

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

Date: 9th December 2024

Application No:	HPK/2024/0401	
Location	Land off Cottage Lane, Gamesley, Glossop	
Proposal	51 dwellings, comprising one bedroom flats and two and three bedroom houses	
Applicant	Westshield	
Agent	Eden Building Design	
Parish/Ward	Glossop	Date registered: 25/09/2024
If you have a question about this report please contact: Rachael Simpkin rachael.simpkin@highpeak.gov.uk 01538 395400 extension 4122		

REFERRAL

The above planning application is classified as a major residential development.

1.0 SUMMARY OF RECOMMENDATION

REFUSE

2.0 DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The triangular, greenfield site is approximately 1.10 hectare in area and falls within the open countryside (Landscape Character Type: Settled Valley Pastures). It adjoins the built up area boundary of Glossop to the west as per the Adopted Local Plan (LP) Policies Map. Accordingly, the site's western boundary adjoins the rear gardens of the two-storey traditional terraces belonging to nos. 14 to 78 Cottage Lane.
- 2.2 The site's east / northeast boundary lies adjacent to the LP Green Wedge (Strategic Gap S1), which forms a wider allocation separating built development further afield, including the Dinting Road Industrial Estate. This land area contains Ancient Woodland and the Dinting Nature Reserve. Immediately adjoining the site (east) is the Long Distance Transpennine Trail (Gamesley) on the former Waterside branch of the Great Central Railway, Dinting as identified in the HER (Historic Environment Record) ref. MDR686. The south of the site partly adjoins the Council's TPO (Tree Preservation Order) no. 169 "*Adjoining former Waterside Railway Gamesley*" and an area of Council owned public open space with play area.
- 2.3 The site itself includes several mature trees and is subject to the Council's TPO no.306 "*Trees of all species on land located between 14-84 Cottage Lane (west) and disused rail line (east)*". Site levels generally slope downwards north to south by approximately 5.0 metres.

- 2.4 A Public Right of Way (PROW) ref. HP12/172/1 enters the site between nos. 50 and 52 Cottage Lane, traversing the site in a northwest to southeast direction alongside the approximate route of the Roman Road (Brough to Melandra) ref. MDR11569 as identified in the HER.
- 2.5 The southeastern corner of the application site is identified as being within the Coal Authority Development High Risk Area.
- 2.6 This edge of settlement site lies some 2.0km northwest of Glossop town centre. It is reasonably positioned in terms of its proximity to local services e.g. schools, libraries / other community facilities and the local public transport network.

3.0 DESCRIPTION OF THE PROPOSAL

- 3.1 Full planning permission is sought for a total of 51 dwellings, identified as 100% Affordable Housing Provision (i.e. Social, Affordable or Intermediate Rent) within the application form and would be split as follows:
 - 16, one-bedroom apartments
 - 15, two-bedroom houses
 - 20, three-bedroom houses
- 3.2 The dwellings would be arranged as two-storey, semi-detached and mews type properties served by a parking court and / or frontage car parking spaces from a linear roadway via the main site entrance.
- 3.4 Facing materials for properties are indicated as a buff brick beneath a concrete roof tile. Retaining features in the form of gabion walls and low concrete structures are further referenced within the application submission.
- 3.5 The site access would be formed by widening the existing land between nos. 50 and 52 Cottage Lane and notably includes the demolition of no. 52.
- 3.6 The submission follows the recent withdrawal of a similar planning application ref. HPK/2024/0154, which could not be determined as no ownership Certificate D had been advertised, completed or submitted with the planning application. For the avoidance of any doubt this purely technical issue has now been rectified.
- 3.7 The application and details attached to it, including the plans, supporting documents, representations made by residents and the responses from consultees can be found on the Council's website at:-

<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=268239>

4. RELEVANT PLANNING HISTORY

- HPK/2024/0154 51 dwellings, comprising one bedroom flats and two and three bedroom houses. WITHDRAWN 28/08/2024
- HPK/0003/2200 Erection Of Two Poultry Sheds at Land Rear Of 14 - 50, Cottage Lane, Gamesley, Glossop. REFUSED 13/01/1993
- HPK/0002/5619 Residential Development at Land Off, Cottage Lane, Gamesley, Glossop. REFUSED 29/09/1987. APPEAL REF: T/APP/T1030/A/87/81843/P5 DISMISSED.
- HPK/0000/9725 Proposed Development Of Approximately 1000 Square Metres For Use As Sales Demonstration And Distribution Depot For Rigid Foam Producing Machinery at Land Rear Of 14 - 50, Cottage Lane, Gamesley, Glossop. REFUSED.

5. CONSULTATIONS

Expiry:

Site notice	18 th October 2024
Press notice	24 th October 2024
Neighbours	14 th October 2024

Public comments

Neither (4):

- There is not enough amenities necessary such as shops, GPs, schools etc
- Glossop is a rural town surrounded by green and it should not fall victim to urban sprawl which is more easily achieved and less damaging in other areas of Manchester
- This location is far from suitable for any sort of development
- Glossop and Gamesley cannot cope with more houses or more traffic
- Traffic in the area has already become problematic with its limited link roads in and out
- Parking in the area is also difficult and this will only be exacerbated by building even more houses
- Trying to drive up and down cottage lane is difficult, with double parking on both sides of the narrow road
- Trying to find a space to park there to visit the Doctors on Cottage Lane is impossible
- All the lorries, diggers, generators etc trying to get down Cottage Lane and into the "cut in" would be chaotic
- Commuting is difficult in normal times and it is even worse when roadworks are in place and building will disrupt this long term
- I do not believe sufficient consideration has been given to the impact of parking on Cottage Lane, which is already scarce and would remove 8 – 10 spaces
- More houses being built in this area means more vehicles

- Cottage Lane is a bus route, and it is important that safe access is maintained
- A potential solution would be to make Cottage Lane one way and develop and open the other end of Cottage Lane, allowing residents to leave the lane via the other end onto Dinting Vale
- Insufficient consideration has been given to the impact of removing a significant number of trees and shrubs and the increased levels of carbon dioxide in the atmosphere for residents living in this area
- Removal of an ecosystem crucial to local wildlife and the increased risk of flooding and soil erosion
- We are supposed to be going green and yet you plan to rip out trees that are helping us be green
- I walk to work Monday to Friday through this part of Gamesley (locally named as the cut in) - the amount of wildlife I see and enjoy makes my walk that more special
- If the builds go ahead, the natural wildlife will have nowhere to go, as most of our green spaces are being built on
- Also, this area is right next to the nature reserve where many people and families of all ages like to walk and enjoy the fresh air and beauty of the trees
- Please keep our green areas, as we do not have many peaceful spaces left

Objections (168):

Principle

- Lack of infrastructure to support development
- Roads, schools and GPs already in poor state
- Glossop and its surrounding area are at a capacity
- Area cannot support another 200 people
- There have been four major housing sites built locally with no improvement to infrastructure
- Will exacerbate issues in an already overpopulated area
- Not an allocated site
- Contrary to Local Plan policies H1, EQ 2 EQ3, EQ5, EQ6, EQ9, H5, CF6 and S5
- Brownfield land should be used for new housing developments
- No more housing development should be approved before existing developments are built out
- Allocated housing sites should be developed before unallocated sites
- The Crowberries and uplands sites satisfy the need for affordable housing in the local area, therefore it is not needed
- Development should not be built on greenbelt land
- Future housing should be focused on Buxton or Castleton not Glossop
- The local area need more green space not more houses
- Unnecessary when there is an incomplete development up the road.
- Cumulative negative impact with other proposed housing developments nearby including Dinting Road
- No local community hub following upcoming closure, to accommodate new people

- Does not comply with NPPF section 11 paragraph 124 (a) and (b)

Highway Safety / Transportation

- Increase in traffic on Cottage Lane
- Detrimental impact on transport and accessibility
- Exacerbate existing congestion in and out of Glossop.
- Parking and traffic pressure on Cottage Lane is already an issue
- Need for further traffic analysis to be carried out
- Limited public transport in the area
- The proposed bypass will not ease traffic
- Will lead to increase of cars using the playing field as parking
- Glossop roads are outdated, designed for horse and cart, cannot cope with traffic volumes
- Will lead to difficulties for access of emergency vehicles
- Area is already used as a rat run, issue will be exacerbated
- Area marked for access is currently used as extra parking for residents of Cottage Lane, loss of this will increase parking issues.
- Noise and disturbance from extra residences and traffic generated
- Roads not suited to construction traffic
- Disruption of construction and associated construction traffic
- Increased risk of road accidents
- No consultation with the Road Traffic Agency
- The commute tracker submitted is far from representative of the local traffic
- It does not address the additional 100+ cars using the local roads and adding to the already congested routes
- The development entrance should be located at the field end of the development
- Cottage Lane is particularly dangerous during school drop off / pick up times
- Regular even congestion begins at 3pm when school finish and can continue until past 6pm
- Each house is likely to have more than 2 cars
- Unreliable local bus service
- Closing the road for building works will prevent busses from getting through, which are a lifeline for some residents

PROW, including TPT

- Negative impact of footpath no.68
- undisturbed bridlepaths and footpaths should be preserved
- loss of access to trans Pennine trail via footpath

Ecology / Nature Conservation

- Loss of green land
- Loss of established trees/loss of woodland
- Detrimental impact on environmental and ecological assets
- Loss of habitat, nature and wildlife (including hedgehogs, deer, owls and bats)

- This site is vital for supporting wildlife
- Re-planting scheme is unrealistic
- Loss of food source for hedgehogs (foraging opportunities)
- Hedgehogs are a protected species
- Updated ecological report required as submitted report was dated 2023
- Contradicts Tree Protection Order 2023 no 306
- They have already left nearby properties unsafe due to tree removals
- Loss of bluebells
- Over 100 species of birds and over 25 species of broadland and scattered trees will be lost
- Irreplaceable habitats lost
- Indirect effects of loss of trees
- Loss of wildlife and trees is unsustainable development
- the High Peak Green infrastructure strategy lists Gamesley as a major node
- loss of trees on site will increase risk of land slips
- Construction disturbance likely to harm the retained TPO trees
- Unclear where replacement trees would be planted and when
- Loss of thriving eco-system
- loss of badgers, foxes and woodpeckers
- Loss of birdsong

Flood Risk

- The current site acts as a natural flood management system

Open space / Community

- Loss of open space of children to explore and play
- Loss of dog walking space
- Disregards the wishes and wellbeing of residents
- Negative impact on community green space
- Loss of community feeling

Heritage / Visual Impact

- Will ruin the rural countryside
- Harm to visual and landscape character
- Will significantly alter the visual character of Cottage Lane
- Demolition of historic property (no 54)
- Local / historic architecture should be preserved
- Cottage Lane is made up of stone houses, some of which date back to 1888
- Existing houses are carefully customised and designed to give small reflections of the family inside, whilst maintaining the tradition - the proposed development would contradict and ruin this
- Harm to visual amenity – impact of quality and character of the area
- Modern design will clash with character of the neighbourhood
- Use of brushed yellow brick will contrast with current properties
- Will add to the eyesore of the incomplete Crowberries site on Glossop Road

Pollution / Unstable Lane

- Within Coal Authority high risk development area
- Disturbance of extra traffic noise
- Increased air pollution

Neighbour Amenity

- Overlooking / loss of privacy due to proximity Cottage Lane rear gardens
- Lack of separation distance

Other Matters

- Concerns regarding impact on existing property values
- Only 50% of houses on Cottage Lane been consulted
- Will not deliver affordable housing, as developers often fail to deliver
- Social housing will harm area
- New existing new buildings have affected existing water pressure and gas supply
- Plans are misleading by stating that the site is located within a residential area

Support (6):

- Looking to move out of Glossop and buy a new home for family
- Need more houses
- Have deposit saved for a new built around Glossop area
- A lot of people objecting are simply pointing out the wildlife, birds and etc but the estate is full of dog litter, and nothing is being done
- It is mostly the dog owners objecting due to taking their dogs out in the fields and not cleaning up their mess
- Hence why they want to stop houses being built
- They do not put any effort to make their environment clean specially the school path it full of dog litters

Glossop & District Heritage Trust

29.10.24

The public footpath, Glossop FP68, which runs diagonally across the development site and would be diverted by the development, is marked on the Derbyshire Historic Environment Record (MDR 11569) as the possible line of the Roman road from the fort at Brough (Navio) to the fort at Gamesley (Melandra).

