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Planning Statement

Land at Station Road, Hadfield, Glossop

Prepared for

Tornillo Homes (Hadfield) Limited, acting by Joe Pitt and Ben Moon, Joint Fixed Charge Receivers of the Land North East of Station Road, Hadfield, Glossop

Prepared by

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1 Introduction

1.1 This Planning Statement has been prepared in support of an outline planning applications for residential development at Land at Station Road, Hadfield, Glossop.

1.2 The report considers the relevant planning policies and other material circumstances that justify the residential development of the site. The principle of residential development has in effect already been established by a previously approved application that has only recently expired.

1.3 This application is made on behalf of the Law of Property Act Receivers to Tornillo Homes (Hadfield) Ltd. The intention is to market the site once clarification of the planning status of the sites is obtained.

1.4 The remainder of this statement is structured as follows:

2 A description of the location of the site;

3 A description of the proposed development;

4 Details of pre-application discussions;

5 A summary of relevant planning policy;

6 A description of the planning history of the site;

7 A description of any proposed planning obligations and affordable housing requirements;

8 A planning assessment of the proposed development; and

9 A conclusion.

1.5 The next section of this statement describes the site and its surroundings.

2 Site Description and Location

2.1 The town of Glossop is located at the west end of Longendale, 15 miles east of Manchester on the trans-Pennine route between Manchester and Sheffield, and directly to the west of the Peak District National Park.

2.2 The site is a backland site behind the main shopping street, 300 metres from Hadfield train station; it is accessed alongside Station Road Surgery and is surrounded in the main by Victorian terraced houses and a modern housing estate.

2.3 A location plan is attached at Appendix 1.

The Site

2.4 The site is irregular in shape, roughly resembling a triangle, and is approximately 0.15 ha (0.36 acres) in area. The site is flat and has been cleared to slab.

2.5 Access is gained over an unsurfaced and unadopted road; the ownership and rights of access are not documented but we understand that the previous owner purchased insurance against the risk of access being restricted or closed.

2.6 The site previously contained garages associated with surrounding residential properties.

2.7 Planning permission (Ref: HPK/2003/0926) has previously been granted for 5 residential units on the site; however, this permission has now expired. The planning history of the site is discussed in more detail in Section 5 of this statement.

2.8 The next section of this statement describes the proposed development for which planning permission is sought.

3 Proposed Development

3.1 Outline planning consent is sought for the residential development of the site, with all matters other than access being reserved.

3.2 It is proposed that a total of 7 houses will be developed on the site. The houses will be “family housing” and will be a mix of terraced, semi-detached and detached houses.

3.3 The site will be accessed via the existing access, which will be surfaced and improved.

3.4 An indicative layout plan is attached at Appendix 2 which shows how 7 dwellings could be delivered on the site.

3.5 The next section of this statement provides details of pre-application discussions with the local planning authority and local highway authority.

4 Pre-Application Discussions

4.1 Brief pre-application discussions were had with High Peak Borough Council as local planning authority to determine what documents should be submitted with a planning application and the content of these documents.

Planning Application Supporting Documents

4.2 An email was sent to Anne Jordan of High Peak Borough Council listing the documents that it was considered would be required to be submitted to support this planning application. Anne Jordan confirmed via email on 17 August 2012 that the following documents should be submitted in support of this planning application:

- Planning Application Forms and Certificates of Ownership;
- Red Line Site Location Plan;
- Indicative Proposed Site Layout Plan;
- Topographical Survey Plan;
- Planning Statement;
- Design and Access Statement, including a Sustainability Statement;
- Arboricultural Report; and
- Phase 1 Environmental Risk Assessment.

Ms Jordan also confirmed verbally that the size of the site and the number of dwellings proposed was below the Council's thresholds for the provision of affordable housing. Draft Section 106 Heads of Terms would therefore not be required.

Heritage Statement

4.3 Discussions were held with Steve Baker at High Peak Borough Council regarding the potential for any impacts on archaeological or heritage assets from residential development on the site and the need for a Heritage Statement to accompany this planning application. Mr Baker confirmed by email on 9 December 2011 that a Heritage Statement would not be required and a short paragraph in the Planning Statement would be sufficient. Mr Baker's email stated the following:

> *"The site is within the mill pond of the former (18th – 19th century) White Mill. There is unlikely therefore to be any surviving archaeology on the site beyond infill material within the former pond. I recommend that a heritage statement be submitted, as a short section within the design and access statement (professional study note required), making reference to the historic mill site. Further work is unlikely to be required."*

4.4 A copy of the above email correspondence with High Peak Borough Council is attached at Appendix 3.

4.5 The next section of this statement summarises the national, regional and local planning policy relevant to the site and the proposed development.

5 Planning Policy and Material Considerations

5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that:

> *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".*

5.2 For the purposes of determining this planning application, the Development Plan comprises the following:

- The East Midlands Regional Plan: Regional Spatial Strategy (RSS) to 2026 (March 2009); and
- The saved policies of the High Peak Local Plan (March 2005).

5.3 Policies in the RSS and High Peak Local Plan considered material to this planning application are summarised below.

The East Midlands Regional Plan (RSS)

5.4 The Government has announced that it intends to abolish RSS. The Secretary of State wrote to all local planning authorities on 27 May 2010 informing them of the Government's intention and advising that regard should be had to the Government's stated commitment to abolish the regional tier of development plan policy and seek the necessary legislative powers for that purpose, as a material consideration in the determination of planning applications.

5.5 The Localism Bill received royal assent on 15 November 2011 and became the Localism Act 2011. It deals with the revocation of RSS at Part 6, Chapter 1, Section 109. However, Strategic Environmental Assessments of the revocation of RSS are ongoing, and will need to be completed before the Order to revoke RSS can be laid before Parliament. Accordingly, whilst there is a legislative basis for the revocations of RSS, further enactments need to be made to implement these provisions, and until this, RSS and their evidence bases remain part of the Development Plan.

5.6 As such, to date the Planning Inspectorate and the Secretary of State have attached little weight to the intended abolition of RSS and the following is commonly stated in call-in and planning appeal decisions:

> *"The Secretary of State has since made clear that it is the Government's intention to revoke RSS, and the provisions of the Localism Bill……Whilst he has taken this matter into account in determining this case he gives little weight at this stage in the parliamentary process."*

5.7 In summary, the RSS still remains part of the Development Plan and its policies are still to be considered in the determination of planning applications.

5.8 The policies in the RSS considered material to this planning application are summarised below.

Policy	Description	Content
Policy 9	Spatial Priorities outside the Peak	The preparation of policies and programmes in the Peak District towns outside the National Park should aim to

<table>
<tr><th>Policy</th><th>Description</th><th>Content</th></tr>
<tr><td></td><td>District National Park</td><td>meet local needs whilst reducing past levels of in-migration, discouraging additional commuting to, and supporting the regeneration of, the nearby conurbations. The emphasis should
be on:

■ Retaining and generating local employment. In particular, policies should make provision for the growth of indigenous firms and attracting inward investment to support their own population and the population of the surrounding rural hinterland; and

■ Restraining new housing development except where the local need for modest growth is identified.

Care must be taken to ensure that all new development respects and enhances the high quality environment of the area, notably the built heritage, particularly in Buxton, Ashbourne and Wirksworth, and the setting of the National Park, the Derwent Valley Mills World Heritage Site, and the areas of high landscape and nature conservation value.</td></tr>
<tr><td>Policy 13a</td><td>Regional Housing Provision (excluding Northamptonshire)</td><td>The total housing provision figures below are the figures that local planning authorities should plan for over the plan period. Local authorities can test higher numbers through their development plan documents provided that they are consistent with the principles of sustainable development set out in PPS1 and tested through sustainability appraisal.

<table>
<tr><th></th><th>Annual Apportionment from 2006</th><th>Total Housing Provision 2006-2026</th></tr>
<tr><td>Central Lincolnshire HMA</td><td>2,030</td><td>40,600</td></tr>
<tr><td>Lincoln PUA</td><td>990</td><td>19,800 1</td></tr>
<tr><td>West Lindsey[2]</td><td>480</td><td>9,600</td></tr>
<tr><td>Coastal Lincolnshire HMA</td><td>870</td><td>8,700</td></tr>
<tr><td>Boston[3]</td><td>270</td><td>2,700</td></tr>
<tr><td>East Lindsey[3]</td><td>600</td><td>6,000</td></tr>
<tr><td>Peterborough Partial HMA</td><td>1,370</td><td>24,000</td></tr>
<tr><td>Rutland</td><td>150</td><td>3,000</td></tr>
<tr><td>S Holland[3]</td><td>540</td><td>7,400</td></tr>
<tr><td>S Kesteven</td><td>680</td><td>13,600</td></tr>
<tr><td>Nottingham Outer HMA</td><td>1,830</td><td>36,600</td></tr>
<tr><td>Ashfield</td><td>580</td><td>11,200</td></tr>
<tr><td>Mansfield</td><td>530</td><td>10,600</td></tr>
<tr><td>Newark & Sherwood</td><td>740</td><td>14,800</td></tr>
<tr><td>Northern (Sheffield/Rotherham) HMA</td><td>1,510</td><td>30,200</td></tr>
<tr><td>Bolsover</td><td>400</td><td>8,000</td></tr>
<tr><td>Chesterfield</td><td>380</td><td>7,600</td></tr>
<tr><td>NE Derbyshire</td><td>380</td><td>7,600</td></tr>
<tr><td>Bassetlaw</td><td>350</td><td>7,000</td></tr>
<tr><td>Peak, Dales & Park HMA</td><td>500</td><td>10,000</td></tr>
</table>
</td></tr>
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Policy	Description	Content

Derbyshire Dales4	200	4,000
High Peak 4	300	6,000
PDNPA	-	-
Derby HMA	1,830	36,600
Derby	720	14,400
Amber Valley	510	10,200
S Derbyshire	600	12,000
Leicester & Leicestershire HMA	4,020	80,400
Leicester	1,280	25,600
Blaby	380	7,600
Charnwood	790	15,800
Harborough	350	7,000
Hinckley & Bosworth	450	9,000
Melton	170	3,400
NW Leics	510	10,200
Oadby & Wigston	90	1,800
Nottingham Core HMA	2,850	57,000
Erewash	360	7,200
Nottingham	1,000	20,000
Broxtowe	340	6,800
Gedling	400	8,000
Rushcliffe	750	15,000
East Midlands Total (excluding Northamptonshire)	16,810	324,100

1 The figure for Lincoln is for the whole Lincoln PUA. Completions, commitments, urban capacity and potential urban extensions in those parts of the Lincoln PUA that lie in North Kesteven and West Lindsey will contribute to the Lincoln figure.

2 The figures for North Kesteven and West Lindsey do not include contributions from those parts of the Lincoln PUA that lie in these districts, including completions, commitments, urban capacity or potential urban extensions.

3 The total provision figures for East Lindsey, Boston and South Holland are ceilings pending the agreement of a Lincolnshire Coastal Strategy.

4 Housing provision in those parts of the Peak Park Planning Authority Area that fall within the Derbyshire Dales and High Peak Housing Authority areas will count towards the housing provision of those districts as set out in this policy.

