversity proposals”.

HPBC Conservation Officer (additional comments)

1. “Marsh Hall farm will receive heritage harm as a result of the scheme. A contrived and alien feature is proposed closely adjacent and within the natural backdrop of this asset. It is likely to cause forced visual conflict across this area. It does not appear to sit quietly or be organic enough to harmonise with its surroundings. The harm on Marsh Hall farm is therefore less than substantial.
2. I refer to the bridge adjacent to Downlee Farm to the south. Listed for its architectural quality and group value specifically noted among the other assets and historic association in this area. Echoing previous comments it is not listed solely for functionality. There will be heritage harm imposed on setting, and the sense of place

made vulnerable; that is derived from this area. A case of fragmentation of this historic landscape will occur. The harm on 'Bridge on Bank Hall Drive' will be less than substantial.

3. I refer to previous comments, an appraisal of the area, the historical links between the assets and relationships between farm estate buildings and related features was undertaken. Bank Hall Lodge is to the south once more and included in the appraisal for the reasons above and location along this traditional approach. The scheme placed awkwardly central of the associated assets creates a degree of conflict in respect of this historic approach, and ancient field network and as a result the heritage values of the vicinity. The setting of Bank Hall Lodge would receive no direct harm nonetheless there will remain an amount of conflict likely to radiate across the vicinity as a result of long term disturbance and modern dissection of the landscape”.

Network Rail

No objection.

Case Officer:

Erratum: The adjacent railway bridge is not a Grade II listed structure.

As per the officer report, the Lead Local Flood Authority have confirmed no objections to the scheme on matters of local flood risk and drainage subject to recommended planning conditions following the applicant's clarifications as set out above.

Derbyshire County Council's Areas of Multiple Environmental Sensitivity (AMES) categorises the application site as an area of 'Secondary Sensitivity'. These are areas considered to have environmental sensitivities however are potentially weaker in one area. AMES: *“These areas will attract a strong focus on the Management (Conservation and Enhancement) of these areas; that is maintaining those features of existing value but also addressing those in decline, i.e. focus on landscape restoration, habitat creation, etc”.*

Approximate footprint measurements of accommodation and facilities as follows:

- *Activity Yurt x 1: 11.5m diameter*
- *Accommodation Yurt x 4: 5.7m diameter*
- *Glamping Pod x 3: 6.0m x 3.0m*
- *Shepherd Hut x 3: 5.0m x 2.7m*
- *Washing / Toilet Facility x 2: 5.0m x 2.7m*
- *Reception Pod x 1: 6.0m xx 2.8*
- *Field Shelter x 1: 19.0m x 6.4m*
- *Covered Car Parking Bays x 2: 5.2m x 12.8m*

In relation to 3rd party objections referring to precedent matters, relevant planning policies and principles, however, would ensure any proposal for residential development would be treated on its merits at the time of assessment. Consequently, the scheme for glamping tourism accommodation and facilities would unlikely lead to a precedent for future residential development in these regards.

Furthermore, access / service rights in relation to Bank Hall Lane and any resiting of the field gateway into the site are considered to be civil matters between the relevant parties and therefore outside of the planning assessment.

In view of the further comments of the Council's Conservation Officer and consideration of County Archaeology comments, the second, heritage based reason for refusal no.2 has been reworded as follows:

2. The applicant's submitted Heritage Statement dated February 2021 is considered to contain insufficient information relating to matters including onsite archaeology, proposed groundworks and a settings assessment in relation to relevant off site designated heritage assets using the methodology at Historic England '*The setting of heritage assets*' (GPA3, 2017). Notwithstanding these requirements, the proposed development would cause 'less than substantial harm' to the setting of designated heritage assets, with particular regard to Marsh Hall Farm, which would not be outweighed by the public benefits of the proposal. Accordingly the proposed development would fail to comply with Policies S1, EQ6 and EQ7 of the Adopted High Peak Local Plan 2016, High Peak Design Guide 2018 and the NPPF.

RECOMMENDATION: NO CHANGE (REFUSAL)

HPK/2021/0160– Land North of Dinting Road, Glossop

Agent

Since drafting the committee report a revised layout plan (ref. 2115/01/SLR/P7) which was received from the agent to address concerns raised by the Highway Authority. The plan has been uploaded to the planning application webpage and sent to the Highway Authority for their view.

Consultations

Highway Authority

The improvements highlighted in the comments provided by the applicant, are noted and accepted. However, there remains an issue with the pedestrian crossing points and the length of raised plateau between plots 10 and 101. The length of the plateau will mean there is no deflection and will therefore have little impact on vehicle speeds. A pedestrian crossing point adjacent to plot 96 would aid crossing and also break up the length of the plateau with the remainder of the plateau up to plot 101 being removed.

Also, the pedestrian crossing points, referred to as 'pedestrian priority crossings', are set back too far in to the side roads (and are not designed as intended to serve as 'pedestrian priority crossings'). As designed, the crossing points are not on the expected pedestrian desire line. An image is attached to show what is expected as a 'pedestrian priority crossing' and there does not appear to be any reason or difficulty in providing this type of crossing.