The likelihood that this is indeed the correct line has increased following recent revision by Peter Wroe, in conjunction with members of Glossopdale and Longdendale Archaeological Society (GLAS) of his and the late Peter Mellor's original survey of the road in the 1970s, and the investigations by

Archaeological Research Services (ARS) on Adderley Fields in respect of HPK/2022/0456 (Land at Dinting Vale). Wroe's revised projection from the last excavated section at Hob Hill, Whitfield, takes the road along the general line of Hollincross Lane/Pikes Lane, and from there the most likely line is along the track, Glossop FP50, across Adderley Fields.

Investigations by ARS either side of this track revealed no sign of the road, the likelihood therefore being that it lies under the track. This track is in turn in dead-straight alignment with Glossop FP68 on the opposite side of the A626, which follows a field boundary marked on mid C19th maps, and projected forward this line would meet the Roman road from Buxton to Melandra at the point where it crossed the defensive ditch of the vicus (civil settlement) adjacent to the fort. In the post-Roman period the approximate Roman line appears to have remained in use as a local way between Whitfield and Lower Gamesley but would have been closed off when the Marple Bridge-Glossop turnpike (A626 – A57 – A6016) was constructed in 1804-5.

An appropriate archaeological condition is therefore required in relation to FP68, and we agree with the recommendations of the DCC Development Control Archaeologist in respect of the previous, withdrawn application. Bearing in mind that this is only 650 metres from the fort, account also needs to be taken of the possibility of burials, shrines or other remains off the immediate line of the road, several finds of this nature having been made during the archaeological investigations in the 1960s prior to the building of the Gamesley estate.

Consultees

CONSULTEE	COMMENT	OFFICER RESPONSE
Alliance Waste	Awaited	Refer to Updates Report
<p>11.06.24 (previous):</p> <p>Properties should be planned so bins can be stored within the property boundary and be moved to the presentation point without the need to go up or down steps or through the property. Garden gates need to be wide enough to accommodate a standard 240l wheeled bin.</p> <p>Collection vehicles are unable to access unadopted highway unless an indemnity form has been completed by the developer. In instances where there is no indemnity for properties will have to present their bins at a point next to the nearest adopted highway.</p> <p>All roads that are intended to be used for the purposes of waste collection must be suitable for a full size 32 tonne waste collection vehicle with a turning circle of 22.5m. It is advisable to design out the need for collection vehicles to reverse where possible. If reversing is unavoidable the following must be applied:</p>		

- waste collection vehicles should not reverse more than 12 meters
- the reverse should be straight and free from obstacles and visual obstructions.

Please provide a tracked plan to show waste collection vehicle access and turning and indicate waste collection points for each property on the plan.

Please provide as part of the planning application a tracked plan to show waste collection vehicle access and turning. There must be an area on the site to store the bins; this can be a hard-standing or a bin store structure.

There must be sufficient space within the storage area to accommodate the correct number of bins to prevent waste being dumped on the floor. The bins storage areas must be designed so they are easily accessible for all residents, including those with mobility problems.

Bin stores must have adequate lighting and ventilation. Bin store doors must open outwards and be wide enough to accommodate an 1100l wheeled bin.

Doors must be fixed with a catch or similar device, to lock the door back into position to allow the crew to move bins safely in and out of the store with both hands, without having to hold/open the doors.

There must not be steps or raised door surrounds on the floor at the entrance to the bin store, these prevent bins being wheeled safely and can be easily damaged.

Waste collection vehicles should be able to get within a minimum of 25m of the storage point and the gradient between the two should not exceed 1:12. However, BS 5906:2005 recommends shorter distances of 15m for two wheeled containers, and 10m for four wheeled contained. These recommendations should be followed where possible. The access from the bin storage point to the collection vehicle should be concrete/paving/tarmac, not gravel or gravel. There must be dropped kerbs where necessary, no steps.

Pathways must be wide enough for an 1100l bin and must not be obstructed by planning, parked cars or bollards.

If the bin structure has a roof, it should be high enough for bin lids to open fully. Do not provide combined bike and bin store

Coal Authority	Conditional Response	Refer to the Other Environmental Considerations Section of the main report

16.10.24

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority response: MATERIAL CONSIDERATION

The application site falls partly within the Coal Authority's defined Development High Risk Area. Therefore within the site and surrounding area there are coal mining features present at surface or shallow depths. The risk these features may pose should be considered as part of the planning process.

More specifically, the Coal Authority's information indicates that the site lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depth. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

We note that the application proposes a revised scheme of development to that previously proposed at the site under planning application HPK/2024/0154. The application is accompanied by the same Phase I Geoenvironmental Site Assessment (July 2023, prepared by E3P) which supported HPK/2024/0154. This report was considered acceptable by the Coal Authority at the time of the previous application.

Based on a review of relevant sources of coal mining and geological information, the report identifies the potential for unrecorded mine workings in a single coal seam anticipated to underlie the site at shallow depth. Accordingly, it goes on to make appropriate recommendations for the carrying out of intrusive ground investigations, in the form of the drilling of rotary boreholes, to establish the shallow coal mining situation.

The Coal Authority's Planning & Development Team welcomes the recommendation for the undertaking of intrusive site investigations. These should be designed and carried out by competent persons in order to properly assess ground conditions and to establish the exact situation regarding mining legacy and the risks it may pose to the development.

The submitted report does not outline what measures may be required in the event that mine workings are encountered within influencing distance of the surface. The results of the investigations should therefore be interpreted by competent persons and used to inform any remedial works and/or mitigation measures that may be necessary to ensure the safety and stability of the proposed development as a whole, including the buildings and external parts of the site such as the new roads, driveways and vehicle parking areas. Such works/measures may include grouting stabilisation works and foundation solutions.

The applicant should note that Permission is required from our Permitting & Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb Coal Authority property. Any comments

that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development Team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

Surface Coal Resource

The Coal Authority's records indicate that surface coal resource is present on the site, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning application decision making process consideration should be given to such advice in respect of the indicated surface coal resource.

SuDS

Where SuDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

The Coal Authority Recommendation to the LPA

The Coal Authority's Planning & Development Team concurs with the conclusions of the Phase I Geoenvironmental Site Assessment; that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development.

As such, should planning permission be granted for the proposed development, we would recommend that the following conditions are included on the Decision Notice:

1. No above ground development shall commence until;
 - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been

implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

2. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

The Coal Authority therefore has no objection to the proposed development subject to the imposition of the above conditions. This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

The following statement provides the justification why the Coal Authority considers that a pre-commencement condition is required in this instance:

Refer to public file for full consultation response.

County Archaeology	No objection	Refer to Heritage Section of the main officer report
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28.10.24

The proposed development area is recorded on the Derbyshire HER as overlying the route of the Roman road between the Roman forts at Brough on Noe in the Hope Valley and Melandra (MDR11569) to the northwest of the application area. The proposed development area is also adjacent and to the west of the now dismantled branch line opened in 1879 of the Great Central Railway Dinting which served the industrial sites, mainly cotton mills, on the River Etherow between Tintwistle and Woolley Bridge, also recorded on the Derbyshire HER (MDR 686). Because development on this site may impact known and hitherto unknown heritage assets further archaeological work will be necessary.

I note in the application that the intention is to retain several mature trees within the redline boundary of the site as part of the development, while others will be removed. The groundworks themselves to remove the trees will impact on below ground archaeology, if there is any below ground archaeology, yet the tree cover and ground cover would impede any archaeological reconnaissance to determine the presence and significance of any below ground archaeology. This then leaves us with something of a slightly tricky

situation.

It is unlikely that any archaeological remains within the site will be of suitable significance to warrant planning refusal though it is conceivable that if the Roman road is present within the site, and its preservation is sufficient to warrant it being retained *in situ*, then there may need to be some flexibility brought into the design of the scheme to avoid impacts. My recommendation for further archaeological work therefore would be that.

1. A WSI, or Project Design for staged archaeological work is developed. This should include
 - a section which identifies the potential for archaeology to be present within the site
 - should identify which trees will be retained and which felled.
 - Identify the below present ground level maximum depths of impact occasioned by the provisions of drainage, services, house foundations, roads, and what and where impacts of landscaping may affect any below ground archaeology. This should also be shown on a plan.
2. The WSI should then outline a programme for undertaking ground penetrating radar survey of the site once undergrowth has been cleared but before ground works. This could be undertaken between the felling of the trees (once branches, trunks etc have been removed from site) and the grubbing out of any of the stumps.

Depending on the results of the ground penetrating radar survey I would then seek either for targeted trial trenching and (dependent on the results) mitigation work. If the GPR and trenching proved negative there may be no need for mitigation at all.

These archaeological works, in the staged form required, can be achieved by the inclusion of a suitably worded condition in any planning consent, this in keeping with para 200 and 211 of NPPF the wording of which should read.

"a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation"

"b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a)."

"c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured."

All works should be in accordance with an approved Project Design for Archaeological works prepared specifically to the needs of this site and the development, pre-approved by this office in writing before implementation. The WSI should be compiled by the archaeological organisation commissioned to undertake the works in the field and should be undertaken to recognised industry standards, in line with the appropriate qualitative standards of field practice and recording as outlined in current key methodological literature (for example Barker 1993, Roskams 2001). All archaeological works should be undertaken by a suitably experienced archaeological organisation with suitably and most importantly demonstrably experienced archaeologists undertaking the work on the ground.

County Highways (Local Highways Authority)

Conditional Response

Refer to the Highway Safety section of the main report

05.11.24

Derbyshire County Council, the Highway Authority acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order, 2015 has no objection subject to conditions.

Background

The application is a resubmission of a previous application (HPK/2025/0154) to which the LHA raised no objection, although there were a number of issues which required clarification or further details to be submitted concerning the internal layout.

This latest application essentially proposes the same scale and type of development as the previous application and the submitted TA and site layout are identical to the previous albeit pedestrian crossing points have now been added to the main site access road. I therefore refer to comments included in the original LHA response relating to the principle of the development which remain valid in relation to this latest application:

"The application includes a transport statement in support of the application which assesses the potential impact of the proposed development on the

highway network in the vicinity of the application site. Having reviewed the proposed development against Local and National policy, the LHA generally accepts the method of assessment and conclusions reached in the transport statement in that the development will not result in an unacceptable impact on highway safety or have a severe residual cumulative impact on the road network. It is considered that there are no justifiable grounds on which an objection could be maintained to the principle of the application.”

The swept path analysis for a refuse vehicle manoeuvring through the site was queried with the submitted details indicating that a refuse vehicle would need to use a section of the footway fronting plot 15. The resubmitted analysis indicated that a refuse vehicle would not be able to access the cul-de-sac which serves plots 19 to 30 without using the same footway fronting plot 15. The applicant should be made aware that this arrangement is likely to prejudice the future adoption of the cul-de-sac serving plots 19 -30 with the adoption ending at the junction of the central access and the cul-de-sac. The cul-de-sac will therefore remain private.