A redistribution of housing provision within a HMA through the adoption of sound joint core strategies will be acceptable provided that the HMA total provision is met and the policy of urban concentration for the following HMAs is adhered to over 2006-2026 as follows:

- Central Lincolnshire: at least 19,800 dwellings within or adjoining the Lincoln PUA;
- Derby HMA: at least 21,400 dwellings within or adjoining the Derby PUA;

Policy	Description	Content
		■ Leicester & Leics HMA: at least 39,800 dwellings within or adjoining the Leicester PUA; and ■ Nottingham Core HMA: at least 40,800 dwellings within or adjoining the Nottingham PUA.
Policy 14	Regional Priorities for Affordable Housing	Local Development Frameworks, housing strategies and investment plans should have regard to the priorities identified in the Regional Housing Strategy, and include policies seeking the provision of a mix of dwellings in terms of size, type, affordability and location, having regard to the existing local stock, in order to help create inclusive communities which provide wider housing opportunity and choice. As part of their Local Development Frameworks local planning authorities should adopt affordable housing targets in line with the conclusions of the most up to date Housing Market Area Assessments for their area. For monitoring purposes indicative affordable housing targets are set out below, representing the total amount of affordable housing for each HMA for the period 2006-26. These targets do not represent a maximum for each HMA. ■ Central Lincolnshire HMA: 11,800 ■ Coastal Lincolnshire HMA: 3,600 ■ Peterborough Partial HMA: 8,400 ■ Nottingham Outer HMA: 9,200 ■ Northern (Sheffield/Rotherham) HMA: 10,000 ■ Peak, Dales & Park HMA: 6,100 ■ Derby HMA: 12,100 ■ Leicester & Leicestershire HMA: 26,500 ■ Nottingham Core HMA: 17,100 ■ North Northamptonshire HMA: 14,300 ■ West Northamptonshire HMA: 17,900 ■ East Midlands Region: 137,000
Policy 17	Regional Priorities for Managing the Release of Land for Housing	Local Authorities, developers and relevant public bodies should work across administrative boundaries in all of the Region's Housing Market Areas to ensure that the release of sites is managed to achieve a sustainable pattern of development. In the following Housing Market Areas there will need to be cross-regional working to achieve this: ■ Northern (Sheffield/Rotherham) HMA - with the Yorkshire and Humber region; ■ Peak, Dales and Park HMA - with the North West and West Midlands regions; and

Policy	Description	Content
		■ Peterborough (Partial) HMA - with the East of England region Local Development Frameworks should contain policies to manage the release of housing across both local planning authority areas and the wider HMA area. To achieve this, in the following HMAs joint development plan documents will be expected, with the development of joint Core Strategies across HMAs particularly encouraged: ■ Derby HMA and the West Midlands; ■ Central Lincolnshire HMA; ■ Leicester and Leicestershire HMA; ■ North Northamptonshire HMA; ■ Nottingham Core HMA and Hucknall; and ■ West Northamptonshire HMA

Saved Policies of the High Peak Local Plan

5.9 The High Peak Local Plan (HPLP) was adopted in March 2005 and was intended to cover the period up to March 2011. However, the majority of the policies in the HPLP have been "saved" by a Direction from the Secretary of State dated 26 March 2008 until a Local Development Framework has been adopted for the High Peak. These "saved" policies therefore still remain part of the Development Plan, and those considered material to this application are summarised below.

Policy	Description	Content
BC10	Archaeological and Other Heritage Features	Planning Permission will be granted for development provided that there will not be significant adverse effect upon other know archaeological or heritage features, including Buxton's area of archaeological interest as defined on the proposals map. Where proposals will affect a feature or area of archaeological interest, they will, where appropriate, include an archaeological evaluation of the site and a statement demonstrating how it is intended to satisfactorily accommodate or preserve the archaeological or heritage features. Where planning permission is granted, conditions will be imposed, and/or planning obligations sought, to ensure that: ■ Archaeological or heritage features are recorded and retained in situ; or ■ Where this is impractical, archaeological or heritage features are appropriately excavated and recorded, prior to destruction be development.
GD4	Character, Form and Design	Planning Permission will be granted for development, provided that its scale, siting, layout, density, form,

Policy	Description	Content
		height, proportions, design, colour and materials of construction, elevations and fenestration and any associated engineering, landscaping or other works will be sympathetic to the character of the area, and there will not be undue detrimental effect on the visual qualities of the locality or the wider landscape.
GD5	Amenity	Planning Permission will be granted for development provided that it will not create unacceptable loss of, nor suffer from unacceptable levels of, privacy or general amenity, particularly as a result of: ■ Overlooking; ■ Loss of daylight and sunlight; ■ Overbearing effects of development; ■ Air, water, noise, light and other pollution; ■ Risk from hazardous substances and processes; and ■ Traffic safety and generation. Where appropriate, conditions will be imposed and/or planning obligations sought to ensure amelioration measures are taken to adequately address the impacts on amenity.
GD6	Landscaping	Planning Permission will be granted for development provided that where appropriate, it will contain a high standard of hard and/or soft landscape treatment in keeping with the character of the area, including the integration of existing features and the use of native species suitable to the location Conditions will be imposed, and/or planning obligations sought, to ensure that appropriate steps are taken to maintain and manage landscaping features.
GD7	Landscape Character and Design	Planning Permission will be granted for development, provided that its design, layout and landscaping will help create a safe and secure environment and minimise the opportunities for crime to be committed
H1	Principles of Housing Provision	Planning Permission will be given for new housing, giving priority to: ■ The redevelopment of previously developed land in built up areas; and ■ Conversions and sub division of existing urban buildings
H5	Housing Within the Built Up Area Boundaries	Planning permission will be granted for residential development, including the renewal of existing or recently expired permissions, on previously developed land within the Built-Up Area Boundary, provided that: ■ A significant source of local employment would not be lost, unless its continued use would be in appropriate; and ■ The development will not unduly prejudice the continuation of an appropriate existing or proposed

Policy	Description	Content
		adjoining land use
H9	Affordable Housing for Local Needs	The Council will negotiate with developers to ensure the provision of affordable housing for local needs in new residential schemes, including windfall sites, conversions and renewals of existing or recently expired permissions. Under the terms of this policy the following thresholds apply: ■ In the case of settlements of less than 3,000 population: ■ Sites of 0.17 hectare or more; or ■ Developments of 5 dwellings or more, ■ And elsewhere: ■ Sites of 0.5 hectares or more; or ■ Development of 15 dwellings or more. Negotiations will be undertaken on the basis of the following criteria: ■ The level and type of affordable housing needed in the area, having regard to the Council's most up-to-date analysis; and ■ The suitability of the site to accommodate a range of house types and sizes, including a proportion of affordable housing; and ■ Proven site development constraints, including the level of new infrastructure required; and ■ The proximity of local services and facilities and access to public transport Where a site is considered suitable for an element of affordable housing, rather than make direct provision on the land itself it may be appropriate to make a contribution to affordable housing provision on a different suitable site in the area in its place. Conditions will be imposed, and/or planning obligations or the involvement of Registered Social Landlords sought, to ensure the benefits of affordable dwellings for local needs will continue for initial and subsequent occupiers. Conditions will be imposed on outline approvals to ensure that appropriate pro rata provision is made at reserved matters stage.
H11	Layout and Design of Residential Development	Planning permission will be granted for residential development, including extensions, alterations and change of use, provided that it will: ■ Incorporate good design that reflects its setting and local distinctiveness; and make efficient use of available land; and ■ Promote safe and accessible living environments which include a mix of housing types and sizes; and ■ Protect amenity by having regard to the Guidelines set out in Appendix 2.

Policy	Description	Content
H12	Public Local Open Space	Planning permission will be granted for residential development, provided that: ■ The development will provide or have access to sufficient area(s) of public open space to adequately serve residents of the site, in accordance with the standards set out in Appendix 3; and ■ The area(s) of public open space will be sited so as to be convenient for, and useable by, residents of the development; and ■ The area(s) of public open space will be sited and designed to ensure the safe supervision of users and to minimise disturbance and loss of amenity to nearby properties; and ■ The area(s) of public open space will be provided in useable blocks of an appropriate size Conditions will be imposed, or planning obligations sought, to ensure: ■ A satisfactory standard of maintenance by the developer for the initial twelve months; and ■ Adequate provision is made to cover maintenance costs where appropriate for a substantial number of years following the initial 12 month period; and ■ Safeguarding of land as public open space, such as its dedication to the Council; where appropriate in place of direct provision of open space, a contribution may be made towards the improvement of a nearby existing public recreational facility which will meet the needs of the occupiers of the new housing.
TC10	Car Parking and Town Centre Access Improvements	Where a development generates a need for car parking, provision shall normally be made in accord with the principles set out in paragraph 5.29 and the standards in Appendix 1. Where a development generates a need for car parking and/or for access improvements that will not be acceptably or adequately met on site, nor will be adequately met by existing town centre provision, the Council will negotiate with the developer to fund off-site parking provision in a nearby accessible location sufficient to service the development, or to contribute towards other public access improvements in the town centre.
TR1	Transport Implications of New Development	Planning permission will be granted for new development provided that it seeks to: ■ Reduce the need to travel; ■ Widen transport choice for people and goods; and ■ Integrate transport and land use
TR4	Traffic Management	Planning permission will be granted for development, provided that:

Policy	Description	Content
		■ The capacity and design of the transport network serving the site will reasonable accommodate the anticipated increase in travel without materially harming highway safety or local amenity; and ■ The traffic generated by the development will not unduly interrupt the safe and free flow of traffic on trunk or primary roads or materially affect existing conditions to an unacceptable extent Where a proposed development generates significant travel movements, the proposal will be accompanied by a transport assessment study to assess the likely effects of the development on the local transport network. Where appropriate, conditions will be imposed, and/or planning obligations sought, to ensure that adequate highway improvements, traffic management measures and/or public transport infrastructure are provided r implemented before the development is brought into use.
TR5	Access, Parking and Design	Planning permission will be granted for development, provided that: ■ It will make safe and appropriate provision for access and egress by pedestrians, cyclists, public transport users and the private car; and ■ It includes a high standard of design and layout having regard to the parking, access, manoeuvring, servicing and highway guidelines as set out in Appendix 1 (Parking Standards), and relevant Government Guidance and Good Practice , where appropriate Where the development s expected to generate a higher level of car use than can be accommodated by the maximum parking standards or will significantly exacerbate existing traffic problems, the applicant should submit a Travel Plan to reduce car dependency. Where appropriate conditions will be imposed, and/or planning obligations sought, to ensure that adequate parking, manoeuvring and servicing space will be available at all times.
OC4	Landscape Character and Design	Planning Permission will be granted for development considered appropriate in the Countryside provided that its design is appropriate to the character of the landscape. Appropriate design of development shall accord with the characteristics of the type of landscape within which it is located including having regard to and conserving: ■ The landform and natural patterns of drainage; ■ The pattern and composition of trees and woodland; ■ The type and distribution of wildlife habitats; ■ The pattern and composition of field boundaries;

Policy	Description	Content
		■ The pattern and distribution of settlements and roads; ■ The presence and pattern of historic landscape features; and ■ The scale, layout, design and detailing of vernacular buildings and other traditional man made features. Existing features which are important to the local landscape character, shall be retained, incorporated into the development and protected during construction work. Where appropriate the Local Planning Authority will impose planning conditions and/or seek to enter into a planning obligation under section 106 of the Town and Country Planning Act 1990.
OC10	Trees and Woodlands	Planning permission will be granted for development, provided that: ■ It will not result in the loss of, or materially injure the health of, a woodland (in whole or in part) or other significant individual, group or area of trees, unless required in the interests of safety, good tree management or a wider scheme of conservation and enhancement; or ■ Exceptionally, where loss or injury is accepted, adequate replacement planting, in terms of numbers, species, planting density and location, will be provided as part of the development Conditions will be imposed, and/or planning obligations sought, to ensure adequate protection and management of individual, groups and areas of trees and woodlands which are important for landscape, amenity, recreation or nature conservation reasons.
BC1	External Materials	Planning Permission will be granted for development, provided that the type, colour and specification of all external materials and the way they are applied will be sympathetic to the character and appearance of the immediate surroundings and the wider area In particular, natural facing materials will be required in locations conspicuous from public viewpoints within: ■ Areas conspicuous from the peak district national park and in Conservation areas and their settings; and ■ Other areas where natural materials predominate.

Material Considerations

5.10 As stated above, planning law requires that planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise.

5.11 Material considerations must be genuine planning considerations. They must fairly and reasonably relate to the development and the site in question. The Courts have determined that the Government's statements of policy and circulars can be taken into account as material considerations, as can emerging local planning policy documents and their evidence bases.

5.12 It is considered that the following documents are material considerations relevant to this application:

- The National Planning Policy Framework (NPPF) (March 2012);
- The emerging policies of the High Peak Local Development Framework (LDF);
- The Local Development Framework Evidence Base;
- High Peak Supplementary Planning Documents; and
- Planning Appeal Decisions.