Regarding trees, it is noted that trees are indicated on one side of the roads only; it would be preferable for the roads/streets to have trees on both sides.

REPORT ADDENDUM

Housing mix (Paragraphs 7.11-7.15)

The accommodation schedule provided by the applicant on the site layout plan incorrectly referred to one of the house types Daresbury as being a 4 bedroom house but it is actually

a five bedroom property. There are 4 five bedroom properties and a revised housing mix table is provided below:

Size	Market	Affordable	Total number	Proportion of all proposed dwellings (%)
1 bedroom	0	4	4	4%
2 bedrooms	0	8	8	8%
3 bedrooms	62	18	80	79%
4 bedrooms	5	0	5	5%
5 bedroom	4	0	4	4%
Total	71	30	101	100%

An updated table comparing the housing mix to the HELNA is provided below. It does not change the housing mix analysis significantly as there is still an over provision of 3 bedroom properties and under provision of 2 bedroom properties.

	1 bed	2 bed	3 bed	4 bed	5+ bed
2014 SHMA	10%	45%	35%	10%	n/a
Market – HELNA Glossop	7%	37%	46%	9%	1%
Market – HELNA Glossop (with market adjustment)	6%	31%	49%	12%	1%
Social – HELNA Glossop	41%	36%	22%	1%	0%
Social – HELNA Glossop (with market adjustment)	35%	31%	28%	7%	0%
% of existing stock in Hadfield South ward	3%	26%	51%	20%	
Proposed housing mix	4%	8%	79%	4%	5%

For completeness a housing mix for the 115 dwellings is provided below. This illustrates the addition 14 units, which are all 3 bedroom and 4 bedroom properties makes little difference to the housing mix compared to the HELNA there is still a significant under provision of smaller units.

	1 bed	2 bed	3 bed	4 bed	5+ bed
2014 SHMA	10%	45%	35%	10%	n/a
Market – HELNA Glossop	7%	37%	46%	9%	1%
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Social – HELNA Glossop (with market adjustment)	35%	31%	28%	7%	0%
% of existing stock in Hadfield South ward	3%	26%	51%	20%	
Proposed housing mix	3%	7%	77%	9%	4%

With regards to housing mix the Council has previously sought legal advice on applying the HELNA to reserved matters applications in relation to the Foxlow Farm applications . The legal advice stated that there would be no reasonable basis for the Council to legitimately require the market provision to comply with housing mix and space standards at the reserved matters stage. The advice confirmed that in order for the HELNA mix to be applied

at the reserved matter stage, housing mix should be matter that is secured through a planning condition or legal agreement.

There is not a condition on the outline planning permission relating to housing mix seeking compliance with the HELNA and therefore the housing mix can not be challenged further at the reserved matter stage.

Layout consideration (paragraphs 7.23-7.37)

An illustrative site level plan was submitted with the application which shows how the dwellings will be constructed in relation to the existing site levels. In most places the site will be lowered slightly but in some instance such as along the embankment where the split level dwellings are proposed there will be some slight raising of site levels but mainly to the rear of the properties. In addition condition 6 of the outline permission requires details of the existing and proposed levels across the site and finished floor levels to be provided.

Amenity (paragraphs 7.38-7.39)

In terms of separation distances within the development, as the development is largely outward facing, with driveways separating most properties there are limited properties which are located back to back to each other. Plots 10-16 are a limited cluster of 7 dwellings, plots 10-12 back onto plots 14-16 and achieve a back to back distance of 22m. Plots 112-114 is the apartment block (4 x 1bed flats) which backs onto plots 104 and 105, a distance of 21m is achieved between properties. Plots 81 and 82 are located through 90 degrees to plot 80 but there are no side windows on the wide gable and a distance of 12m is achieved.

Some of the house types have windows on their side elevations but they all serve bathrooms and in some cases stairwells. A condition can be added to ensure all bathroom windows are obscurely glazed.

It is considered that the proposals will not result in any adverse amenity impacts to existing and surrounding properties and therefore satisfy the policy requirements of policy EQ6.

RECOMMENDATION: NO CHANGE

Additional condition: obscure glazed bathroom windows.

HPK/2021/0161– Land North of Dinting Road, Glossop

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REPORT ADDENDUM

Housing mix (Paragraphs 7.11-7.15)

Errata Paragraph 7.15 – 115 homes (not 155 homes)

For completeness a housing mix for the 115 dwellings is provided below. The combined mix makes little difference to the housing mix compared to the HELNA and there is still a significant under provision of smaller units across both sites.

	1 bed	2 bed	3 bed	4 bed	5+ bed
2014 SHMA	10%	45%	35%	10%	n/a
Market – HELNA Glossop	7%	37%	46%	9%	1%
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There is not a condition on the outline planning permission relating to housing mix seeking compliance with the HELNA and therefore the housing mix cannot be challenged further at the reserved matter stage.

RECOMMENDATION: NO CHANGE

HPK/2023/0367 – Buxton Football Club, Silverlands, Buxton

No comments - No change to recommendation

HPK/2023/0235 – Glossop Fire Station, Whitfield Park, Glossop

No comments – No change to recommendation

HPK/2023/0436 – 4 Dovedale Court, Glossop

No comments – no change to recommendation