No details are provided of the gradients of the proposed access roads and footways; the gradients should not exceed 1 in 12 throughout the site and this should be conditioned accordingly. Gradients in excess of 1 in 12 will not be acceptable to the LHA in terms of the acceptability of the application or, should consent be granted, for the adoption of the estate roads.

The previous LHA response commented on additional pedestrian accessibility through the site:

“There also appears to be an opportunity to provide a pedestrian link to the public open space on the southern boundary of the site which would provide a more convenient access for those dwellings located to the south of the site.”

This does not appear to have been addressed. Whilst the lack of an additional pedestrian link is disappointing, it is not considered to be justification for an objection to the application.

Conclusion

Based on the analysis of the information submitted and a review of Local and National policy the Highway Authority concludes that there would not be an unacceptable impact on highway safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained.

Refer to public file for full consultation response.

County Flood Risk Management	Awaited	Refer to the Flood Risk & Drainage section of the report.
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06.08.24 (previous)

The document titled S104 Drainage Layout shows the proposed surface water management system but the associated calculations in Flood Risk

Assessment Appendix J do not represent the drainage layout. Can the applicant provide calculations to show the proposed drainage strategy works as this application sets the layout and we need to be sure that the required attenuation and surface water drainage can fit on the site and manage rainfall events up to the 1% probability event with an allowance for climate change (40%) and urban creep (10%).

County Place (Education)	No education contributions sought	Refer to the Planning Obligations Section of the main report
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04.11.24

Primary Level

The proposed development falls within and directly relates to the normal area of Gamesley Primary School and Dinting CE Voluntary Aided Primary School. The proposed development of 51 dwellings (minus 16 1-bed) would generate the need to provide for an additional 12 pupils.

Gamesley Primary School has a net capacity for 315 pupils, with 197 pupils on roll as at January 2024. The number of pupils on roll is projected to decrease during the next five years to 186.

Dinting CE Voluntary Aided Primary School has a net capacity of 140 pupils and had 132 pupils on roll as at January 2024. The latest projections show the expected number of pupils to decrease during the next five years to 99.

Analysis of the current and future projected number of pupils on roll, shows that the normal area primary school would have sufficient capacity to accommodate the 12 primary pupils arising from the proposed development.

Secondary Level

The proposed development falls within and directly relates to the normal area of Glossopdale School and Sixth Form. The proposed development of 51 dwellings (minus 16 1-bed) would generate the need to provide for an additional 14 secondary including post-16 pupils.

Glossopdale School and Sixth Form has a net capacity for 1440 pupils with 1240 pupils on roll as at January 2024. The number of pupils on roll is projected to decrease to 1227 during the next five years.

Analysis of the current and future projected number of pupils on roll, shows that the normal area secondary school would have sufficient capacity to accommodate the 14 secondary including post 16 pupils arising from the proposed development.

Mitigation

In line with the County Council's Developer Contributions Protocol, no

contribution to education infrastructure is requested at this time based on the current application.

Refer to public file for full consultation response.

Derbyshire Constabulary (Force Designing Out Crime Officer Prevention and Partnerships Team)	Objection	Refer to the Design and Layout Section of the officer report
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22.10.24

The detail is practically identical to the previously withdrawn application HPK/2024/0154, and the matters raised at the time of our response for this process on the 28th of June have not moved on or been addressed in any of the resubmitted documents.

Consequently, in our view, the proposed arrangements for the realigned PROW are unclear and unsatisfactory from a community safety perspective.

The enclosure plans link within the online planning file still brings up a second copy of the P13 visuals.

28.06.24 (previous)

Whilst there would be no reason to object to residential development of this parcel of land in principle from the perspective of crime and disorder, the proposed footpath diversion arrangement presents avoidable risks for both prospective new residents, and others who would be passing along the proposed realigned route.

The present route, taken to be footpath 68, runs in a relatively direct alignment from the shared parking area between 50 and 52 Cottage Lane, where it meets with peripheral footpath 172, and a number of other informal paths leading out to formal routes or into woodland. Whilst the central portion of FP68 is reasonably open, the Cottage Lane end, FP172 intersection, and the majority of other routes around the application area are not open, and whilst clearly reasonable well used, do not provide what would be seen as primarily safe routes.

Looking over a crime profile of the area there is a pocket of nuisance related offences of fire setting and damage to fencing around the start of the route from the previously mentioned communal parking area. Whilst residential occupancy of the site would have a positive impact upon this type of nuisance, this needs to be weighed against the effect upon territoriality for new residents, particularly around the eastern side of the site, where the proposed realigned route provides escapes out into woodland, and runs at a

right angle into a semi-private turning head, so sight lines are significantly reduced.

**Derbyshire
Wildlife Trust**

Awaited

**Refer to the
Ecology section
of the main
report.**

06.08.24 (previous)

I have reviewed the PEA (Preliminary Ecological Appraisal) and the Biodiversity Metric Report prepared by E3P July 2023 and April 2024 respectively.

In summary the application is not accompanied by sufficient information for the Council to have a full understanding of the type and extent of potential impacts on protected species including bats and badger. Whilst the PEA has made an initial assessment the surveys were constrained by the density of the vegetation in several locations and problems accessing neighbouring land.

In the case of badger there are known records for badger setts close to this location and it is highly likely that badger is present in the area. It is important to identify any potential setts within 30m of the development so that the impacts can be assessed. With regard to bats it has not been possible for all of the trees within the woodland to be assessed for bat roosts. It is important that any potential bat roosts in trees are identified prior to the determination of the application.

Biodiversity Net Gain and Impacts on habitats

Paragraph 99 of Circular 06/2005 states, "it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances".

Biodiversity Net Gain and Impacts on habitats

The proposed development will result in the loss of an area of deciduous woodland which is a Habitat of Principal Importance (UK BAP Priority) as well as areas of tall herb, grassland and ephemeral vegetation that are of local value. Defra's Statutory Biodiversity Metric 4.1 has been used to calculate losses and gains at the site based on the current layout and proposals. The development will result in a net loss of 6.11 biodiversity habitat (area) units equating to a -76.82% loss. There is a slight gain associated with hedgerows through proposed on-site hedgerow creation. The Biodiversity Metric Report states under section 1.1 This report should be read in conjunction with 'The Statutory Biodiversity Metric Calculation Tool, Cottage Lane, Glossop.xl'

The full metric in Excel format is not available on the website. It is essential that this is checked to ensure that it is legally compliant and accords fully with

the Biodiversity Metric Report.

The application is not accompanied by any information regarding how a net gain will be achieved off-site. The type, location and costs of any off-site scheme remain unclear. Based on the unit loss of woodland, costs could be £300,000 or more to create new woodland somewhere else.

Impact of the development on the adjacent ancient woodland and Local Wildlife Site

The proposed development will destroy an area of woodland that connects directly and helps to buffer ancient semi-natural woodland and a Local Wildlife Site.

The loss of this woodland in this strategic location reduces connectivity and exposes the ancient woodland to increased disturbance and damage. The application should seek firstly to avoid and minimise impacts on the deciduous woodland and to retain the woodland in situ.

Conclusions

The development has a significant negative impact on biodiversity in Glossop and reduces the extent of high value woodland habitat within this area. Whilst off-setting this through the Biodiversity Net Gain approach may be feasible and could potentially be acceptable it would be preferable to see the footprint of the development reduced to retain more woodland on site.

The application has not provided any information about how they intend to provide an acceptable off-site scheme for the loss of woodland. The Biodiversity Metric Report refers to options are being explored and land has been identified. The details for this land should be provided to the Council so that any proposals can be assessed.

A copy of the Biodiversity Metric 4.1 is required so that this can be reviewed prior to determination.

The applicant should provide further details for how they intend to address the net loss of biodiversity so that the Council can be confident that an off-site net gain proposal is acceptable and achievable. Any off-site scheme is likely to require a S106 agreement to secure the works for a period of 30 years. Leaving this to condition would be risky and could result in the woodland being created some distance from Glossop or outside of the Borough.

Environment Agency

No objection

Refer to the environmental matters section of the main report.

16.10.24

We have reviewed the submitted documents and on this occasion the Environment Agency will not be making any formal comment on the submission for the following reason:

The development falls within flood zone 1 and therefore we have no fluvial flood risk concerns associated with the site.

There are no other environmental constraints associated with the application site which fall within the remit of the Environment Agency. If, however, the proposal subsequently changes such that you feel that it may pose a significant environmental risk then please do not hesitate to contact us and we will be pleased to review our response.

High Peak Access	Awaited	Refer to Updates Report
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HPBC Arboricultural Consultant	Objection	Refer to the Design and Layout Section of the main officer report
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13.07.24 (previous)

Conclusions and Recommendations

Arboricultural Impact: The proposals will lead to the loss of 38 trees, 2 groups, 3 hedges and a woodland (approx. 0.33 ha). The root protection areas of 27 trees to be retained will be impacted upon. 18 trees are under threat of removal in post development as they are not effectively integrated into the proposed layout.

Tree Protection and Policy: All the trees on the site are protected by Tree Preservation Orders. The proposed tree removal and lack of substantive tree replacement scheme is contrary to Local Plan Policy EQ9, which requires that existing woodlands, healthy, mature trees and hedgerows are retained and integrated within a proposed development. Also that trees which are removed are replaced on a 2:1 basis and development that indirectly damages existing ancient woodland, is resisted. The NPPF section 186 also requires that development resulting in the loss or deterioration of ancient woodland should be refused.

The site is in the Countryside and Local Plan Policy EQ2 applies which requires that development has regard to maintaining the aesthetic and biodiversity qualities of natural features within the landscape, such as trees and woodlands and ecological networks.

The proposals are also contrary to the High Peak Borough Council Tree Policy that requires that the Council will not grant planning permission for developments which directly or indirectly threatens trees or woodlands of significant amenity and developments which have inadequate or inappropriate landscape proposals.

Tree Protection: The Arboricultural Method Statement (AMS) is generic and brief and lacks the specific detail required to ensure that the retained trees on this site are adequately protected during construction on site.

Mitigation: The magnitude of tree and woodland tree planting and habitat creation required by Local Plan Policy EQ9 and Biodiversity Net Gain legislation to mitigate the tree and woodland loss cannot be accommodated on site. There is no clear and secure proposal for off site tree and woodland planting or habitat creation. The indirect impact on existing woodland networks and the ancient woodland site are not addressed in the mitigation

Recommendations:

The current proposals require the removal of/or threaten the long-term retention of the existing trees and woodland. They are also indirectly detrimental to the adjacent ancient woodland. The proposed mitigation is inadequate and unclear and therefore the proposal is contrary to National and Local Planning Policy and should be refused.

Refer to public file for full consultation response.

HPBC Environmental Health	No objection subject to conditions.	Refer to the environmental matters section of the main report.
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09.08.24 (previous)

Air Quality

The applicant has submitted an AQ assessment to accompany the application produced by [Redmore Environmental](#). The report looks at potential impacts associated with fugitive dust emissions during the construction phase; potential impacts associated with road transport emissions during the operational phase of the proposed development; and was intended to identify any requirement for relevant mitigation measures. The assessment did not consider the current AQ at the site, though that is unlikely to be an issue.