5.13 The guidance and draft policies in these documents considered relevant to this application are summarised below.

National Planning Policy Framework

5.14 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and details of how these are to be applied. The NPPF replaces the previous 44 planning policy documents, including Planning Policy Guidance Notes (PPG), Planning Policy Statements (PPS), Departmental Circulars and Letters to Chief Planning Officers.

5.15 The key theme running through the NPPF is achieving sustainable development. It states that the purpose of the planning system is to achieve sustainable development and gives significant weight to achieving sustainable growth.

5.16 The NPPF therefore sets out a presumption in favour of sustainable development. It states that development proposals which accord with the development plan should be approved without delay. Where the development plan, or relevant policies are out of date it states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assess against the policies in the NPPF.

5.17 In relation to housing, the NPPF aims to deliver a wide choice of high quality homes. In order to do so, it states that residential planning applications should be considered in the context of the presumption in favour of sustainable development.

Local Development Framework Core Strategy

5.18 High Peak BC is currently in the process of preparing its Local Development Framework. The document of most significance is the Derbyshire Dales and High Peak Joint Core Strategy - Draft Plan, which was released for consultation in June 2010. A further draft is anticipated to be released for consultation in Spring/Summer 2012 with adoption now anticipated mid-2013 following Examination.

5.19 On 9 March 2011, HPBC confirmed that it is continuing with preparation of its LDF based on the current RSS and up to date evidence base. At the Development Plan Select Committee it was acknowledged that *"it is not*

possible for the Borough Council to consider alternative housing requirements until new legislation has been introduced through the localism bill and regional spatial strategies have been lawfully revoked. As such, the current LDF work programme does not include any reassessment of the Borough's housing requirement."

5.20 The Draft Core Strategy is founded on a robust and credible evidence base (including the RSS housing figures, the SHLAA and ELR) in consultation with a wide range of stakeholders. In the absence of a deliverable 5 year housing land supply, it sets out HPBC's conclusions as to where the most suitable location in Glossop is to deliver housing growth. It also provides evidence of HPBC's intentions with respect of employment land provision. Accordingly, it is considered that the document must carry significant weight in the determination of this planning application.

5.21 In particular, the Draft Core Strategy identifies that there is a high level of housing need in the Glossopdale area and proposes a hierarchy approach to housing provision in Glossopdale, in the following sequence:

- Sites with planning permission;
- SHLAA sites that are located within the built up area;
- Industrial legacy sites which are sites within the urban area and allocated for employment;
- Broad locations within Glossop; and
- Small scale urban extensions.

5.22 Policies in the Draft Core Strategy considered material to this application are summarised below.

Policy	Description	Content
CS1	Sustainable Development Principles	Derbyshire Dales District Council and High Peak Borough Council will seek to ensure that all new development makes a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing, the environment within the Plan Area. This will be achieved by: ■ Meeting most development needs within or adjacent to existing communities and, where appropriate providing for some small scale developments within the larger settlements and villages; ■ Making efficient use of land (including the remediation of contaminated land), buildings and existing infrastructure; ■ Preserving the distinct Peak District character, townscape and setting of settlements; ■ Minimising the need to travel by promoting development in locations where there is access to a broad range of services and facilities which are accessible by foot, cycle or public transport with minimal reliance on the private car; ■ Minimising the risk of damage to areas of importance for nature conservation and/or landscape value, both directly and indirectly;

Policy	Description	Content
		■ Encouraging waste reduction and recycling; ■ Ensuring communities are safe and feel safe, are well served by emergency services and the risks from potential hazards are minimised; ■ Following a sequential approach to flood risk, avoiding the development of previously undeveloped land which is, or will be, at risk from flooding, and managing and reducing flood risk for development on previously developed land where continuing development has wider sustainability benefits or where there is no reasonable alternative site compatible with other sustainability considerations; and ■ Maintaining and where possible enhancing accessibility to a good range of services and facilities, and not putting an unreasonable burden on existing infrastructure and services. In order to enable required development to take place, in some cases mitigation measures will be needed to address the impacts of new development on existing infrastructure and on nearby sensitive areas.
CS2	Settlement Hierarchy	The settlement hierarchy provides a framework to manage the scale of development within the Plan Area and is defined as follows: **Market Towns** Matlock, Ashbourne, Wirksworth, Buxton, Chapel-en-le-Frith, Glossop, New Mills and Whaley Bridge are the main towns where there is access to a wide range of employment facilities and services. Priority will be given to the concentration of development within these settlements, consistent with maintaining and where possible enhancing their character or appearance. **Larger Settlements** Hulland Ward, Brailsford, Doveridge, Tansley, Cromford, Darley Dale, Matlock Bath, Middleton by Wirksworth, Birch Vale, Charlesworth, Chinley, Dove Holes, Furness Vale, Hadfield, Hayfield, Peak Dale and Tintwistle are defined as 'Larger Settlements' in which development schemes of a more moderate scale may be appropriate within the built-up area. These larger settlements are considered to be suitable locations to accommodate some new development, consistent with maintaining or enhancing their character or appearance whilst also maintaining existing facilities and services. **Villages** Bonsall, Brassington, Clifton, Darley Bridge, Kirk Ireton, Kniveton, Longford, Marston Montgomery, Northwood, Rowsley, Sudbury, Buxworth, Chapel Milton, Combs, Padfield, Smalldale, Sterndale Moor, Thornsett and Tunstead Milton are settlements with a limited range of local facilities and services and may be appropriate for limited development. These villages have been identified primarily because the nature and extent of built development suggests the potential for some further small scale development provided that it is consistent with maintaining and enhancing their character or appearance. Settlement boundaries for the above settlements will be defined as part of the Site Allocations Development Plan Document. All other areas, including those villages, hamlets and isolated groups of buildings where nearly all services and facilities must be

Policy	Description	Content
		accessed in higher order settlements are for the purposes of this Strategy, considered as 'countryside'. In these locations, development will be strictly limited to that which has an essential need to be located in the countryside or comprises affordable housing.
CS3	Landscape Character	Derbyshire Dales District Council and High Peak Borough Council will seek to protect 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: ■ Ensuring that development has particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, such as hedgerow walls, streams, ponds, trees and woodlands, rivers or other topographical features; ■ Ensuring 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 ■ Ensuring that development proposals preserve or enhance the character, appearance and local distinctiveness of the landscape.
CS4	Biodiversity	The biodiversity and geological resource of the Plan Area will be protected and where possible, enhanced by ensuring that development proposals will not result in significant harm to biodiversity or geodiversity interests. This will be achieved by: ■ Conserving and enhancing biodiversity and geodiversity sites and features; ■ Protecting and where possible, enhancing the integrity of International and National sites; ■ Meeting the objectives and targets in the Peak District Biodiversity Action Plan and the Lowland Derbyshire Biodiversity Action Plan or successors; ■ Encouraging the management of landscapes for nature conservation; ■ Protecting ancient woodland and veteran trees; ■ Strengthening populations of protected and target species; ■ Working with partners in the public, private and voluntary sectors to develop and secure the implementation of projects to enhance the landscape and create or improve habitats of nature conservation value, and to secure the more effective management of land in the Plan Area; and ■ Encouraging development to include measures to contribute positively to the overall biodiversity of the Plan Area.
CS5	Design Quality	Derbyshire Dales District Council and High Peak Borough Council will ensure that all new development responds positively to the challenge of climate change whilst also contributing to local distinctiveness and sense of place.

Policy	Description	Content
		This will be achieved by: ■ Ensuring that development reflects local character and distinctiveness and is appropriate and sympathetic to the character and appearance of the building, its setting in terms of scale, height, density, layout, appearance, materials, and relationship to adjacent buildings and landscape features; ■ Ensuring that public and private spaces are well-designed, safe, attractive, and complement the built form and provide for the retention of significant landscape features; ■ Promoting high quality standards of contemporary design in buildings; ■ Promoting developments that are accessible to persons with reduced mobility and/or disabilities; ■ Emphasis being given to the design of public spaces, streets, and neighbourhoods, which promote and encourage pedestrian use of these areas through the use of appropriate lighting and natural surveillance; ■ Ensuring that developments are designed to minimise opportunities for anti-social or criminal behaviour and promote safe living environments; ■ Ensuring that developments incorporate well integrated car parking, and pedestrian routes and, where appropriate, cycle routes and facilities; ■ Providing new and where possible securing improvements to existing public and green open spaces and landscaping; ■ Ensuring that development is designed in an inclusive way, providing access and movement for pedestrians and cyclists, and promoting public spaces and routes that are attractive and safe whilst also improving the quality of the public realm; ■ Ensuring that developments minimise carbon dioxide emissions through sustainable design and construction, energy efficiency and where appropriate renewable energy technology; ■ Ensuring that developments incorporate measures to minimise the use of water resources and the production of waste; ■ Ensuring that development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity; ■ Ensuring that development accords with published guidance and Supplementary Planning Documents; and ■ All new residential development of 10 dwellings or more will be required to achieve a minimum Building for Life assessment of "Good". All new buildings should be designed to be flexible to respond to

Policy	Description	Content
		future social, technological and economic needs, should meet sustainable building standards and utilise Sustainable Drainage Systems (SuDS) wherever practical.
CS6	Built and Historic Environment	Derbyshire Dales District Council and High Peak Borough Council will ensure that development proposals contribute positively to the character of the built and historic environment. This will be achieved by ensuring that development proposals affecting heritage assets are assessed so as to minimise the impact on their significance. Particular protection will be given to designated heritage assets including: ■ Listed Buildings; ■ Conservation Areas including their setting; ■ Historic Parks and Gardens; ■ Scheduled Ancient Monuments; and ■ Archaeological Sites or heritage features.
CS7	Green Infrastructure	Derbyshire Dales District Council and High Peak Borough Council will protect and enhance Green Infrastructure of local and strategic importance. This will be achieved by: ■ Ensuring that development proposals, where appropriate, contribute positively towards the provision of additional green infrastructure and the protection and enhancement of existing green infrastructure; ■ Ensuring that in allocating sites in the Site Allocations Development Plan Document, regard is given to the protection and enhancement of the quantum and/or function of green infrastructure; ■ Creating areas of new green infrastructure nodes and corridors including parks and pitches, allotments, bridleways and cycle ways; ■ Ensuring that through its layout and design, new development responds to the location of existing green infrastructure and supports appropriate uses and functions; ■ Ensuring that development will not have a detrimental effect on the quantum or function of existing green infrastructure unless replacement provision is made that is considered to be of equal or greater value than that which will be lost through development; ■ The protection and extension of existing long distance trails; ■ The development of Sub-regional linkages to improve access to the National Park for tourism and recreation; and ■ The retention of open spaces in urban areas where they benefit local communities.
CS10	Countryside Development	Derbyshire Dales District Council and High Peak Borough Council will seek to ensure that new development in the countryside is strictly controlled in order to protect its intrinsic character and distinctiveness whilst also facilitating sustainable rural tourism and

<table>
<tr><th>Policy</th><th>Description</th><th>Content</th></tr>
<tr><td></td><td></td><td>economic development.

This will be achieved by :

■ Strictly controlling development in the open countryside away from existing settlements;

■ Encouraging development to locate within or on the edge of existing settlements where employment, housing, services and other facilities are available;

■ Encouraging the conversion and re-use of appropriately located buildings of a permanent and substantial construction without extensive alteration, rebuilding or extension for tourism facilities and economic development;

■ Supporting the provision and expansion of tourist and visitor facilities in sustainable locations where identified needs are not met by existing facilities;

■ Encouraging schemes of farm diversification that maintain the environmental quality and character of the countryside;

■ Restricting new buildings in the countryside unless required in conjunction with an existing tourism facility or constitute development that is associated with supporting a rural workforce such as agriculture, forestry or other rural based enterprise that requires a countryside location; and

■ Supporting equestrian development where it does not have an adverse effect upon the character and appearance of the area.</td></tr>
<tr><td>CS13</td><td>Strategic Housing Development</td><td>During the period 2006 to 2026, provision will be made for 10,000 dwellings across the Plan Area in order to meet the requirements of the East Midlands Regional Plan as follows:

<table>
<tr><th></th><th>Committed</th><th colspan="2">New</th><th>Total</th></tr>
<tr><td></td><td></td><td>Within Settlement</td><td>Outside Current Settlement</td><td></td></tr>
<tr><td>Derbyshire Dales</td><td></td><td></td><td></td><td></td></tr>
<tr><td>Ashbourne</td><td>173</td><td>125</td><td>450</td><td>748</td></tr>
<tr><td>Matlock</td><td>996</td><td>197</td><td>346</td><td>1539</td></tr>
<tr><td>Southern Parishes</td><td>30</td><td>4</td><td>100</td><td>134</td></tr>
<tr><td></td><td>1199</td><td>326</td><td>896</td><td></td></tr>
<tr><td>Completions 2006 – 2009</td><td></td><td></td><td></td><td>640</td></tr>
<tr><td>National Park Completions 2006 - 2009</td><td></td><td></td><td></td><td>198</td></tr>
<tr><td>Rural Affordable Housing Programme 2009 – 2026</td><td></td><td></td><td></td><td>340</td></tr>
<tr><td>Housing Development within National</td><td></td><td></td><td></td><td>402</td></tr>
</table>
</td></tr>
</table>

Policy	Description	Content

Park 2009 – 2026				
Total				4001
High Peak				
Glossopdale	271	535	250	1056
Central Area	84	550	700	1334
Buxton	825	800	600	2225
	1180	1885	1550	
Completions 2006 – 2009				1126
National Park Completions 2006-2009				20
Rural Affordable Housing Programme 2009 – 2026				170
Housing Development within National Park 2009 - 2026				70
Total				6001
Grand Total				**10002**

Within the overall provision outlined above, the Council will require all new residential development to address the housing needs of local people by:

- Meeting the requirements for affordable housing within the overall provision of new residential development;
- 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, based on evidence from the Strategic Housing Market Assessment or successor documents;
- 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;
- Ensuring new residential development includes a proportion of housing suitable for newly forming local households;
- Requiring dwellings, including small dwellings, to be designed to provide flexible accommodation which is capable of future adaptation; and
- Derbyshire Dales District Council and High Peak Borough Council will ensure provision is made for housing by:
  - Promoting the development of specific sites through a Site Allocations Development Plan Document which will provide guidance on the appropriate form development should take;
  - Prioritising new housing development on previously developed land in preference to green field sites;

Policy	Description	Content
		■ Encouraging housing development including redevelopment, infill, conversion of existing dwellings and the change of use of existing buildings to housing, on all sites suitable for that purpose taking into account other policy objectives; ■ Encouraging the inclusion of housing in mixed use schemes where housing can be accommodated in an acceptable manner without compromising other planning objectives; and ■ The release of land for housing will be phased to ensure a continuous supply of housing land throughout the plan period, and in order to minimise the impact upon infrastructure. Details of phasing will be set out in the Site Allocations Development Plan Document. Derbyshire Dales District Council and High Peak Borough Council will monitor actual and forecast provision against the requirements of the East Midlands Regional Plan through the Annual Monitoring Report and its housing trajectory. If necessary it will review the Strategic Housing Land Availability Assessment and/or review the site Allocations Development Plan Document to bring forward additional sites for housing in locations consistent with the spatial strategy and policies of the Plan.
CS14	Affordable Housing	Derbyshire Dales District Council and High Peak Borough Council will seek to maximise the delivery of affordable housing across the plan area by working in partnership with the Homes and Community Agency, Registered Social Landlords, Developers and Local Communities. In order to address the need for affordable housing, residential developments should ensure that the following proportions of residential units are provided as affordable housing as follows: **Derbyshire Dales** ■ 45% affordable housing on sites of 25 units or more ■ 33% affordable housing on sites of 3-24 units **High Peak** ■ 30% affordable housing on sites of 25 units or more ■ 20% affordable housing on sites of 5-24 units In assessing applications where the provision of affordable houses proposed is below the requirements set out above, the local planning authorities will require applicants to provide evidence by way of a financial appraisal to justify a reduced provision. The affordable housing provision should seek to achieve a target of 80% social rented accommodation with the balance being provided as intermediate housing. These proportions may be varied where justified and with agreement with the local planning authorities. Where appropriate for specific sites, criteria setting out variations in the form the contribution should take, including tenure will be provided in the Site Allocations Development Plan Document. Additional detail will be provided in the Affordable Housing SPD.

Policy	Description	Content
		In determining applications for residential development below the above thresholds, that would increase the net overall stock of unrestricted market housing, the local planning authorities will seek to negotiate a financial contribution towards the provision of affordable housing on suitable sites elsewhere within the plan area.
CS17	Climate Change	Derbyshire Dales District Council and High Peak Borough Council will encourage and support the provision of renewable and low-carbon technologies, including micro-renewables through new development in order to address the challenge of climate change. This will be achieved by: ■ Supporting opportunities to deliver decentralised energy systems, particularly those which are powered by a renewable or low-carbon source in all developments; ■ Ensuring that renewable /low carbon energy generation developments are supported through an informed comprehensive environmental assessment which will be based upon the individual and unique circumstances of each case, ensuring that the wider environmental benefits of renewable/low carbon energy are assessed against the impact upon the environment including the cumulative impact of the development; ■ Promoting energy efficiency and the use of renewable/low carbon energy in new development and through retro-fitting; ■ Ensuring that new development is built to a standard which minimises the consumption of resources during construction and thereafter in its occupation and use Ensuring that new developments demonstrate high standards of energy efficiency; ■ Incorporating energy-efficient passive solar design principles wherever possible; ■ Maximising opportunities for the micro-generation of renewable/low carbon energy; ■ Requiring new homes are built to the highest viably possible level of the Code for Sustainable Homes and as a minimum to achieve the level of the Code for Sustainable Homes in accordance with the Building Regulations; ■ Requiring commercial developments are built to BREEAM standard of very good or higher; ■ Promoting sustainable waste management and recycling Promoting the use of sustainable design and construction techniques including the use of recycled materials in construction; and ■ Promoting high water efficiency standards and measures to recycle and minimise water consumption.
CS18	Provision of Open Space and Recreation Facilities	Derbyshire Dales District Council and High Peak Borough Council will seek to protect, maintain and where possible enhance existing open spaces and recreation facilities in order to ensure their continued contribution to the health and well being of local communities. This will be achieved by:

Policy	Description	Content
		■ Ensuring that there is a presumption against any development that involves the loss of a sport, recreation or play facility except where it can be demonstrated that alternative facilities of equal or better quality will be provided in an equally accessible location as part of the development or the loss of open space would be outweighed by the public benefits of the development; ■ The provision of new and/or improved leisure facilities in Matlock, New Mills, Buxton and Glossop; ■ Encouraging improvements to existing recreation, play and sports facilities within communities and providing new opportunities in accordance with the aims of the Peak Sub Region Open Space, Sport and Recreation Study; ■ Providing accessible green spaces within our towns and villages, especially where new development takes place, and by creating safe environments for walking and cycling within and adjoining our towns and villages, where access is compatible with environmental designations; ■ Improving play, sports and other public open space provision through requiring all new residential developments to make provision for appropriately designed public open space, through on site provision of new open space or where not considered feasible by financial contribution to enhance or create off-site provision and management of public open space; ■ Requiring all new residential developments to provide appropriately designed informal public open space on site and to include the provision of designed good quality play Spaces; ■ Creating new play spaces for children and young people within existing informal open spaces; ■ Improving informal leisure opportunities created by green infrastructure within settlements; and ■ Encouraging the provision of allotment gardens to meet local needs Where development would result in the loss of a recreation or amenity space, the Council will impose conditions or seek to negotiate a section 106 Obligation to ensure that replacement provision is provided at the earliest possible opportunity following the loss of a facility.
CS19	Accessibility	Derbyshire Dales District Council and High Peak Borough Council will seek to ensure that development is managed in order to minimise the need to travel by unsustainable modes of transport. This will be achieved by: ■ Ensuring that additional growth within the Market Towns, Larger Settlements and Villages is managed and where possible, accompanied by accessibility improvements; ■ Promoting a balanced distribution of housing and employment; ■ Promoting the introduction of appropriate facilities for new

Policy	Description	Content
		cycling development, the use of local cycleway and pathway networks to improve choice of travel and ensuring safe access to developments on foot and by bicycle; ■ Encourage and promote improvements to public transport networks in association with the Local Highway Authority and where possible, secure infrastructure improvements including contributions levied from significant developments; ■ Supporting the use of rail for the transportation of freight wherever feasible to do so; ■ The development of social, cultural and community facilities in locations that allow for ease of access by multiple methods of transportation; ■ Ensuring that new development can be integrated within existing or proposed transport infrastructure to further ensure choice of transportation method and enhance potential accessibility benefits; ■ Providing support to demand-responsive public transport as part of the wider strategy to improve accessibility, particularly in the rural areas; ■ Supporting proposals for new community assets and facilities where these are required to meet the needs of the Plan Area or lead to the provision of additional assets that improve community well-being; ■ Ensuring that facilities are well related to public transport infrastructure and provide high standards of accessibility to all sectors of the community; and ■ Supporting innovative schemes to secure the local delivery of public services in rural communities and other areas with poor public transport, in particular the delivery of some services through the use of mobile services and technology will be encouraged where this results in better local provision Proposals involving the loss of community assets and facilities including land in community use, community/village halls, village shops and post offices, schools, nurseries, places of worship, health services, care homes, convenience stores, libraries, public houses and other community facilities will not be supported unless it can be demonstrated that the existing use is no longer financially or commercially viable and there are no other means of maintaining the facility. Throughout the Plan Area, emphasis on the provision of alternative forms of transport will be balanced against the necessity to make suitable provision for the private car as a reflection of its important role as a mode of transport for those residing or working in isolated rural areas. This provision will take the form of adequate parking provision for residential and commercial developments throughout the Plan Area. Travel Plans will be required to be implemented for major developments or those developments where there are significant transport implications. Travel Plan Statements may also be sought for smaller scale developments in accordance with Transport Assessment guidance, local accessibility and environmental conditions and

Policy	Description	Content
		consultation with the Highways Authority
CS20	Infrastructure	The release of land for development will be dependant on there being sufficient capacity in the existing local infrastructure to meet the additional requirements arising from new development. Suitable arrangements will be put in place to improve infrastructure, services and community facilities, where necessary. This will be achieved by: ■ Providing for health and social care facilities, in particular supporting the Strategic Services Development Plan of the Primary Care Trust, the provision of new and improved health and social care facilities; ■ Ensuring that new development will not harm or be prejudicial to improving educational attainment, accessibility to services and jobs, and the health and well-being of local communities; ■ Securing the physical infrastructure to support the requirements of education, skills and lifelong learning strategies; ■ Securing new transport infrastructure to encourage modal shift and where relevant address traffic congestion; ■ Facilitating enhancements to the capacity of education establishments throughout the Plan Area; and ■ Providing for strategic enhancement of the energy supply network. Arrangements for the provision, or improvement of infrastructure, to the required standard will be secured by planning obligation or, where appropriate, via conditions attached to a planning permission. This will ensure that the necessary improvements can be completed prior to occupation of development, or the relevant phase of a development. The adequacy of infrastructure provision throughout the Plan Area will be the subject of regular reviews between the Councils, the Primary Care Trust, Education and Transport Authorities and utility providers to inform the monitoring and implementation of the Core Strategy. Derbyshire Dales District Council and High Peak Borough Council will work with service and infrastructure providers with the aim of ensuring the delivery of adequate infrastructure and services, to serve the development needs of the Plan Area. Consideration will be given to ensuring that any adverse impacts arising are minimised, and that decisions on the provision of such infrastructure are taken on the basis of environmental sustainability as well as cost. Particular attention will be given to addressing the needs of those areas which experience economic and/or social deprivation.
CS21	Glossopdale	The Council will seek to promote the sustainable growth of Glossopdale whilst promoting and maintaining the distinct identity of its settlements, provide an increasing range of employment opportunities, promote the growth of a sustainable tourist economy and meet the housing needs of the local community: Promoting and maintaining the distinct identity of the settlements which make up Glossopdale by: ■ The protection of the designated Green Belt;