Construction – Dust

The assessment itself is fairly standard and done generally inline with Institute of Air Quality Management methodology (IAQM-assessment of dust from demolition activities etc). As is common with these types of assessments it recognises that during the construction phase of the development there is the potential for air quality impacts as a result of fugitive dust emissions from the site. The assessment concludes that these dust impacts will not affect sensitive receptors because it already assumes that will the operator will definitely adopt certain good practice mitigation practices, which it lists in Table 16.

This is essentially fine but clearly for this conclusion to be valid and the report accepted we need confidence that all of these measures will be definitely implemented.

It is recommend therefore that the previous dust condition is amended to:

2. CDD01B - CONSTRUCTION AND DEMOLITION – DUST

No phase of the development hereby permitted shall take place until Construction Environmental Management Plan (CEMP) has been submitted and approved in writing by the Local Planning Authority. The CEMP should include all of the control measures outlined in: Table 16 Fugitive Dust Emission Mitigation Measures in the Air Quality Assessment produced by [Redmore Environmental](#) submitted in support of the development. Once approved All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

If during the course of the development hereby permitted, any activity at the site causes dust to be emitted beyond the site boundary, so as to adversely adjacent residential properties and/or other sensitive uses and/or the local environment, the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape.

Operational Impacts

Potential air quality impacts during the operational phase of the proposals may occur due to road traffic exhaust emissions associated with vehicles travelling to and from the development. The applicant has undertaken dispersion modelling to predict pollutant concentrations at sensitive locations as a result of emissions from the highway network both with and without the development in place. The sensitive receptors include areas in the Dinting Vale AQMA, which is within very close to the proposed development.

The air quality impacts as a result of traffic generated by the development were not predicted to be significant at any sensitive location in the vicinity of the site.

The assessment is considered to be OK but does have a reasonably high level of uncertainty. Such as, the traffic data used does not account for committed developments in the Glossop area, nor does it make any reference to the A57 link road, which is due to commence in 2015, and will potentially add significantly further traffic. The speeds used in the assessment are a bit optimistic for some of the areas, and typically it would have been anticipated that some additional model improvement occurred prior to the correction factor being applied.

The above noted, the increase in traffic due to the development has been accepted by DCC highways as being negligible, and it is accepted that even with the uncertainties noted above, the impact of the above scheme will likely only be slight. However, this is still an increase and the applicant has also not noted any other additional mitigation / enhancements that may further reduce the AQ impacts of the development (e.g. travel plans, EV infrastructure etc). Therefore, although the development is unlikely have any significant negative effect it is also does not contribute to any AQ improvements or benefits.

As part of the air quality action plan for the area, HPBC are seeking to install real time monitoring in the AQMA (NOx and PM10) to better inform potential actions to improve AQ in the area.

It is recommended that the applicant support the actions the council is wishing to undertake to improve air quality in the form of a financial contribution to help implement actions associated with the revised draft air quality action plan, namely the installation of real time monitoring of Nitrogen Dioxide and Particulate matter (PM) and possibly to support a further feasibility study into local sustainable travel in the area.

We would therefore seek a contribution of £7800 to cover the ongoing (not purchase) costs of two sensors for two years, to cover the construction and implementation period of the development. Alternatively, the applicant can determine the financial contribution using the [Air quality appraisal: damage costs](#) (as outlined in our SPD section 4.36).

This should either be as a condition of the planning permission or secured via a s.106 agreement.

In addition; the applicant is reminded that they will be required to install EV / EV infrastructure in accordance with Approved Document S: infrastructure for charging electric vehicles.

06.08.24 (previous)

The Environmental Health Department has no objection to the proposed development subject to the conditions set out below being applied to any permission granted.

Sensitive Use

The proposed end use of the development is particularly sensitive to the presence of land contamination and the submitted phase 1 contamination assessment recommends further intrusive investigation works. For this reason and to protect human health and the wider environment the following conditions 1 is recommended.

Construction

The construction/demolition stage of the development could lead to an increase of noise and dust etc. experienced at sensitive premises and subsequent loss of amenity, for this reason conditions 2 to 7 are suggested.

1. CL02 - Contaminated Land (DCLG Condition)
2. CDD01B - CONSTRUCTION AND DEMOLITION – DUST
3. CDD02 - CONSTRUCTION & DEMOLITION: WASTE DISPOSAL
4. NSD12 - BEST PRACTICAL MEANS
5. NSD02B - Noise Construction: Piling 2
6. NS02A - CONSTRUCTION & DEMOLITION WORKS: TIME OF OPERATIONS
7. CDD14 - On Site RADIO

Refer to public file for full consultation response.

HPBC Service Commissioning (Leisure / Recreation)	No objection subject to a financial public open space contribution	Refer to the Planning Obligations section of the main report
<p>26.08.24 (previous)</p> <ul style="list-style-type: none"> • Off site play contribution to be used to enhance existing play facilities within Gamesley - £249.30 x 51 = £12,714 • Off site allotment contribution to the existing allotment site on Melandra Castle Road - £91.30 x 51= £4,656.30 • Off-site contribution to Parks & Gardens (Manor Park as key destination site) - £620.40 x 51 = £31,640.40 • Playing pitch contribution - £6,107 towards grass pitch enhancement in Gamesley • Indoor sports facilities - £23,618 towards a sports hall for the development of a new indoor leisure facility in Glossop • Indoor sports facilities - £25,755 towards a swimming pool for the development of a new indoor leisure facility in Glossop <p>I also note the comments from Derbyshire Police regarding the proposed footpath diversion. Whilst I am not familiar with the footpath connection, I would defer to the current assessment and suggestions of the Police to re-route the footpath through the Public Open Space on Cottage Lane.</p>		
MAG Aerodrome Safeguarding Team	No objections	Refer to the Other Matters section of the main report
<p>17.10.24</p> <p>We have no objection to this development. The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see:</p> <p>https://www.caa.co.uk/Commercial_industry/Airspace/Event-and-obstacle-notification/Crane-notification/</p>		
NHS Derby & Derbyshire	Awaited	Refer to the Planning Obligations section of the main report
<p>05.07.24 (previously)</p> <p>The indicative size of the premises requirements has been calculated based on current typical sizes of new surgery projects factoring in a range of list sizes recognising economies of scale in larger practices. The cost per sq m has been identified by a quantity surveyor experienced in health care projects. This is the cost of providing additional accommodation for 140 (B) patients:</p>		

(B) Additional patients to be accommodated 128	X	(D) Standard area m ² /person Based on total list size of approx. 0.08 m ²	X	(E) Cost of extension including fees £/m ² £ 5,000*	=	Total cost (B) x (D) x (E) £51,200
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*Update 2024 in line with increase build costs.

The financial contribution requested is £51,200.

Refer to file for full public response

Peak & Northern Footpath Society		Refer to the Highway Safety section of the main report
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23.06.24 (previously)

We note that the application from states that no Rights of Way are to be diverted. However, the proposed site map acknowledges that in fact FP68 runs directly through the existing site and will need to be diverted. The proposed diversion (as shown on the map, appears to be mainly along the new pavements within the development. There will need to be a definitive map modification order for this diversion to take effect and we would ask that a condition is put on any planning consent that this order must be drawn up, consulted upon and in effect before any building work may begin, as these costs should be regarded as part of the developer's responsibility (such orders are often neglected, leading to increased costs at a later time). We would also ask that any planning consent also carries a condition that FP172, which runs along the edge of the site, is kept open and safe to use during and after any works.

Trans Pennine Trail National Office & Sustrans	Objection	Refer to the XXX section of the main report
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29.10.24

The Trans Pennine Trail Partnership and Sustrans welcome the opportunity to respond to this planning enquiry.

Previous comments were made to an earlier application for this site (PAD/2023/0015) to seek a bridleway connection on the path running along the east of the site. This request still remains and has not been addressed in this current application.

Despite being consulted on this earlier application, neither the TPT National

Office nor Sustrans were notified of this current application. High Peak are asked separately to ensure that both organisations are notified of developments on/adjacent to our network.

The development lacks safe provision for families wishing to cycle with statements indicating cyclists should use footpaths, which is illegal. The need for this new residential development to provide safe facilities for pedestrians and cyclists is paramount.

Further detail is provided in the section below.

The map below indicates the location for the application in relation to the Trans Pennine Trail.

Yellow = Trans Pennine Trail which is full multi-user at this location and also part of the Pennine Bridleway and National Cycle Network (NCN 62).

Blue = Development site

White = Long term aspiration link

As requested in our earlier comments, it is requested that the path to the east of the site is upgraded to bridleway and provides connections into the site. This will also provide further benefits to residents who will have access to the adjacent woodland and also the Trans Pennine Trail, providing other local, regional and national connections.

It is noted to the east of the site is a woodland managed by Derbyshire County Council. The developer should ensure that residents are notified of this and that no works will be undertaken for occupants.

Interpretation and signage should be provided to ensure residents are aware of these facilities and the local flora and fauna connected to the site. This should be discussed with Derbyshire County Council. This would benefit residents physical and mental health. It is suggested that S106 funding could be utilised for this as well as improvements to the new route connecting to the Trail.

The proposed PROW diversion connects to the TPT/NCN/Pennine Bridleway and the proposed ramp should be compliant with LTN 1/20 to ensure access for all.

There is no reference on the plan for provision for cyclists and Cottage Lane is already a busy road with double parked cars.

How are new residents wishing to cycle safely provided?

Design & Access Statement

3.2 Is there scope to increase the footpath width to 3m to provide a space for both pedestrians and cyclists? There is currently no safe provision for cyclists which will deter young families accessing the network using the current road infrastructure.

3.3 Will residents be provided with facilities for cycle parking to encourage

sustainable transport modes? Can footways throughout the site be shared space for pedestrians and cyclists?

Transport Statement

2.3.3 How are cyclists to safely access/exit the site?

3.2 This section should include reference to the TPT, NCN and Pennine Bridleway.

3.3.1 This footpath Glossop-HP12 69/1 should be upgraded to bridleway to provide full multi-use. As a footpath, cyclists would not be able to use the proposed diverted footpath. It is also noted Glossop-HP12 172/1 is referred to as a footpath but understand this is already a multi-user trail between Cottage Lane and the junction with HP12/68/168. This will enable full multi-use, rather than just a route for pedestrians if footpath only.

3.5.6 NCN 62 is also part of the Trans Pennine Trail network and both should be equally represented as should the Pennine Bridleway that can also be used by cyclists. This should also be shown in Figure 3.2.

3.5.9 This statement is questioned as to the safe provision of young families wishing to cycle and with the developer advising cyclists to use footpaths.

3.8.3 This statement is questioned as to the safe provision of young families wishing to cycle and with the developer advising cyclists to use footpaths.

Refer to file for full public response (including to view maps)

United Utilities	Conditional Response	Refer to the Flood Risk / Drainage section of the main report
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08.11.24

United Utilities provides the following comments to support the Local Planning Authority in their determination of the planning application detailed above, and to direct the applicant to further sources of support and guidance on matters that might impact their proposal.

The letter and Appendix should be read in their entirety to support the determination, the design, and should the scheme be approved, the subsequent delivery of the proposal.

DRAINAGE

Following our review of the submitted Drainage Strategy Ref: CLG AJP XX 00 DR C - 0900, Rev P04, Dated 28.11.2023, we can confirm that whilst the proposals are acceptable in principle, there is insufficient information on the detail of the drainage design. We request the applicant submits a S185

application to developer services. Should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

Should planning permission be granted without the provision of this information we request the following condition is attached to any subsequent Decision Notice:

REQUESTED CONDITION

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as a main river).