Policy	Description	Content
		■ Ensuring the redevelopment of industrial legacy sites reflects their historic character; ■ Supporting the vitality and viability of Glossop Town Centre through the delivery of a Glossop Design and Place Making Strategy and the refurbishment and enhancement of Glossop Market Hall and Town Hall; ■ Protecting sites designated for environmental or historic value; and ■ Redeveloping the Woods Mill area for a mixed use regeneration scheme, which may include leisure, retail, employment and residential uses. Providing for the housing needs of the community by planning for sustainable housing and mixed use developments by: ■ Supporting the development of new housing primarily on brownfield sites within the built-up area boundary; ■ Supporting the development of new housing within the mixed redevelopment of industrial legacy sites; ■ Identifying a broad location for housing and associated development in the following location that will be the focus of land allocations in the forthcoming Site Allocations Development Plan Document. Development will be informed by specific design and planning guidance; ■ Allocating any small urban extensions through the Site Allocations Development Plan Document as may be required to meet the housing need of Glossopdale; and ■ Ensuring that residential development avoids adverse impact on the integrity of the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area. Encouraging the growth of local employment opportunities and supporting the diversification and growth of local business by: ■ Supporting the mixed redevelopment of the industrial legacy sites; ■ Encouraging the growth of tourism including a new hotel; ■ Safeguarding existing employment sites at Brookfield, Rossington Park and Waterside for industrial and business use; and ■ Identifying suitable land allocations for industrial and business use in the Site Allocations Development Plan Document Supporting enhancements to key community services and infrastructure and connectivity to meet the needs of the local population Enabling improvements to school capacity in the area Work with partners to reduce congestion along the A57 and to improve transport links to surrounding areas
CS27	Developer Contributions	Development proposals will be required to provide, or meet the reasonable costs of providing, the on-site and off-site infrastructure, facilities and/or mitigation necessary to make a

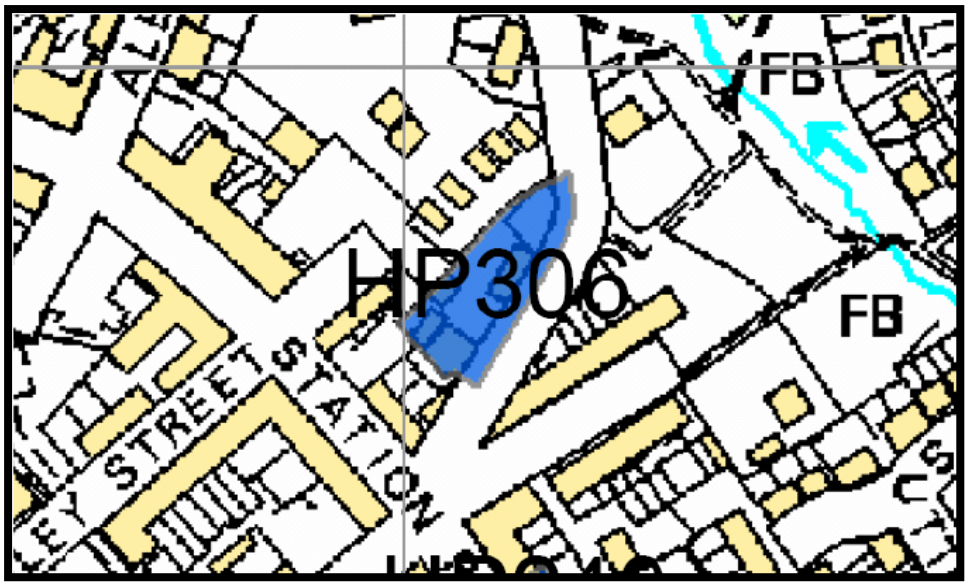
Policy	Description	Content
		development acceptable in planning terms, including the mitigation of the effect of cumulative developments. Where the provision or improvement of infrastructure or other works or facilities is needed to meet community or environmental needs associated with new development or to mitigate the impact of development on the environment or existing communities, standard charges and/or standard formulae as appropriate may be imposed for the payment of financial contributions towards such infrastructure, works or facilities to ensure that all such development makes an appropriate and reasonable contribution to the costs of provision. 122 Where standard charges and/or standard formulae have been set in the Developers Contributions SPD the requirement to pay such charges may be reassessed in cases where actual provision of such infrastructure, works or facilities normally covered by standard charges is provided as part of the development proposal Provision may be required for subsequent maintenance where contributions are secured for facilities which are predominantly for the benefit of users of the development concerned. In implementing this policy regard will be had to economic viability considerations, consistent with meeting the Core Strategy Objectives.

Local Development Framework Evidence Base

Peak Sub Region Strategic Housing Land Availability Assessment (SHLAA)

5.23 The Peak Sub Region SHLAA is one of a number of evidence base documents that have been produced in order to inform the emerging LDF process. The study was prepared by Ekosgen, in conjunction with Arup and was commissioned by High Peak Borough Council as well as Derbyshire Dales District Council and the Peak District National Park Authority.

5.24 The report identified that supply in High Peak for the first five years is marginally below the residual annual requirement by 26 dwellings per year for the first five years. The site has been identified as short term Deliverable Site within the 0-5 years period (see diagram below). Given the shortfall identified in years 0-5 it is therefore considered essential that the site is brought forward for residential development.



Source: Peak Sub Region SHLAA (June 2009)

Affordable Housing Viability Assessment (January 2010)

5.25 The latest Affordable Housing Viability Assessment provides the most recent indication of the affordable housing requirements within High Peak. The adopted Local Plan Policy H9 is based upon outdated evidence (pre-2005) and there have been significant changes to both the housing market and the economy since the policy was formally adopted. Local Planning Authorities are being encouraged to rely upon up to date evidence base documents to inform planning application decisions, including when determining the appropriate level of affordable housing to be provided. It is essential to find a balance between ensuring a scheme is economically viable against the need to provide an appropriate level of affordable housing.

5.26 The findings of the Affordable Housing Viability Assessment (January 2010) have been used to inform draft Core Strategy Policy CS 14 'Affordable Housing' and is a recent indication of the realistic level of affordable housing that should be pursued in High Peak. In brief, the policy recommends that in High Peak 30% affordable housing should be provided on sites of 25 units or more and 20% on sites of 5-24 units. The policy goes on to state that when assessing applications where the provision of affordable houses proposed is below the requirements set out above, the local planning authorities will require applicants to provide evidence by way of a financial appraisal to justify a reduced provision.

5.27 In terms of the mix of affordable housing provision, the draft policy seeks to achieve a target of 80% social rented accommodation with the balance being provided as intermediate housing.

5.28 Again, the policy allows for some variation to this proportion where justified and with agreement with the local planning authority. Off site contributions may be deemed more appropriate on some sites. Further details in relation to tenure are to be provided in the Site Allocations DPD and the Affordable Housing SPD.

Annual Monitoring Report 2010 – 2011

5.29 HPBC's Annual Monitoring Report (AMR) for the period April 2010 – March 2011 focuses on the assessment of the implementation of the policies within the High Peak Saved Local Plan.

5.30 The AMR identifies that there was only 2.4 years supply of housing land available in the High Peak in March 2011, measured against the RSS housing targets. The reasons given for the supply being below the required 5 year supply include the fact there has been a slowdown in residential completions and less new residential planning applications being approved. In addition, planning permissions on some sites which were previously granted planning permission have not been implemented and have lapsed, mainly due to the economic downturn.

5.31 The AMR also refers to the SHLAA. It states that whilst the SHLAA has identified sufficient capacity for longer term housing development, not all sites are considered to be developable and therefore cannot be included within the 5 year supply.

Planning Appeal Decisions

5.32 A recent appeal against the refusal of planning permission for residential development on greenfield land at Land at Manchester Road / Crossings Road, Chapel-en-le-Frith (Appeal Ref: APP/H1033/A/11/2159038) considered whether there was a 5-year supply of deliverable housing land in High Peak.

5.33 During the appeal, HPBC stated that there was a 5.9-year supply of deliverable housing in High Peak. The Inspector however, considered otherwise as a number of the sites which HPBC stated formed part of this deliverable supply would not in fact be deliverable within 5 years due to viability or infrastructure issues, and the supply also included an allowance for windfall sites on residential gardens, which is contrary to policy in the NPPF. The Inspector therefore considered that there was not a 5-year supply of deliverable housing sites.

5.34 Furthermore, the Inspector referred to the persistent under-delivery of housing in High Peak over the period 2008-2011 (as highlighted in the AMR) and therefore stated that, in accordance with the NPPF, HPBC should be looking to provide an additional 20% housing above the RSS requirement. The Inspector therefore concluded that High Peak's housing supply falls significantly short of what is required.

5.35 As a result of this shortage of deliverable housing land, the Inspector allowed the appeal and granted planning permission for residential development despite residential development on the site being contrary to policy in the Local Plan (and in particular Local Plan Policy H1), as there is a need to significantly boos the supply of housing in High Peak to ensure choice and competition.

5.36 A copy of this appeal decision is attached at Appendix 4.

5.37 The next section of this report provides a summary of the site's planning history.

6 Planning History

6.1 There is a recent and relevant planning history, which is a material consideration for this application. Detailed planning permission for residential development was granted on the site in January 2004 and remained extant as recently as January 2009. Details of this planning permission are contained in the table below.

Application Reference	Development Description	Decision and Date	Expiration
HPK/2003/0926	Demolition of garage buildings and erection of five new 2 storey dwellings (Full).	Approved 27 January 2004	27 Jan 2009

6.2 There have been no material changes in circumstance in the surrounding area or any other significant developments that would prejudice residential developments in the intervening period.

6.3 The next section of this report provides details of any planning obligations required to make the proposed development acceptable.

7 Planning Obligations and Affordable Housing Requirements

7.1 The site is below the threshold in terms of site area and the number of dwellings to be developed that would require a Section 106 Agreement. This was agreed verbally with Anne Jordan of HPBC.

7.2 As such, this planning application is not accompanied by a draft Section 106 Agreement or draft Heads of Terms.

7.3 The next section of this report provides a planning assessment of the proposed development.

8 Planning Assessment of the Proposed Development

Need for Housing

8.1 As identified in Section 5 of this report, the High Peak SHLAA, the Core Strategy and the 2010-11 AMR all acknowledge that there is an insufficient supply of land within High Peak to deliver a 5 year supply of housing. The AMR identifies that there is only a 2.4 year supply of housing land.

8.2 This was also confirmed in a recent appeal decision (Appeal Ref: APP/H1033/A/11/2159038) in which the main reason for why the Inspector overturned HPBC's refusal was due to HPBC's deliverable housing supply being significantly short of the 5-year requirement and there therefore being an overall need additional housing. The Inspector therefore concluded that the appeal should be allowed and planning permission granted *"to boost significantly the supply of housing and to ensure choice and competition in the market for land"*.

8.3 In light of the shortage of deliverable housing land in High Peak, HPBC needs to identify additional land to meet housing need in High Peak and the Draft Core Strategy sets out HPBC's intentions to meet this need. In particular, it identifies a high level of housing need in Glossopdale and proposes a hierarchical approach to housing provision in Glossopdale, with priority given to sites with planning permission and SHLAA sites located within the built up area.

8.4 Planning permission was granted for residential development on the site in 2004 (Ref: HPK/2003/0926) and expired in 2009. This planning permission would have been implemented if it was not for the economic downturn. The intention of this application is to re-establish the site's residential status and re-introduce the site to the market.

8.5 In addition, the site was identified in the 2009 SHLAA as a suitable site for housing development, with development achievable within years 0-5 of the LDF, and is located within the existing built up area.

8.6 Residential development on the site would therefore be in accordance with the hierarchy set out in the draft Core Strategy and the site is therefore considered to be an ideal site for assisting to meet High Peak's housing needs. Furthermore, as demonstrated in the above mentioned appeal decision, the need for additional housing should be given significant weight in planning decisions in High Peak.

Principle of Residential Development

8.7 The principle of residential development on the site was established as a result of the approval the previous planning application (Ref: HPK/2003/0926) in 2004. The 2009 SHLAA also identified the site as being suitable for housing development.

8.8 Whilst the previous permission was for 5 dwellings and this application seeks planning permission for 7, it is not considered that the slight increase in the number of dwellings would represent over development of the site or have a negative impact on amenity. The Indicative Layout Plan which accompanies this application shows how 7 dwellings could be accommodated on the site.

8.9 Since the expiry of the previous planning permission it is not considered that there have been any changes in circumstances in the locality, such as major

developments, that would now make residential development on the site unacceptable. It is acknowledged however that there have been changes in national planning policy with the introduction of the NPPF.

8.10 However, the NPPF sets out a presumption in favour of sustainable development and states that applications for residential planning permission should be considered in the context of the presumption in favour of sustainable development and where there is not a 5 year supply of deliverable housing land should be granted planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

8.11 As identified above, there is not a 5 year supply of housing land in High Peak and it is considered that there would be no significant adverse impacts from housing development on the site (this is demonstrated further in the remainder of this Section and in the other documents that support this planning application). It is therefore considered that the changes made to national planning policy since 2009 would not reduce the suitability of the site for residential development, and therefore the principle of the site being suitable for residential development remains.

8.12 Furthermore, it is considered that redevelopment of the site for housing would comply with Policies H1 and H5 of the Local Plan and the overriding need for additional housing in High Peak reinforces the principle of residential development on the site being acceptable.

Design and Amenity

8.13 Notwithstanding the outline nature of this planning application, the Design and Access Statement indicates how the proposals could provide a high quality residential scheme that is appropriate to the character of the area. As such, the proposals would comply with Policy H11 of the Local Plan.

8.14 In terms of effects on the amenity of existing and future residents, the Indicative Layout Plan which accompanies this application shows that it would be possible to provide adequate plot sizes and generous garden spaces for 7 dwellings whilst still ensuring that required separation distances are maintained between dwellings.

8.15 Further consideration will be given to residential amenity issues and design at the reserved matters stage, but it is considered that the site can be developed in accordance with Local Plan Policy GD5.

8.16 In addition, residential development on the site will improve the site's current vacant and derelict appearance, thereby improving the appearance and character of the area.

Highways and Access

8.17 The size of the site and the number of dwellings that can be accommodated on the site are below the thresholds that would require a Transport Assessment or Transport Statement. However, the Design and Access Statement provides details of how access to the site will be made and details of the accessibility of the site to a range of services and community facilities. These are summarised below:

- The site will be accessed from the existing un-adopted road which connects to Station Road to the east of the site. This access will be surfaced and improved and is considered to be adequate to serve a development of 7 dwellings;

- Improvements to this access will ensure that it is safe for pedestrians;
- As can be seen from the Indicative Layout Plan which accompanies this application, there is sufficient space on the site to provide adequate off-street parking for a development of 7 dwellings;
- Given the small number of dwellings proposed, traffic generated by the proposed development is not likely to have a material impact on the local highway network;
- The site is located within walking distance of a wide range of amenities, services and facilities, many of which are located on Station Road, including schools, health care and shops; and
- The site is served by frequent public transport services, with bust stops located adjacent to the site on Station Road. Services from these bus stops travel to locations including Manchester, Ashton and Glossop. The site is also approximately 10 minutes walk from Hadfield Railway Station which offers services to Manchester Piccadilly.

8.18 In light of the above, it is considered that the proposed development would not have a material impact on the safety or operation of the local highway network. Suitable vehicular and pedestrian access can be made to the site to allow for safe access and egress. Residents would have access to a wide range of services in the surrounding area and the wider area by public transport. This would assist in reducing dependence on private motor vehicles and would allow residents without access to private motor vehicles access the services and facilities they may require on a delay basis. It is therefore considered that the residential development on the site would comply with policies TR4 and TR5 of the Local Plan, as well as Policy CS19 of the draft Core Strategy.

Landscape

8.19 Layout, scale and landscaping details are all matters reserved for future consideration. Notwithstanding this, the Arboricultural Assessment that accompanies this application has been used to inform the indicative development layout, which illustrates trees to be retained, together with new areas of tree planting.

8.20 This Assessment indicates that all of the trees currently on site are unsuitable for retention. It does identify 2 areas where compensatory trees can be provided. These trees will soften the impact of the development on the surroundings and will assist in providing an attractive setting for the development.

Ecology

8.21 The site is considered to be of low ecological value and therefore its redevelopment would not result in the loss of any important ecological habitats. Furthermore, the redevelopment of the site would not impact on any protected species or designated ecological site.

8.22 As stated above, an Arboricultural Assessment has been submitted with this planning application and indicates that none of the trees on the site are suitable for retention. This is mainly because the existing trees are of poor quality or are damaged. Some trees are also growing into the fence line with adjacent properties.

8.23 The Assessment does indicate that 2 compensatory trees can be planted on site, and indicative locations for these are shown on the Indicative Layout Plan

which accompanies this application. These trees, along with the private gardens of the dwellings on the site and any peripheral landscape planting would provide additional small scale habitats and link the site to the park land to the north.

Archaeology and Heritage

8.24 The history of the site is described in the Phase 1 Environmental Risk Assessment which accompanies this planning application.

8.25 The earliest information found for the site shows the site being the location of a mill pond of the former White Mill in the 18th / 19th century. The site was retained as a mill pond until the 1960s when it was filled in and the site developed as garages for the surrounding residential properties. These garages were demolished in circa 1996, with the concrete foundations remaining.

8.26 As a result of this there is unlikely to be any archaeological remains on the site beyond the infill material within the former pond. This was confirmed in an email from Steve Baker at HPBC to Justin Cove of BNP Paribas Real Estate on 9 December 2011, which stated the following:

> *"The site is within the mill pond of the former (18th – 19th century) White Mill. There is unlikely therefore to be any surviving archaeology on the site beyond infill material within the former pond. I recommend that a heritage statement be submitted, as a short section within the design and access statement (professional study note required), making reference to the historic mill site. Further work is unlikely to be required."*

8.27 The proposed development is therefore unlikely to result in the loss or damage of any archaeological remains.

8.28 In addition to the above, there are no listed buildings or scheduled ancient monuments located close to the site. The site is not located within a Conservation Area, or boarders a Conservation Areas. It is therefore considered that proposed development would not have a negative impact on the character or setting of any heritage assets.

8.29 It is therefore considered that the proposed development would comply with Policy BC10 of the Local Plan and Policy CS6 of the draft Core Strategy.

Drainage and Flood Risk

8.30 The site is located within Flood Zone 1 and is therefore at low risk of flooding.

8.31 As the site is located within Flood Zone 1 and is less than 1 ha in area, no Flood Risk Assessment has been prepared.

8.32 Based on the available information, the risk of flooding from all sources is considered to be low. For those elements of the development that might potentially increase flood risk (such as areas of hard standing), suitable mitigation measures will be suggested as part of reserved matters applications to ensure that the proposed development does not increase flood risk to the site or other land.

Land Contamination

8.33 A Phase 1 Environmental Risk Assessment has been undertaken for the site and accompanies this application.

8.34 Thee Risk Assessment concludes that there are no mitigating factors as to why the site cannot be redeveloped for residential uses. It does recommend however limited site investigation to provide information for foundation design and ground water and ground gas monitoring to assess risk from the uncontrolled filling of the Mill Pond.

Summary

8.35 In light of the above, it is considered that the proposed development is acceptable when assessed against planning policy and relevant material considerations.

8.36 There is an identified need for new housing in High Peak, particularly in Glossopdale and particularly in the short term. The Draft Core Strategy aims to meet this need through the use of brownfield sites and sites identified in the SHLAA as being suitable for housing. The site meets both of these criteria and the principle of housing development on the site is therefore considered to be acceptable. Furthermore, planning permission was granted for residential development on the site in 2004, establishing the principle of housing development on the site. It is not considered that there have been any material changes in circumstances since this date that would now make residential development on the site unacceptable.

8.37 In addition to the above, it is not considered that there would be any negative impacts on the operation or safety of the local highway network as a result of the proposed development. There would be adequate access to the site and given the small scale of the proposed development, and traffic generated would be able to be accommodated on the local highway network.

8.38 The site also has access to a range of services and community facilities within walking or cycling distance, as well as public transport access to the wider area. This will assist in reducing dependence on private motor vehicles and also ensure that any residents without access to private motor vehicles can still access the services and facilities they may require on a day to day basis.

8.39 Development on the site would not be at risk of flooding and would not increase the risk of flooding elsewhere. It would not result in the loss of any archaeological features of importance or impact on the setting of any heritage assets. Neither would it result in the loss of any ecological habitat of value or negatively impact on any protected species or designated ecological site. Furthermore, there are not considered to be any contamination risks or unacceptable ground conditions which would restrict development on the site.

8.40 Whilst matters of design, scale, landscaping and layout are reserved for later consideration, the Indicative Layout Plan submitted with this planning application shows that it would be possible to develop 7 dwellings on the site in a manner which would not prejudice the amenity of existing or future residents.

8.41 The NPPF requires that where a Local Planning Authority cannot demonstrate a 5 year supply of housing land, it considers planning applications for housing development favourably unless any adverse impacts would significantly and demonstrably outweigh the benefits. As identified above, HPBC cannot demonstrate a 5 year housing land supply. This was confirmed in a recent appeal decision that gave significant weight to the need to significantly increase the housing supply in High Peak. Given that there would be no adverse impacts from residential development on the site that would significantly and demonstrably outweigh the benefits of the proposed development, including providing additional housing in Glossopdale to meet identified needs, it is considered that planning permission should be granted for the proposed development

8.42 The next section of this report provides a conclusion.

9 Conclusion

9.1 This planning statement is submitted on behalf of the Law of Property Act Receivers to Tornillo Homes (Hadfield) Ltd in support of an outline planning application with all matters reserved except access. The application seeks outline planning permission for residential development at Land at Station Road, Hadfield.

9.2 The final details of the appearance, landscaping, layout and scale of the proposed development have been reserved for future consideration and will be dealt with as part of subsequent reserved matters applications. Notwithstanding this, the Indicative Layout Plan submitted as part of the outline planning application illustrates how the proposed residential development of the site could be achieved to inform the determination of the outline planning application.

9.3 In accordance with Section 92 of the Town and Country Planning Act 1990, a 5 year period for implementation of planning permission is sought from the date planning permission is granted. This is considered to be a realistic period in which to commence all of the development applied for and takes account of the current market.

9.4 This planning application is supported by a number of technical studies and reports. These demonstrate that the proposed development is acceptable from a geotechnical, transport and access, and archaeological perspective.

9.5 The number of dwellings proposed and the site area are both under the threshold for which any planning obligations are required. A Draft Section 106 or a draft Heads of Terms therefore has not been submitted with this application. This was agreed verbally with Anne Jordan of HPBC.