To discuss their drainage proposals the applicant should contact our Developer Services team by email at . Alternative ways to contact the team are detailed in the Appendix, Section 4.0 'Contacts'.

Management and maintenance of Sustainable Drainage Systems (SuDS)

Without effective management and maintenance SuDS can fail or become ineffective which may have a detrimental impact on the surrounding area. There is also a risk ineffective SuDS could impact the performance of the public sewer network where the two systems interact. Therefore, when SuDS is included in a proposed development, we recommend the Local Authority include a condition relating to SuDS management and maintenance in any subsequent Decision Notice.

We provide an example condition below that may be suitable in many

circumstances.

Please note United Utilities cannot provide comment on an asset that is owned by a third party management and maintenance company. Therefore, whilst we recommend the inclusion of a management and maintenance condition, United Utilities would not be involved in its discharge.

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

(i) Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and

(ii) Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

UNITED UTILITIES' PROPERTY, ASSETS AND INFRASTRUCTURE

A public sewer crosses the site and we will not permit building over it. We require an access strip for maintenance or replacement and this access must not be compromised in any way.

The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations however, we recommend the applicant determines the precise location, size, depth and condition of the pipeline as this is likely to influence the required stand-off distance from any structure.

Based on the information currently available, it is unclear whether sufficient distance is provided between proposed development features and our wastewater asset(s). We recommend the applicant contacts our Developer Services team to ensure existing wastewater assets, along with our required access widths, can be accommodated in the proposed layout. If the applicant fails to investigate and resolve any concerns prior to a positive determination, there is a risk that as the scheme progresses, the applicant, or any subsequent developer, may discover that their plans are not implementable in their existing form or that diversion of assets is required.

If the Local Authority requires any additional comment on the acceptability of the proposed layout from United Utilities, we will require a detailed site layout plan, which overlays the PROVEN location of the wastewater asset(s) in relation to any proposed development (including walls, fencing, parking etc.). In this scenario, we will require evidence to show that the location of the pipeline(s) has been confirmed by site specific survey, a copy of asset maps will not suffice.

It is the applicant's responsibility to investigate the existence of any pipelines

that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development. The applicant should not rely solely on the detail contained within asset maps when considering a proposed layout.

It is important that the supporting information contained in the Appendix, Section 2.0 'United Utilities' Property, Assets and Infrastructure', is read in conjunction with this letter. This provides information that might impact a proposed layout and additional guidance that an applicant or developer must consider when United Utilities assets are located in, or in the locality of, the proposed site.

Where United Utilities' assets exist, it is essential that the applicant, or any subsequent developer, contacts our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition. See Appendix, Section 4.0 'Contacts'

We request that a copy of this letter and the Appendix is made available to the applicant.

Refer to file for full public response

6. PLANNING POLICIES RELEVANT TO THE DECISION

High Peak Local Plan Adopted April 2016

S1 Sustainable Development Principles
S1a Presumption in Favour of Sustainable Development
S2 Settlement Hierarchy
S5 Glossopdale Sub-area Strategy
EQ1 Climate Change
EQ2 Landscape Character
EQ3 Rural Development
EQ5 Biodiversity
EQ6 Design and Place Making
EQ7 Built and Historic Environment
EQ8 Green Infrastructure
EQ9 Trees, Woodlands and hedgerows
EQ10 Pollution Control and Unstable Land
EQ11 Flood Risk Management
H1 Location of Housing Development
H3 New Housing Development
H4 Affordable Housing
CF3 Local Infrastructure Provision
CF6 Accessibility and Transport
CF7 Planning Obligations and Community Infrastructure Levy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Supplementary Planning Documents (SPDs)

Residential Design Guide 2005
Landscape Character 2006
High Peak Design Guide 2018
Planning Obligations 2023

Other Relevant Documents

High Peak Housing and Economic Land Needs Assessment (HELNA)
September 2022

7. POLICY AND MATERIAL CONSIDERATIONS

Decision Making Framework

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990 requires the Local Planning Authority to determine planning applications in accordance with the development plan, unless there are material considerations which 'indicate otherwise'. Section 70(2) provides that in determining applications the Adopted Local Planning Authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations". The Development Plan for the borough consists of the Adopted High Peak Local Plan dated April 2016.
- 7.2 Achieving sustainable development sits at the heart of the NPPF. Paragraph 8 of the NPPF outlines that achieving sustainable development requires the consideration of three overarching and mutually dependant objectives being: economic, social and environmental where they are to be applied to local circumstances of character, need and opportunity of each area. These objectives are interdependent and should be pursued in mutually supportive ways and comprise;
- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of the present and future generations; and by fostering well designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well being; and,
 - c) an environmental objective – to protect and enhance our natural, built and historic environment; including making the effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

- 7.3 LP (Local Plan) Policy S1a establishes a presumption in favour of sustainable development as contained within NPPF paragraph 11. It requires decision makers to apply a presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan they should be approved without delay or where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless:-
- I. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - II. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 7.4 Section 5 of the Framework relates to delivering a sufficient supply of homes. Paragraph 60 identifies that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Housing Land Supply

- 7.5 The Council can currently demonstrate 6.4 years supply of housing land (as at 1st April 2023). This represents a total annual housing requirement (April 2022 to March 2027) including a 5% buffer. Accordingly, for decision makers this means that when considering development proposals which accord with the development plan they should be approved without delay within the context of NPPF paragraph 11.
- 7.6 On 23rd June 2022, the Council's Executive stated LP Policies S3 'Strategic Housing Development', S4 'Maintaining and enhancing an economic base' and Policy H4 'Affordable Housing' were out of date for development management purposes, meaning less weight can be given to them when determining planning applications. For the avoidance of doubt, all other policies within the High Peak Local Plan should continue to be given full weight until further notice.
- 7.7 New evidence informing the Local Plan review is also available. As the housing requirement is now deemed out of date, the Council is now using the Government's standard methodology for determining the annual housing requirement for the Borough as mandated by the National Planning Policy Framework. This approach currently provides an annual need for 260 homes across High Peak and this applies until such time that the new Local Plan is adopted or sooner if required by national planning reforms.

- 7.8 A consultation on 'Proposed reforms to the National Planning Policy Framework and other changes to the planning system' and the 'National Planning Policy Framework: draft text for consultation' (the Framework consultation document) was recently published by the Government. The status of these documents, being in the consultation phase, significantly limits the weight which can be afforded to them. Nevertheless, together with the Secretary of State's written ministerial statement entitled 'Building the homes we need' and the letter from the Deputy Prime Minister to local authorities: "Playing your part in building the homes we need" are nonetheless material considerations to be but can only be afforded very limited weight.
- 7.9 Therefore, given that the LPA can currently demonstrate a 5 year supply of housing, and that forthcoming reforms to the NPPF have yet to be finalised and adopted, the "titled balance" is not engaged and the application should be determined in accordance with Local Plan policy.

Principle of Development

- 7.10 The triangular, greenfield site is approximately 1.10 hectare in area and falls within the open countryside (Landscape Character Type: Settled Valley Pastures). It adjoins the built up area boundary of Glossop to the west as per the Adopted Local Plan (LP) Policies Map.
- 7.11 LP Policy S2 'Settlement Hierarchy' promotes a sustainable pattern of development by focusing development to the market towns and larger villages with limited development in the smaller villages and a more restrictive approach to development in countryside and Green Belt. Consideration therefore needs to be given to the scale of residential development proposed and whether this would be in accordance with the settlement hierarchy in this location. Settlement boundaries for the settlements referred to in Policy S2 are defined on the Adopted LP Policies Map.
- 7.12 Area based LP Policy S5 'Glossopdale Sub-area Strategy' states that: "The Council will seek to promote the sustainable growth of Glossopdale whilst promoting and maintaining the distinct identity of its settlements ... and meet the housing needs of the local community. This will be achieved by:
1. Promoting and maintaining the distinct identity of the settlements which make up Glossopdale by: ...
 - Ensuring that development protects and/or enhances landscape character
 2. Providing for the housing needs of the community by planning for sustainable housing and mixed use developments by:
 - Allocating a range of suitable, deliverable housing sites sufficient to meet the requirements of the Glossopdale sub-area, including the delivery of appropriate levels of affordable housing
 - Supporting the development of new housing on sustainable sites within the built-up area boundary ...".

7.13 Fundamentally, the Council's Local Plan Review has not found the settlement hierarchy and its focus for distribution of development in LP Policy S2, LP Policy S5 Glossopdale Sub-area Strategy, the housing allocations in LP Policy H2 to be out of date.

7.14 With regard to development in 'Other Rural Areas', Policy S2 states: "In all other areas outside of the settlement boundary of settlements, including those villages, hamlets and isolated groups of buildings in the Green Belt and the Countryside which do not have a settlement boundary as defined on the Policies Maps, development will be strictly limited to that which has an essential need to be located in the countryside or comprises affordable housing in accordance with policies EQ3 and H5". In addition, Policy EQ3 identifies those circumstances where new residential development will be permitted and includes development which would meet with Policy H1 'Location of New Development'.

7.15 Accordingly, LP Policy H1 'Location of New Development' states: "The Council will give consideration to approving sustainable sites outside the defined built-up area boundaries, taking into account other policies in this Local Plan, provided that

- The development would adjoin the built up area boundary and be well related with the existing pattern of development and surrounding land uses (officer emphasis) and of an appropriate scale for the settlement; and
- the development would not lead to prominent intrusion into the countryside or have a significant adverse impact on the character of the countryside; (officer emphasis)
- it would have reasonable access by foot, cycle or public transport to schools medical services, shops and other community facilities; and
- the local and strategic infrastructure can meet the additional requirements arising from the development".

7.16 With regard to the first and second bullet point, LP Policy EQ2 'Landscape Character' states: "The Council will seek to protect, enhance and restore the landscape character of the Plan Area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the Plan Area. This will be achieved by:

- Requiring that development has particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, such as trees and woodlands, hedgerows, walls, streams, ponds, rivers, ecological networks or other topographical features
- Requiring that development proposals are informed by, and are sympathetic to the distinctive landscape character areas as identified in the Landscape Character Supplementary Planning Document and also take into account other evidence of historic landscape characterisation, landscape sensitivity, landscape impact

and the setting of the Peak District National Park and where appropriate incorporate landscape mitigation measures.

- Requiring that development proposals protect and/or enhance the character, appearance and local distinctiveness of the landscape and landscape setting of the Peak District National Park.
- Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement as identified in the Landscape Impact Assessment”.

7.17 In addition, LP Policy EQ6 ‘Design and Place Making’ requires all development should be well designed and of a high quality that responds positively to both its environment and the challenge of climate change, whilst also contributing to local distinctiveness and sense of place. Furthermore, it stipulates that “public and private spaces are well-designed, safe, attractive, complement the built form and provide for the retention of significant landscape features such as mature trees”.

7.18 Therefore, the acceptability of the proposal in principle turns on whether it complies with LP Policies S1, S5, EQ2, EQ3 and H1, which amongst other things broadly seek the protection of landscape character and Policy EQ6 which amongst other things requires development that responds positively to its environment, and which does not cause unacceptable impacts on local character and amenity. These matters are considered in more detail below.

7.19 Policy H1 also requires that local and strategic infrastructure can meet the additional requirements arising from the development and this matter will be discussed within the Planning Obligations section of the report below.