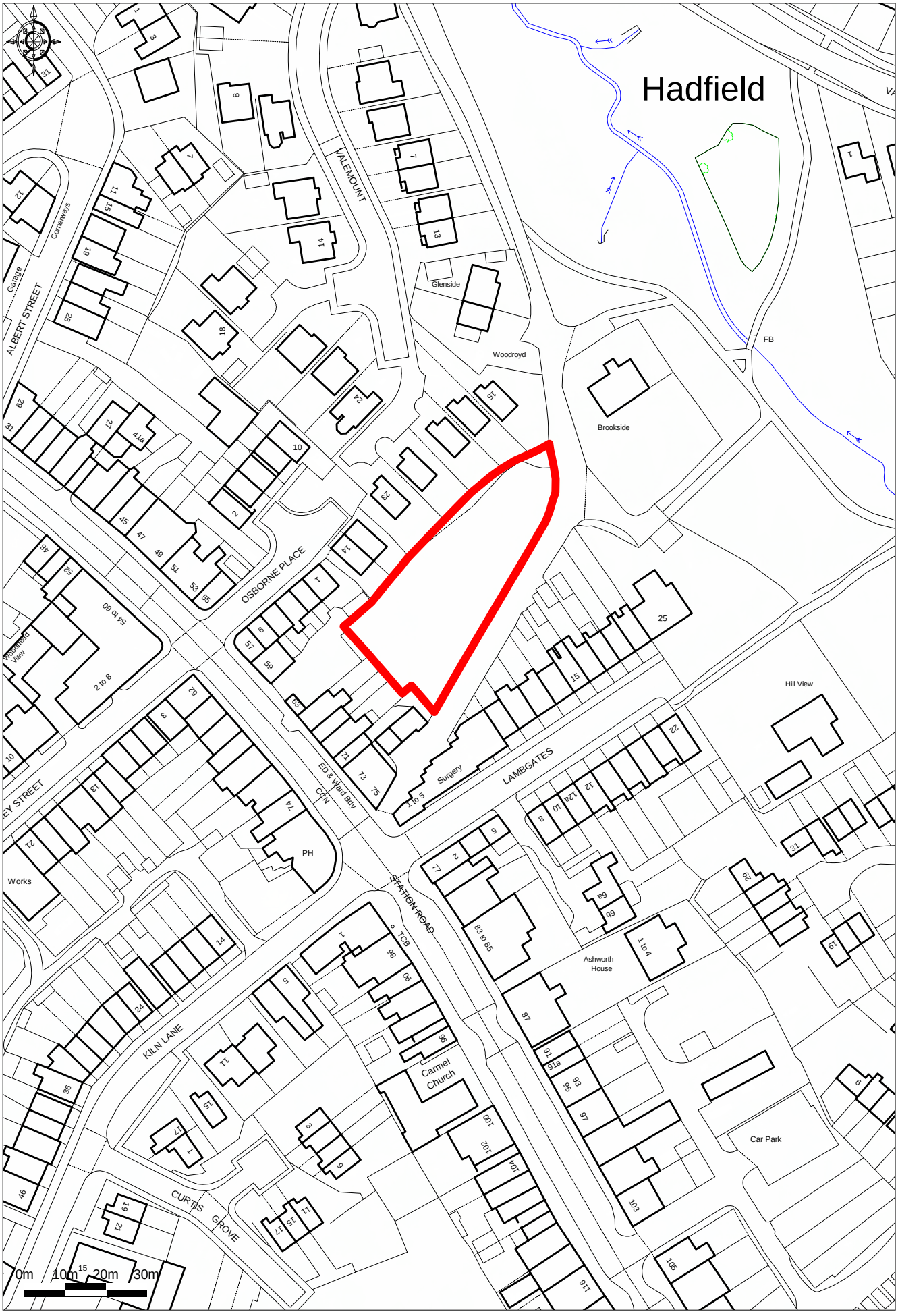
9.6 A full review of relevant Development Plan policies and material considerations has been undertaken. In light of this, the proposed development has been assessed against, and demonstrated to comply favourably with the main planning issues considered relevant to the determination of the outline planning application.

9.7 In particular, the residential development of the site would assist in meeting an identified housing need in Glossopdale and the wider High Peak. Furthermore, as identified in this report and the accompanying technical studies, there would be no adverse impacts as a result of the proposed development that would outweigh the benefits of providing additional housing to meet an identified need.

9.8 The proposed residential development of the application site therefore represents an opportunity to deliver sustainable development for which, in the absence of a 5 year housing supply of deliverable housing land, there is a strong presumption in favour of. It is therefore concluded that this outline planning application should be granted planning permission.

Appendix 1 - Site Location Plan

Land at Station Road, Hadfield, Glossop, SK13 2NX
Location Plan



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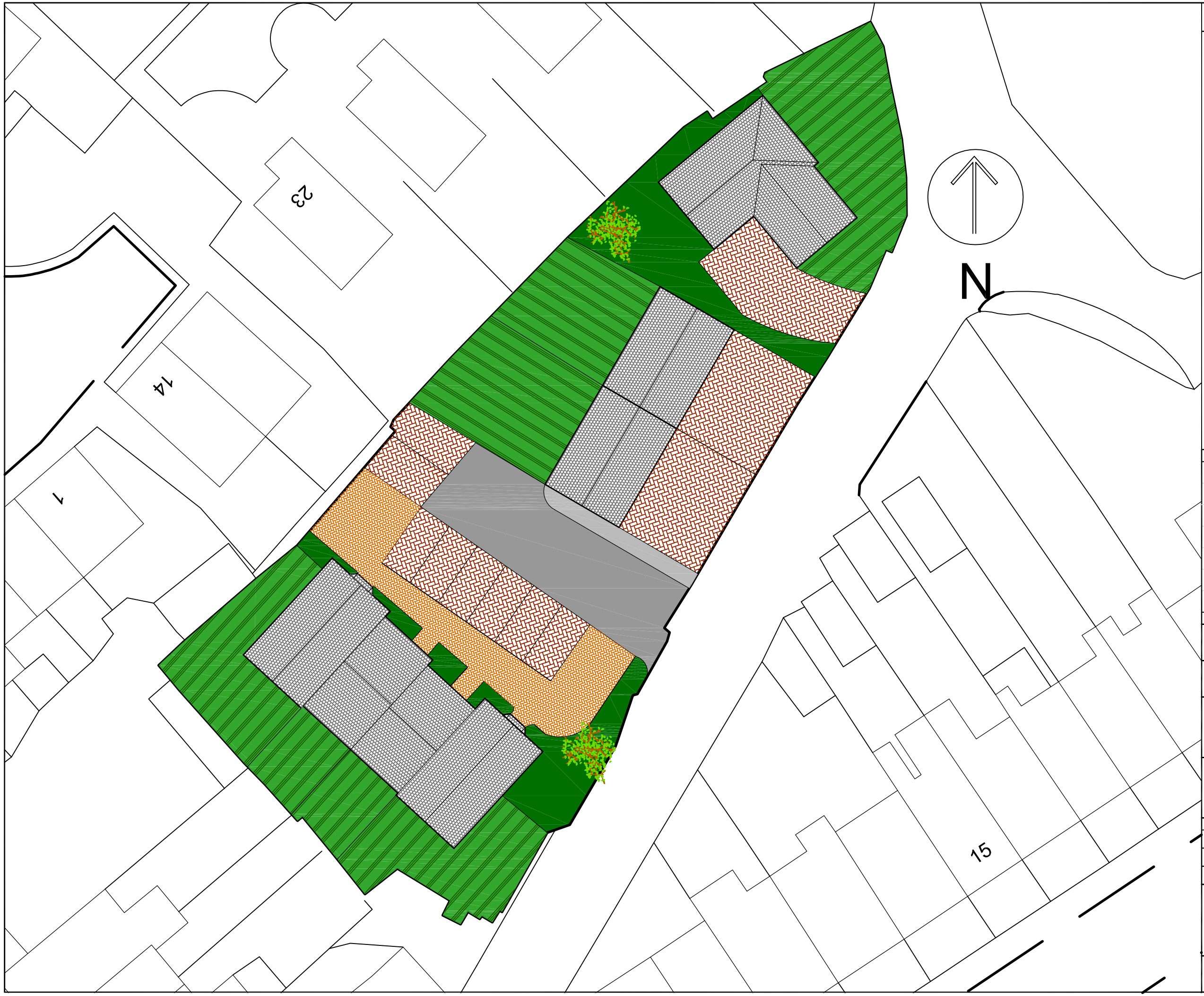
Getmapping plc 2012. Plotted Scale - **1:1250**

Appendix 2 - Indicative Layout Plan



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REVISIONS:

REV	DATE	REVISION	INITIALS

PURPOSE OF DRAWING:

PLANNING

CLIENT NAME:

Tornillo Homes

PROJECT NAME:

Station Road
Hadfield

DWG TITLE:

Indicative Proposed
Layout Plan

DWG REF: DRV/FILEDIRECTORY/FILENAME/.DWG

DWG NO:	WB000011	REVISION:	-
SCALE:	1:250 @ A3	DATE CREATED:	23/07/12
DRAWN BY:	BJS	CHECKED BY:	-

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TEL: +44 (0) 114 263 9200

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Appendix 3 - Pre-Application Correspondence

Paul Forshaw

From:	Anne.Jordan@highpeak.gov.uk
Sent:	17 August 2012 14:10
To:	Alex Willis
Cc:	Paul Forshaw
Subject:	RE: Outline applications for residential development at Land at Woolley Bridge Road, Hadfield, Glossop and Land off Station Road, Hadfield Glossop
Follow Up Flag:	Follow up
Flag Status:	Completed
Attachments:	121119 validation letter.pdf

Alex,

The list you provided is correct. I've attached my original letter for reference.

In addition, all major developments need to provide a sustainability statement, there are details of this on our website. In practice many applicants append this to their main planning statement,

regards

From: Alex Willis [mailto:alex.willis@bnpparibas.com]
Sent: Friday, August 10, 2012 4:53 PM
To: Anne Jordan
Cc: Paul Forshaw
Subject: Outline applications for residential development at Land at Woolley Bridge Road, Hadfield, Glossop and Land off Station Road, Hadfield Glossop

Anne

Further to your previous correspondence with myself and my former colleague Justin Cove, we have consulted with Ian Turkington and Steve Baker at Derbyshire County Council and undertaken further work to support the application which we are now finalising this for resubmission. Prior to this, I have set out below a summary of what the applications will comprise.

Land at Woolley Bridge Road

- Application forms and certificates
- Red line site location plan
- Indicative proposed site layout plan
- Indicative proposed site section plan
- Topographical survey plan
- Planning, Affordable Housing and Design and Access Statement (including Sustainability Statement)
- Arboricultural Report
- Extended Phase 1 Habitat Survey
- GCN Survey
- Archaeological Desk Based Assessment
- Transport Statement
- Phase 1 Environmental Risk Assessment
- Draft S106 Heads of Terms

Land off Station Road

- Application forms and certificates
- Red line site location plan
- Indicative proposed site layout plan
- Topographical survey plan
- Planning, Affordable Housing and Design and Access Statement

- Arboricultural Report
- Phase 1 Environmental Risk Assessment

I trust the above is sufficient to validate the applications, but would be grateful if you could please confirm this to my colleague Paul Forshaw next week as I will be on leave.

Kind regards

BNP PARIBAS REAL ESTATE | Real Estate for a changing world

Alex Willis
Senior Planning and Development Surveyor

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Mob : +44(0) 7899 060 247
realestate.bnpparibas.co.uk

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Please note that from 25 March 2011 our address has changed to 1st Floor, Fountain Precinct, Balm Green Sheffield, S1 2JA. My direct telephone line has also changed to 0114 263 9210

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My ref: HPK/2011/0521 & HPK/2011/0522
17 August 2012

Justin Cove
BNP Paribas Real Estate
Aurora
55 Princess Street
Manchester
M2 4EW

Dear Mr Cove,

Validation of Application - Outline applications for the erection of 23 dwellings at Land at Woolley Bridge Road, Hadfield Glossop and erection of 5 dwellings at Land off Station Road, Hadfield Glossop

Further to the recent submission of planning applications for the above sites. I note that neither application was subject to any formal pre-application discussion.

Unfortunately, I am unable to validate your application for a number of reasons outlined below. The Council's validation requirements are available on our website, you may wish to review them for further information.

The applications are made in outline form with all matters reserved apart from access. However, the description of development seeks to secure a specific number of houses on each site. In order to be able to approve a specific number the LPA would wish to see an indicative layout to indicate the site is capable of development of the proposed number of units, along with an indication of the scale of the units proposed.

A layout plan with indication of scale is therefore required. Please provide an indicative layout along with scale parameters giving an indication of the upper and lower limits for height, width and length of each building within the site boundary.

Due to the particular topography of the site we also require sections for the Wooley Bridge Road site, to a scale of 1:50 or 1:100; they should show existing site levels and finished floor levels including their relationship to surrounding land.

The proposed application site off Woolley Bridge Road is listed on the Derbyshire Heritage Assets Register and we therefore require a Heritage Statement. This should include a description of the significance of the heritage asset affected and be sufficient enough to understand the impact of the proposal on the heritage asset. You are advised to contact County Archaeologist Steve Baker on 01629 580000 for further advice.

N.B. We aim to validate all Planning Applications in accordance with "Best Practice Guidance on the Validity of Planning Applications" as issued by the Office of the Deputy Prime Minister, March 2005.
www.odpm.gov.uk . ISBN 1 85112 7747 Ref: No 04PD02961.

The Affordable Housing Statement you have submitted does not identify the types, sizes and tenures of the proposed dwellings. We also require details of the mechanism by which the houses will remain affordable, details of occupancy restriction and management. For further assistance in please contact the Strategic Housing Team.