Trees, Landscape and Visual Impact

7.20 LP Policy EQ9 states that: “The Council will protect existing trees, woodlands and hedgerows, in particular, ancient woodland, veteran trees and ancient or species-rich hedgerows from loss or deterioration. This will be achieved by:

- Requiring that existing woodlands, healthy, mature trees and hedgerows are retained and integrated within a proposed development unless the need for, and benefits of, the development clearly outweigh their loss
- Requiring new developments where appropriate to provide tree planting and soft landscaping, including where possible the replacement of any trees that are removed at a ratio of 2:1
- Resisting development that would directly or indirectly damage existing ancient woodland, veteran trees and ancient or species-rich hedgerows”.

7.21 Officers had commissioned an independent review of the Arboricultural Impact Assessment (AIA) and Method Statement (ref. 81-158-R1-3) dated March 2024, which was submitted in support of the earlier withdrawn scheme. Given scheme similarities, however, it remains

relevant to the assessment of the current proposal for the construction of 51 dwellings, comprising one-bedroom flats with two- and three-bedroom houses.

- 7.22 The independent arboricultural review has identified some minor errors and omissions within the applicant's report, but it confirms an adequate level of detail for the assessment of the arboricultural aspects of the proposal as discussed in further detail below.
- 7.23 Two trees on site are classified as Category A, which are defined within BS5837:2012 as trees of high quality with an estimated remaining life expectancy of greater than 40 years or more. These are trees T35 (ash) and T36 (sycamore), which are protected by HPBC TPO no. 297. The ash tree, however, has been infected with ash dieback disease and has approximately 50% of healthy crown remaining. In contrast, the sycamore tree is identified as an outstanding specimen sycamore with a girth of 3.55m and is of local importance as one of the largest sycamores in the area.
- 7.24 The independent report states that priority should be given to the retention of category A trees within the proposed development whilst Category B trees should also be retained and accommodated within the site. Category B trees are defined within BS5837:2012 as trees of moderate quality with an estimated remaining life expectancy of greater than 20 years. The entire wooded area (W1), together with the removal of 7 individual trees (T11, T39, T42, T43, T44, T60, T63) and a single group of trees (G2), which are Category B trees would require removal to accommodate the scheme.
- 7.25 In addition, a total of 25 Category C trees, together with a single group (G1), three hedges (H1 – 3) and 6 Category U trees (T3, T9, T32, T49, T50, T67) would also require removal to further accommodate the scheme. Category C and U trees are of low quality with an estimated remaining life expectancy of greater than 10 years or young trees with a stem diameter below 150mm but would necessitate replacement planting in accordance with LP Policy E9 at a ratio of 2:1.
- 7.26 The Council's independent arboricultural review (paras 3.6.1 – 3.6.5) also identifies a number of issues associated with those trees indicated for retention within the site as discussed below:
- The ash (T35) is unlikely to be retained long term in an area of incidental open space as laid out in the proposals, due to its declining condition from ash dieback disease and the associated increased risk of branch failure.
 - A larch and holly trees (T15 - 16) are shown in the rear garden of plot 42. A group of trees comprising ash, poplar cypress, sycamore and willow (T19 - T22, T24 - T27 and T29) are also shown to be retained in the rear gardens of plots 41 and 40. Trees T23 and T28 are contiguous with this group but located off site. These plots have only modest sized outdoor space, and the trees would dominate future residents gardens. These matters are likely to be perceived

as a nuisance to future residents and may not well tolerated by them. Retention of such trees in a domestic setting appear not be defensible, even under the protection of the TPO and therefore in the longer term further tree loss could be anticipated.

- Poplars and a single laurel (T53 - T57) are shown in the garden of Plot 14. These are mature trees located to the southwest of the proposed dwellings and they would dominate and shade nearby properties. Also, the RPA (Root Protection Area) would be impacted on by the construction of plot boundary fences.
- A mature ash tree (T59) in plot 13 and a semi mature oak (T62) in plot 12 are noted. These large growing species are shown situated in modest gardens and are also unlikely to be well tolerated in a high-density residential setting.
- Trees T45 - T48, T51 and T52 are shown in the incidental open space to the south of the scheme and would partly shade plots 13 and 15. The construction of the boundary fence would also likely impact on trees T46 - T51. The proposed hard surfacing would also have a minor impact on the RPA of trees T46, T47 and T51.

7.27 In summary, the scheme proposals would lead to the direct loss of most trees and woodland on the application site as follows:

- 38 individual trees, 2 groups of trees, 3 hedgerows and an area of woodland (approximately 0.33 ha) would require removal to accommodate the scheme.
- The root protection areas of 27 trees to be retained would also be impacted upon.
- 18 trees are under threat of removal as they are not effectively accommodated within the proposed layout.
- Only 5 trees are suitably positioned where they would likely be retained in the longer-term.

7.28 The applicant's Arboricultural Method Statement is further criticised as lacking the specific detail required to ensure retained trees are adequately protected during construction on site. Outstanding concerns relate to impact on retained trees including proposed site levels / regrading, construction of any retaining structures and drainage impacts.

7.29 In addition, some 30.0m away from the application site boundary (at its closest point) is an area of designated ancient woodland. The loss of trees and woodland habitat from the site would indirectly contribute to the deterioration of ancient woodland to the east as highlighted within the Council's independent arboricultural review. This matter will be further discussed within the ecology section of the report below.

7.30 In addition, the scheme offers no clear or secure proposals for offsite tree and woodland planting (or indeed habitat creation).

- 7.31 The provision of 51 dwellings would introduce a substantial volume of hard built development onto the site into what is currently part of the wooded countryside surrounding this aspect of Gamesley. Of importance, the layout and density of the proposed scheme would not be conducive to accommodating an appropriate level of tree planting integrated into the street scene contrary to NPPF para 136 which notes that: “trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined”.
- 7.32 The site is clearly visible from extensive sections of the public right of way (PROW) and Trans Pennine Trail which runs alongside its southeast boundary. From the PROW / TPT, the site appears as part of the countryside, which envelopes these routes and is distinctly separate from the developed body of Gamesley. The greatest visual effects associated with the proposal would be experienced by users of the PROW / TPT to the southeast of the site. In views from this PROW / TPT, the site appears as an integral part of the countryside through which one passes whilst on this route.
- 7.33 Clearly, the wholesale loss of trees and woodland onsite and its replacement with an unsympathetic dense urban residential layout, together with the potential loss and / or deterioration of ancient woodland nearby would lead to a significant adverse impact on the woodland character of the area. The visual impact from public views would be transformative and the site would adopt a dense urban appearance. Although the impacts would be localised, there would be a significant adverse impact on the character and appearance of the area.
- 7.34 Overall the scheme would lead to a prominent intrusion into the countryside and have a significant adverse impact on its character. Consequently, these matters would cause friction with the relevant criteria of LP Plan Policy H1 ‘Location of New Housing Development’ in particular. The scheme proposal would also conflict with LP Policies S1, S5, EQ2, EQ3 H1, and EQ6 in these regards.
- 7.35 This matter will be returned to within the conclusions and planning balance section of the report below.

Archaeology

- 7.36 LP Policy EQ7 ‘ Built and Historic Environment’ states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment. Particular protection will be given to designated and non-designated heritage assets and their settings, including conservation areas.
- 7.37 Paragraph 205 of the NPPF states “when considering the impact of a proposed development on the significance of a designated heritage

asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.

- 7.38 County Archaeology confirm that the proposed development area is recorded on the Derbyshire HER as overlying the route of the Roman road between the Roman forts at Brough on Noe in the Hope Valley and Melandra (MDR11569) to the northwest of the application site. In addition, the scheme lies adjacent and to the west of the dismantled branch line opened in 1879 of the Great Central Railway Dinting also recorded on the Derbyshire HER (MDR 686). Accordingly, further investigative archaeological work is deemed necessary given development on this site may impact on below-ground heritage assets
- 7.39 In terms of ‘below ground archaeology’, County Archaeology confirm no objection to the scheme subject to an appropriately worded planning condition.

Amenity

- 7.40 LP Policy EQ6 ‘Design and Place Making’ stipulates that development should achieve a satisfactory relationship to adjacent development and should not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing or other adverse impacts on local character and amenity. Similarly NPPF para 135(f) requires a high standard of amenity for existing and future users.
- 7.41 The Council’s adopted SPD on ‘Residential Design’ states the distance between habitable room windows should be 21.0m and for every change in level of 0.5m, there should be an increase in distance between opposing properties by 1.0m. Although the guidance within the SPD allows for variation in distances to accommodate particular site circumstances. Notwithstanding this, the interrelationship between existing residents and proposed scheme dwellings is broadly satisfactory to provide for a good standard of amenity regarding privacy considerations noting the shorter interface between road facing properties.
- 7.42 For the proposal, the Council’s Arboricultural Consultant has confirmed there are some instances within the application site, where there would be a clear conflict between rear garden / plot boundaries and trees. Particularly, there would be a long-term conflict with trees overhanging / shading gardens and therefore trees being susceptible to lopping by residents. Consequently, raising significant concern regarding the unsuitability of rear amenity space of some plots, which would be harmful to the living conditions of future occupiers.
- 7.43 In addition, LP Policy EQ6 ‘Design and Place Making’ also requires: “that public and private spaces are well-designed, safe, attractive, complement the built form and provide for the retention of significant landscape features such as mature trees”.

- 7.44 With regard to designing out crime matters, NPPF paragraph 96 states: “Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which: ... b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; ...” and NPPF paragraph 135 f) create places that are safe, inclusive and accessible and which promote health and well-being, ... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.
- 7.45 Derbyshire Constabulary’s (Force Designing Out Crime Officer Prevention and Partnerships Team) notes the scheme is near identical to the withdrawn application and previous matters raised have not been addressed in the resubmission.
- 7.46 Concerns are raised in relation to the proposed footpath diversion arrangement, which presents avoidable risks for both prospective new residents, and others who would be passing along the proposed realigned route. The Cottage Lane end of the PROW FP172 intersection and most other routes around the application area are considered by the Designing Out Crime Officer as concealed and therefore do not provide primarily safe routes. He refers to the crime profile of the area, where he highlights a pocket of nuisance related to offences of fire setting and damage to fencing around the start of the route from the communal parking area.
- 7.47 Whilst it is acknowledged that the residential occupancy of the application site would have a positive impact upon this type of nuisance. The Designing Out Crime Officer states this would need to be balanced against the effect upon territoriality for new residents, particularly around the eastern side of the site, where the proposed realigned route provides escapes out into woodland and runs at a right angle into a semi-private turning head and therefore sightlines are significantly reduced. Consequently, the proposed arrangements for the realigned PROW are deemed unsatisfactory from a community safety perspective and are objected to by the Designing Out Crime Officer.
- 7.48 In these regards, the scheme would not provide acceptable living conditions for some future occupiers of the development, in terms of light penetration to private amenity space as a result of shading by trees. Whilst the proposed arrangements for the realigned PROW are unsatisfactory from a community safety perspective. Consequently, these matters conflict with the amenity requirements of LP Policy EQ6 ‘Design and Place Making’ as well as the NPPF.

Housing Mix & Type

- 7.49 The NPPF seeks mixed and balanced communities. NPPF paragraph 63 states that the size, type and tenure of housing needed for different groups should be reflected in planning policies. In these regards, LP

Policy S1 sets out the sustainable development principles for the area and includes that new development should provide for a mix of types and tenures of quality homes. LP Policy S5 also seeks to provide for the housing needs of the community including the delivery of appropriate levels of affordable housing and supporting the development of new housing on sustainable sites within the built-up area.

7.50 In detail, LP Policy H3 'New Housing Development' requires all new residential development to address the housing needs of local people by:

- a) "Providing a range of market and affordable housing types and sizes that can reasonably meet the requirements and future needs of a wide range of household types including for the elderly and people with specialist housing needs, based on evidence from the Strategic Housing Market Assessment or successor documents.
- b) Providing a mix of housing that contributes positively to the promotion of a sustainable and inclusive community taking into account the characteristics of the existing housing stock in the surrounding locality ...
- c) Supporting dwellings designed to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space Standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations".

7.51 The Council's HELNA (Housing and Economic Land Needs Assessment) dated September 2022 was commissioned to inform the review of the Local Plan. Accordingly, the HELNA is deemed to be a "successor document" to the 2014 SHMA as referenced in LP Policy H3 and should therefore be considered when determining the scheme. The HELNA provides an updated analysis of the housing mix required across the Borough as well as providing a more detailed assessment of the recommended housing mix across each of the Local Plan sub-areas. This includes Glossopdale within which the application site is located.

7.52 Consequently, developments should seek to bring the housing stock in the vicinity of and closer to the HELNA recommended mix. This allows for the characteristics of the housing stock in the locality to be considered. The recommendations from the 2022 HELNA in relation to the mix of social housing for both High Peak as a whole, as well as Glossopdale are outlined below alongside the proposed housing mix from the scheme and existing housing stock in Gamesley.

7.53 Recommendations with a market adjustment are also provided. This results in a 15% reduction in the number of smaller (1-2 bed) dwellings and a commensurate increase in the number of 3- and 4-bedroom properties to reflect "the very pronounced socio-economic shock precipitated by the pandemic and the strong (and what appears to be a

permanent) shift towards homeworking and the need for larger properties to accommodate this” (HELNA, para 12.34).

7.54 Table 1: HELNA & Ward Comparison

SOCIAL HOUSING	1-bed	2-bed	3-bed	4-bed	5 or more bed
2022 HELNA High Peak	48%	29%	22%	1%	0%
2022 HELNA High Peak (with market adjustment)	41%	25%	28%	7%	0%
2022 HELNA Glossopdale	41%	36%	22%	1%	0%
2022 HELNA Glossopdale (with market adjustment)	35%	31%	28%	7%	0%
% of existing housing stock Gamsley ward	20.4%	39.5%	42.9%	7.8%	0%
Application proposals	31.4%	29.4%	39.2%	0%	0%

7.55 As can be seen from the table above, the latest evidence from HELNA indicates a stronger need for 3- and 4-bedroom properties since the 2014 SHMA. This trend is particularly pronounced once the market adjustments have been made to reflect post-pandemic working patterns. Census ward data for Gamesley, however, shows a higher proportion of existing 3-bedroom properties at 43% against HELNA market adjusted data at 28%. The need for smaller 1- and 2-bedroom properties has declined since 2014, particularly when the market adjustment is applied.

7.56 The evidence above shows that c.8% of the existing housing stock in the Gamesley ward is four-bedroomed. The demand for some 4-bedroom accommodation is supported by Home Options data. Nevertheless, as the scheme would not provide any four-bedroomed units it would not reasonably meet nor contribute towards the wider housing need for four-bedroomed units across Glossopdale. Conversely, the scheme would also result in a marked overprovision of 3-bedroom provision when factoring in existing ward properties. In these regards, there would be some conflict with LP Policy H3.

7.57 Parts c) and e) of LP Policy H3 require all new residential development to contribute positively to the promotion of an inclusive community and to be delivered to meet accessibility standards as set out in the Optional Requirement M4(2) of Part M of the Building Regulations. This requirement is further endorsed by the evidence in the HELNA, which recommends that c.50% of new housing should meet these accessibility standards.

7.58 No detailed evidence, however, has been put forward by the applicant to demonstrate how the dimensions, capacity or shape of internal spaces for each individual dwelling could be capable of adaptation to meet accessibility standards. In the absence of this information, there is no certainty that the proposal would adequately address the requirements at parts c) and e) of LP Policy H3 creating further conflict.

7.59 In addition, not all scheme units have been designed to meet or exceed the Technical Housing Standards: National Described Space Standard (NDSS) for affordable dwellings types as discussed in further detail below.

7.60 In these regards, the scheme would be contrary with the housing mix, accessibility and minimum floor space requirements of LP Policies SS1, S5 and H3 as well as the NPPF.

Affordable Housing

7.61 LP Policy H3 ‘New Housing Development’ criteria a) requires proposals to meet the LPs requirements for the provision of affordable housing as set out in Policy H4. LP Policy H4 states all new residential development should meet the requirements of local people by providing affordable housing within the overall provision of new residential development for sites above 25 units and the requirement is 30%.

7.62 LP Policy H4 is deemed to be out of date by the local plan review for development management purposes given national planning policy updates in relation to affordable housing. This includes confirmation that the provision of affordable housing should not be sought for residential development that are not major developments. Other matters include the change to the definition of affordable housing, inclusion of First Homes and proportions of affordable homes being made available for home ownership. These matters have been considered as part of the assessment of the scheme.

7.63 The applicant is offering 51 affordable units (100%) as set out below, which surpasses the Local Plan policy requirement of 30%. Great Places Housing Group would seek to partially grant fund the development through the Homes England Affordable Homes Programme, together with their own funds secured through long-term borrowing facilities as confirmed by the Council’s Regeneration Officer.

7.64 Table 2: Property Mix / Type, NDSS & Tenure Split

Scheme house types	Gross Internal Floor Area (GIFA)	NDSS	SPD	Rent	Shared ownership
1bed 2person apart GF	50sqm	50sqm		8	0

1bed 2person apart FF	61sqm	50sqm		8	0
2bed 3person House	72sqm	70sqm		11	4
		79sqm	2bed 4person House	-	-
3bed 4person House	84sqm	84sqm		7	13
		93sqm	3bed 5person house	-	-
Total				34	17
				67%	33%

7.65 NPPF paragraph 135, footnote 52 states: “Planning policies for housing should make use of the Government’s optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified”.

7.66 The Council’s Developer Contributions SPD October 2023 at paragraph 4.11 provides additional guidance on space standards for affordable housing. To maximise flexibility in the lettings process and improve living conditions for occupants, it seeks to achieve 2-bed 4 person and 3-bed 5 person dwellings to NDSS requirements.

7.67 The provision of 51 affordable housing dwellings at the site aligns with the Governments objectives outlined within the Written Ministerial Statement (and the letter) and should be afforded substantial weight in the planning balance.

7.68 Notwithstanding this, only a policy compliant (30%) or 15 scheme properties could be secured as affordable housing. It raises considerable doubt that the whole site could be securely delivered as 100% affordable provision therefore reducing the weight which can be attached to the level of social provision being offered. In addition, inadequate property types creates conflict with LP Policy H3. Nonetheless, the secured provision of at least 15 units would assist in meeting some local affordable housing need with the Glossopdale area.

7.69 This matter will be returned to within the conclusions and planning balance section of the report below.

Highway Safety

- 7.70 LP Policy CF6 'Accessibility and Transport' seeks to ensure new development can be safely accessed in a sustainable manner and minimise the need to travel, particularly by unsustainable modes. NPPF paragraph 111 advises: "Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".
- 7.71 The Local Highway Authority (LHA) confirms that the resubmission has addressed matters of clarification concerning the internal site layout raised in relation to the previously withdrawn scheme and notes the new pedestrian crossing points to the main site access road. The original LHA response relating to the principle of the development is confirmed as valid to the assessment of the current scheme.
- 7.72 In these regards, the LHA states it "generally accepts the method of assessment and conclusions reached in the transport statement in that the development will not result in an unacceptable impact on highway safety or have a severe residual cumulative impact on the road network" and therefore "there are no justifiable grounds on which an objection could be maintained to the principle of the application."
- 7.73 As noted by the LHA, the resubmitted swept path analysis for a refuse vehicle manoeuvring through the site confirms that it would not be able to access the cul-de-sac which serves plots 19 to 30 without using the same footway fronting plot 15 and therefore this cul-de-sac would need to be privately maintained, as would gradients of proposed access roads and footways in excess of 1 in 12.
- 7.74 The LHA has reaffirmed its previous commentary in relation to the missed opportunity to provide a pedestrian link to the public open space on the southern boundary of the site, which would provide a more convenient access for those dwellings located to the south of the site. Whilst this matter has not been addressed, the LHA considers it would not be a justifiable objection to the scheme.
- 7.75 AES (waste) comments are outstanding on the current scheme in relation to refuse collection and Members are directed to the Updates Report in these regards.

Trans Pennine Trail (TPT)

- 7.76 The site's east / northeast boundary lies adjacent to the LP Green Wedge (Strategic Gap S1), which forms a wider allocation separating built development further afield, including the Dinting Road Industrial Estate. This land area contains Ancient Woodland and the Dinting Nature Reserve. Immediately adjoining the site (east) is the Long Distance Transpennine Trail (Gamesley) as highlighted above.
- 7.77 The Trans Pennine Trail (TPT) is a long-distance trail located in Glossop. Herein LP Policy EQ8 'Green Infrastructure' is relevant and states: "The Council will, through partnership working, develop, protect and enhance networks of Biodiversity and Green Infrastructure" and

requires that “through its layout and design, new development responds to the location of existing green infrastructure and ecological networks, supporting their appropriate uses and functions” as well as the “protection and extension of existing long distance trails and development of a network of Greenways ...”.

7.78 Accordingly, the Trans Pennine Trail (TPT) Partnership and Sustrans have responded to the planning application submission. In these regards, a bridleway connection to provide full multi-use on the proposed path running along the east of the site to the TPT/NCN/Pennine Bridleway is sought as per earlier pre-application advice. In these regards, it is highlighted that cyclists would not be able to use the proposed diverted footpath. Whilst the applicant refers to Glossop-HP12 172/1 as a footpath, it already functions as a multi-user trail between Cottage Lane and the junction with HP12/68/168 as noted by the TPT Partnership and Sustrans and a scheme objection is raised in these regards.

7.79 Of importance, such access would provide further benefits to existing and future residents to have access to the adjacent woodland and the TPT, providing other local, regional and national connections. Interpretation boards and signage are further recommended to ensure residents are aware of these facilities and the local flora and fauna connected to the site to benefit residents physical and mental health. These matters would be required to be secured via a legal agreement.

7.80 Fundamentally, they consider that the scheme lacks safe provision for families wishing to cycle and note the applicant’s commentary indicating that cyclists should use footpaths, which is confirmed as illegal activity. The requirement for the new residential development to provide safe facilities for pedestrians and cyclists is confirmed as paramount by the (TPT) Partnership and Sustrans. Accordingly, the Local Highway Authority have been asked to comment upon this aspect of the scheme and Members are directed to the Updates Report in these regards.

Ecological Impact

7.81 LP Policy EQ5 states that the biodiversity and geological resources of the Plan Area and its surroundings will be conserved and where possible enhanced by ensuring that development proposals will not result in significant harm to biodiversity or geodiversity interests. The policy then goes on to identify how this will be achieved, specifying several criteria.

7.82 The application site is not designated under any statutory ecological designation, including local designation. The wording of Policy EQ5 requires that development proposals should conserve biodiversity by ensuring no significant harm to these interests. There would be no requirement under the policy to achieve an overall biodiversity net gain, albeit the supporting text does seek this where possible.

7.83 Notwithstanding this, Biodiversity Net Gain (BNG) in England is now mandatory under Schedule 7A of the Town and Country Planning Act

1990 (as inserted by Schedule 14 of the Environment Act 2021). The PPG states that it is an approach to development which “makes sure that habitats for wildlife are left in a measurably better state than they were before the development”. In these regards, developers must deliver a BNG of 10% and this “means a development will result in more or better quality natural habitat than there was before development”.

7.84 Furthermore, NPPF paragraph 186 states “When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused
- b) ...
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁶⁷ and a suitable compensation strategy exists; and
- d) ... while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate”.

7.85 The Conservation of Habitats and Species Regulations 2017 translates into UK legislation, the EEC Council Directive 92/43/EEC, The Conservation of Natural Habitats and of wild fauna and flora, known as the Habitats Directive. This legislation protects habitats and species across Europe and so includes species on animal found in the UK. These species are known as European Protected Species (EPS) and these regulations are the primary regulations protecting these species, not the Wildlife and Countryside Act. These species include the otter, common dormouse and all bats.

7.86 Derbyshire Wildlife Trust (DWT) have reviewed the Preliminary Ecological Appraisal (PEA) and the Biodiversity Metric Report prepared by E3P July 2023 and April 2024 respectively in relation to the withdrawn scheme. An earlier version of the Biodiversity Metric Report dated October 2023 together with the original PEA accompanies the current submission.

7.87 DWT concluded that the PEA contained insufficient information to gain a full understanding of the type and extent of potential impacts on protected species including bats and badger. Furthermore, the proposal would result in the loss of an area of deciduous woodland which is a Habitat of Principal Importance (UK BAP Priority) as well as areas of tall herb, grassland and ephemeral vegetation of local value equating to a -76.82% biodiversity loss.

7.88 Furthermore, the scheme would destroy an area of woodland which connects directly and helps to buffer an ancient semi-natural woodland

and a Local Wildlife Site. The loss of this woodland within this strategic location would reduce connectivity and expose the ancient woodland to increased disturbance and damage. In these circumstances, the application should seek firstly to avoid and minimise impacts on the deciduous woodland and to retain the woodland in situ as confirmed by DWT within their earlier response.

- 7.89 Importantly, the withdrawn submission did not confirm how a net gain could be achieved off-site estimated by DWT as potentially costing £300,000 or more to create a new woodland elsewhere therefore raising potential concerns in terms of scheme deliverability / viability.
- 7.90 The potential mechanism, to secure such matters would require the applicant to enter into a s106 legal agreement should planning permission be granted. However, proposals for a replacement woodland would need to be fully detailed and demonstrated as feasible prior to the determination of the planning application.
- 7.91 Overall, the development would have a significant and negative impact on biodiversity in Glossop and would reduce the extent of high value woodland habitat within this area, which offers no balance between on and off-site biodiversity net gains.
- 7.92 The resubmitted scheme would result in significant harm to biodiversity including protected species, contrary to LP Policy EQ5 as well as the NPPF. Derbyshire Wildlife Trust comments are outstanding on the current scheme and Members are directed to the Updates Report in these regards.

Local Flood Risk / Drainage

- 7.93 LP Policy EQ11 'Flood Risk Management' states that the Council will support development proposals that avoid areas of current or future flood risk and which do not increase the risk of flooding elsewhere, where this is viable and compatible with other policies aimed at achieving sustainable patterns of development. In addition, NPPF paragraph 159 states: "development in areas at risk of flooding should be avoided by directing development away from areas at highest risk".
- 7.94 A Flood Risk Assessment (FRA) accompanies the submission. The Environment Agency confirms that the development falls within flood zone 1 and therefore would have no fluvial flood risk concerns associated with the site. Previously, the Lead Local Flood Authority (LLFA) raised concerns in relation to conflicting information between the proposed drainage strategy for the site layout and the associated calculations for the proposed scheme.
- 7.95 Despite a conditional response from United Utilities, LLFA comments are outstanding on the current scheme and Members are directed to the Updates Report in these regards to ascertain whether the proposal would be in accordance with LP Policy EQ11 'Flood Risk and Drainage' as well as the NPPF.

Pollution and Unstable Land

- 7.96 LP Policy EQ10 'Pollution and Unstable Land' seeks to protect people and the environment from unsafe and polluted environments, requiring mitigation if necessary. NPPF paragraph 180(e) of the NPPF states "new and existing development should not contribute to, or be put at an unacceptable risk from, or be adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability".
- 7.97 The application site falls partly within the Coal Authority's defined Development High Risk Area. The application is accompanied by the earlier Phase I Geoenvironmental Site Assessment (July 2023, prepared by E3P) which supported the withdrawn scheme. The report identifies the potential for unrecorded mine workings in a single coal seam anticipated as underlying the site at shallow depth and therefore recommendations to establish the shallow coal mining situation and the risks it may pose to the development.
- 7.98 The Coal Authority have accepted the conclusions of the Phase I Geoenvironmental Site Assessment whereby coal mining legacy potentially poses a risk to the proposed development and therefore investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development in the form of a suitably worded planning condition.
- 7.99 Council Environmental Health comments are outstanding on the current scheme and Members are directed to the Updates Report in these regards. Notwithstanding this, no objections were raised to the previously withdrawn scheme subject to the imposition of planning conditions. Further intrusive investigation contamination works were recommended in view of the sensitivity of the proposed end use of the development to protect human health and the wider environment. Additional conditions were identified to control the construction stage of the development to prevent an unacceptable increase of noise and dust experienced at nearby sensitive premises and subsequent loss of amenity from existing neighbours.
- 7.100 In addition, commentary received for the withdrawn scheme also concerned the assessment of the applicant's Air Quality Assessment modelling potential air quality impacts at sensitive receptors during the operational phase of the development as a result of emissions from the highway network. The sensitive receptors include areas in the Dinting Vale Air Quality Management Area (AQMA) nearby.
- 7.101 The resultant air quality impacts from traffic generated by the development were not predicted to be significant at any sensitive location in the vicinity of the site. However, the report modelling raised a degree of uncertainty regarding traffic levels / speed and committed developments within the area.
- 7.102 Environmental Health officers have, however, acknowledged that the LHA have accepted the intensification of highway movements within the local network noted as negligible and without demonstrable mitigation

have recommended securing a financial contribution of £7800 to assist in implementing actions associated with the revised draft air quality action plan, namely the installation of real time monitoring of Nitrogen Dioxide and Particulate matter (PM) and the potential support a further feasibility study into local sustainable travel in the area.

7.103 Accordingly, the proposal is in accordance with LP Policies EQ6 'Design and Place Making' and EQ10 'Pollution and Unstable Land' as well as the NPPF.

Planning Obligations

7.104 LP Policy CF7 'Planning Obligations and Community Infrastructure' requires development proposals to provide planning obligations where relevant and necessary to mitigate against the impact of the development.

Public Open Space

- Off site play contribution to be used to enhance existing play facilities within Gamesley - £249.30 x 51 = £12,714
- Off site allotment contribution to the existing allotment site on Melandra Castle Road - £91.30 x 51 = £4,656.30
- Off-site contribution to Parks & Gardens (Manor Park as key destination site) - £620.40 x 51 = £31,640.40
- Playing pitch contribution - £6,107 towards grass pitch enhancement in Gamesley
- Indoor sports facilities - £23,618 towards a sports hall for the development of a new indoor leisure facility in Glossop
- Indoor sports facilities - £25,755 towards a swimming pool for the development of a new indoor leisure facility in Glossop

Air Quality

7.105 Council Environmental Health Officers have recommended securing a contribution of £7800 towards the monitoring costs of 2 sensors for the construction and implementation period of the development over a period of two years.

Affordable Housing Provision

7.106 This matter has been considered in the relevant part of the report above.

County Education (School Facilities)

7.107 No financial contributions are sought towards the provision of additional education facilities concerning the revised response from the County.

7.108 *Future Management and Maintenance (Proposed Access Roads)*

7.109 The applicant should properly secure the future management and maintenance of the proposed access roads, which would need to be satisfactorily addressed within a s106 agreement.

7.110 Accordingly, officers are satisfied that the above requirements arising from the development can be secured within a s106 agreement for the scheme to accord with LP Policy CF7 'Planning Obligations' in particular.

Other Matters

7.111 Property valuation is not considered to be a material planning consideration to the determination of the application proposal.

PLANNING BALANCE & CONCLUSIONS

8.1 The application site is located within easy reach of transport links and services and facilities. There would be social and economic benefits, including but not limited to construction spend and spend in the local area by prospective residents and the proposal would contribute positively towards overall housing supply, including social provision.

8.2 The provision of 51 dwellings would introduce a substantial volume of built development onto the site into part of the wooded countryside surrounding this aspect of Gamesley. Accordingly, the development does not respond positively to its environment and would cause unacceptable impacts on local character, amenity and community safety.

8.3 In turn, the scheme would destroy an area of woodland which connects directly and helps to buffer an ancient semi-natural woodland and a Local Wildlife Site whereby the applicant has not demonstrated adequate mitigation balanced both on or off-site to achieve statutory Biodiversity Net Gain (BNG). Overall it would likely result in significant harm to biodiversity including protected species. Derbyshire Wildlife Trusts comments are outstanding on the current scheme and Members are further directed to the Updates Report in these regards.

8.4 Neither would the scheme provide an appropriate housing mix / property type and minimum floor space requirements nor have building regulation accessibility standards been demonstrated.

8.5 County Council Flood Authority (LLFA), Environmental Health and Waste comments are outstanding, and Members are further directed to the Updates Report in these regards.

8.6 Overall, other considerations, including the significant social and economic benefits of social housing provision do not clearly outweigh the harm identified.

8.7 Accordingly, the development proposal is contrary to the provisions of the development plan as a whole, as well as the NPPF and should therefore be refused.

9. RECOMMENDATIONS

A. REFUSE for the following reasons:

- 1. The proposed development would cause significant landscape and visual effects therefore detracting from the wooded character and appearance of the local area, in which it is sited contrary to Policies S1, S5, H1, EQ2, EQ3, EQ6 and EQ9 of the Adopted High Peak Local Plan 2016, the Council's Landscape Character SPD and National Planning Policy Framework.**
- 2. The proposed development would constitute poor design and fails to respond to the site's defining characteristics with regard to the loss of trees and woodland. Furthermore, the scheme's layout would result in shading impacts resulting in an unacceptably poor level of amenity to be enjoyed by the future occupiers of some plots. Furthermore, the arrangements shown for the realigned Public Right of Way (PROW) are unsatisfactory from a community safety perspective. Accordingly, the proposal is contrary to Policies S1, S5, H1, EQ6 and EQ9 of the Adopted High Peak Local Plan 2016, Residential Design Guide SPD (Supplementary Planning Document) 2005; High Peak Design Guidance SPD 2018 as well as the National Planning Policy Framework.**
- 3. The proposed development would not provide for an appropriate range of housing types and sizes that can reasonably meet the requirements and future needs of a wide range of household types including for the elderly and people with affordable or specialist housing needs, based on evidence from the High Peak Housing and Economic Land Needs Assessment (HELNA) dated September 2022 (or successor documents). The scale and type of development proposed therefore represents an unacceptable use of land. Accordingly, the proposal is contrary to Policies SS1, S5, H3 and H4 of the Adopted High Peak Local Plan 2016, Developer Contributions SPD (Supplementary Planning Document) 2023 as well as the National Planning Policy Framework.**
- 4. The proposed development would not provide for an appropriate bridleway connection to provide full multi-use access on the proposed path running along the east of the application site to the TPT/NCN/Pennine Bridleway. Accordingly, the proposal is contrary to Policies S1, S5, EQ6 and EQ8 of the Adopted High Peak Local Plan 2016, as well as the National Planning Policy Framework.**

Informative(s)

1. Prior to the determination of the application, the Council advised the applicant that the principle of such development is unsustainable and did not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Development Control Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Location Plan