The application will require a S106 to deliver the affordable housing along with potentially open space and education commuted sums. In order to validate the applications the LPA require a full draft of the S106 obligation, including agreed heads of terms, proof of title and written confirmation that the Council's reasonable legal costs in considering the document will be met.

All major applications in the Borough require a Biodiversity Survey and Report which has not been submitted with the proposal. You are advised to contact Derbyshire Wildlife Trust for further information.

The application does not contain a tree survey, although the application form states that trees will be impacted by development. You are advised to provide a tree survey showing all trees on site.

No travel plan has been submitted, neither has an indication of parking been provided on the submitted forms. You are advised to contact Ian Turkington at DCC highways to secure his confirmation that a travel plan is not required.

All major developments are required to provide a sustainability statement, details of which are included on the Council's validation checklist. This information can be included within an augmented planning statement if preferred.

When returning your application with the details requested please ensure you quote the reference number shown at the top of this letter.

If you require any more information please let us know by contacting the Planning Support team on 01298 28400 or Anne Jordan Senior Planning Officer on 0845 129 7777

Yours sincerely

Planning Support
01298 28400

N.B. We aim to validate all Planning Applications in accordance with "Best Practice Guidance on the Validity of Planning Applications" as issued by the Office of the Deputy Prime Minister, March 2005.
www.odpm.gov.uk . ISBN 1 85112 7747 Ref: No 04PD02961.

Paul Forshaw

From:	Alex Willis
Sent:	30 August 2012 12:23
To:	Paul Forshaw
Subject:	FW: Sites in Hadfield, Glossop
Follow Up Flag:	Follow up
Flag Status:	Red
Attachments:	Contractors list Feb 2012.doc

From: Steve.Baker@derbyshire.gov.uk [mailto:Steve.Baker@derbyshire.gov.uk]
Sent: 25 April 2012 16:43
To: Alex Willis
Cc: Sue.Ashworth@highpeak.gov.uk
Subject: FW: Sites in Hadfield, Glossop

Alex,
As discussed, the pre-application comments (below) I provided to Justin Cove last year in relation to the Woolley Bridge site. I also attach our current contractors list should this be of help.
Regards

Steve Baker, Derby and Derbyshire Development Control Archaeologist
Derbyshire County Council, Environmental Services , Shand House, Dale Road South, Matlock, Derbyshire DE4 3RY
01629 539773 steve.baker@derbyshire.gov.uk

From: Baker,Steve (Environmental Services)
Sent: 09 December 2011 11:44
To: 'Justin Cove'
Cc: 'Sue Ashworth'
Subject: RE: Sites in Hadfield, Glossop

Dear Justin,
Thank-you for this pre-application consultation. To confirm our phone conversation:

Site 1 (Woolley Bridge): there is potential for Roman archaeology, identified during a previous planning application in 2004, primarily because of the proximity to the Melandra Castle Roman fort, and finds of Roman burial urns reported from the Woolley Bridge area. I recommended that a heritage statement be submitted including the results of an archaeological desk-based assessment carried out by a suitably qualified and experienced professional archaeological contractor. This would look at existing archaeological information in the vicinity and historic map/photographic sources to make a professional assessment of likely archaeological survival on the site as required by PPS5 Policy HE6. I do not require pre-application field evaluation of this site - on-site archaeological work, if required, could be deferred to a conditioned scheme following the precedent set by previous advice.

Site 2 (Station Road): the site is within the millpond of the former (18th-19th century) White Mill. There is unlikely therefore to be any surviving archaeology on the site beyond infill material within the former pond. I recommend that a heritage statement be submitted, as a short section within the design and access statement (professional study not required), making reference to the historic mill site. Further work is unlikely to be required.

Regards
Steve

Steve Baker
Development Control Archaeologist
Derbyshire County Council
Environmental Services
Shand House
Dale Road South
Matlock
Derbyshire
DE4 3RY
01629 539773
steve.baker@derbyshire.gov.uk

From: Justin Cove [mailto:Justin.Cove@bnpparibas.com]
Sent: 09 December 2011 11:04
To: Baker,Steve (Environmental Services)
Cc: Diane Reddihough
Subject: Sites in Hadfield, Glossop

Steve

As per our discussion, here are the sites we are applying to High Peak BC for outline consent for residential. I would be grateful for your comments as we are looking to get these applications validated asap and taken to the market.

Many thanks
Justin

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Justin Cove
Senior Planner

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Appendix 4 - Appeal Decision Ref: APP/H1033/A/11/2159038 (Land at Manchester Road / Crossings Road, Chapel-en-le-Frith)

The Planning Inspectorate

Appeal Decision

Inquiry held on 22-24 May 2012
Site visit made on 1 June 2012

by Susan Holland MA DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 August 2012

Appeal Ref: APP/H1033/A/11/2159038
Land at Manchester Road/Crossings Road, Chapel-en-le-Frith, High Peak, Derbyshire SK23 9TP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Barratt Homes against the decision of High Peak Borough Council.
- The application Ref HPK/2011/0282, dated 26 May 2011, was refused by notice dated 25 August 2011.
- The development proposed is residential development.

Procedural Matters

1. The application is in outline, but includes access and also landscaping specifically of the perimeter area of the site. All other matters, including landscaping within the main body of the site, are reserved for future determination. The submitted site layout is illustrative only, indicating a form of development of 105 dwellings.

2. After the date of the Council's decision, but several months before the Inquiry, a Design and Access Statement (DAS) Addendum, including a number of revised plans, was submitted as an appeal document. The DAS Addendum plans include an amended indicative site layout and a revised perimeter landscaping scheme. An updated flood risk assessment addressing Sustainable Urban Drainage (SUDS) issues is included in the DAS Addendum. Well in advance of the Inquiry, the Appellant carried out consultation on the revised plans and documents: with statutory consultees, with residents (in this case by leaflet) who commented on the planning application, via a website, and by making hard copies available for public view at various public locations. Though some objectors criticise the level of consultation, I consider that sufficient has been done to avoid the possibility of any prejudice to statutory bodies or to members of the public. This decision is therefore based upon the plans as amended. A comprehensive combined list of application plans including those which have been amended (as also contained in Document 2) is set out at Annex B to this decision.

Decision

3. I allow the appeal, and grant planning permission for residential development on land at Manchester Road/crossings Road, Chapel-en-le-Frith, High Peak, Derbyshire SK23 9TP in accordance with the terms of the application, Ref HPK/2011/0282, dated 26 May 2011, subject to the conditions set out in Annex A to this decision.

Main Issues

4. The main issues are the effects of the proposed development (a) upon the housing supply and (b) upon the character and appearance of the surrounding area.

Reasons

Background

5. The appeal site is formed from 2 open fields, bounded by hedges on all sides, aligned from north to south, and measuring about 3.6 hectares. To the west and north-west the appeal site adjoins open grazing land rising to Eccles Pike. To the south-west and north-east, residential properties lie immediately beyond the site: these extend along the B5470 Manchester Road and along Crossings Road, to which the site has a partial frontage at its north-eastern end. The principal access to the proposed development would be taken from Manchester Road, using vacant ground between the Police Station and the existing house at No.88a. The built-up area of Chapel-en-le-Frith is concentrated to the east and south of the site, with a ribbon of frontage development extending westwards along the Manchester Road.

Issue (a): Housing Supply

Local Plan Policy H1

6. The High Peak Borough Local Plan (LP) was adopted in March 2005. Housing policy of the Local Plan is based upon the then government guidance of PPG3 and upon the housing figures of the Derbyshire Structure Plan, and *seeks only to identify sufficient land to meet the housing requirements set by the Structure Plan*. There was at that time a *significant risk of house-building exceeding the Structure Plan provision … in 2 out of 3 of the High Peak sub-areas* (including the Central area in which Chapel-en-le-Frith is located) (LP ¶7.12). LP Policy H1 *[gives] priority to the redevelopment of previously developed land in built up areas [and to] conversions and subdivision of existing urban buildings*. Accordingly, H1 states that *residential development on greenfield land (including renewals) will not be permitted* (subject to specific exceptions which do not include the appeal proposal) and states also that *where an adequate supply of housing exists within a sub-area to meet the Structure Plan housing provision, new residential development will only be permitted where it falls within one of the exceptional categories listed … above*.

7. LP Policy H1 was saved by Secretary of State Direction in 2007. By this time government guidance on housing was contained in PPS3. Though agreeing to extend the saving of Policy H1, the Secretary of State in a letter dated 26 March 2008 to High Peak Borough Council expressed concern that *the approach to managing the supply of housing in Policy H1 is not consistent with the approach to managing and delivering a supply of land for housing as set out in PPS3*, and *urged* the Council to *prioritise the preparation of the Core Strategy DPD*. It has to be assumed that the level of restraint imposed by Policy H1 remained appropriate in the circumstances of housing land availability at that time.

8. The East Midlands Regional Spatial Strategy (RSS) was adopted in 2009. The RSS increased the housing requirement from 250 dwellings per annum (dpa) to 300 dpa, backdated to 2006. The Council's Interim Housing Policy Statement of 2009 states that *Policy H1 should now have regard to the RSS in place of the Structure Plan*, pending adoption of the Core Strategy, then expected for 2011.

The Secretary of State has signalled the intention to revoke RSS but the position at the time of writing is that RSS has not yet been revoked, and a Core Strategy has not been adopted (its preparation having now been abandoned).

The 5-year Housing Land Supply

9. The Council's Annual Monitoring Report (AMR) for 2010/2011 at p67 shows that housing delivery was below RSS target level in 2008, 2009, 2010, and 2011. In relation to the RSS housing requirement, the Council had, at the time of its consideration of the application the subject of the current appeal, a housing land supply of 4.25 years as at 27 May 2011; 2.25 years as at 15 August 2011; and 2.4 years as at December 2011. Clearly, these figures fall far short of a 5-year supply. At the Inquiry the Council's case was that it had a housing land supply of 5.9 years. However, this total includes sites without planning permission.

10. The most up-to-date planning policy document, the National Planning Policy Framework (the Framework), was issued in March 2012. The Framework at ¶47 requires that *local planning authorities should … identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the Plan period) to ensure choice and competition in the market for land*. Footnote 11 to ¶47 explains that *to be considered deliverable, sites should be available now… and be achievable with a realistic prospect that housing will be delivered on the site within 5 years …*. Footnote 11 states that *sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within 5 years, for example they will not be viable…*. The inclusion of the phrase *until permission expires* strongly implies that a site which no longer has – or, significantly, has not yet received – planning permission for housing is not to be considered *deliverable* in the terms of the Framework.

11. Of the sites listed by the Council as contributing to its estimated 5.9yr supply of housing land, among the largest and most significant are the Federal Mogul site in Chapel-en-le-Frith and the Dorma site at Chinley. Both are brownfield sites. Neither as yet has received planning permission for housing. The Dorma industrial site is vacant and its former mill buildings have been demolished, but extensive areas of concrete slab remain to be removed.

12. At the Federal Mogul site there is an Interim Planning Statement which proposes housing on part of a site for mixed use, and optimism is expressed by planning consultants for Federal Mogul that *first housing completions could be as soon as late 2013*. However, the area proposed to be developed for housing is in current use for car parking and also includes an industrial building yet to be demolished; and moreover immediately adjoins a further industrial building which would remain and from which noticeable noise is currently emitted: a problem not yet confirmed as capable of satisfactory resolution. The concern expressed by the plant manager for Federal Mogul, that the prior development of the current appeal site might jeopardise the firm's own plans to use the proceeds from housing development on its site to secure investment in production facilities, is not supported by evidence, given the extent of the Borough's housing shortfall and the emphasis of the Framework on *boost[ing] significantly the supply of housing*.

13. Of the other sites, including some of those with planning permission, development of the Waterswallows site awaits delivery of a road, itself dependent upon the resolution of ownership problems. The Harpur Hill site has been marketed for

several years with no evident progress. The Hope Street site is subject to employment policies aimed at avoiding loss of employment land. The Bowers site is in active employment use and is crossed by a waterway with flood plain. Whilst complications in respect of any of the suggested sites might be capable of resolution so as to make them *deliverable* within 5 years in the terms of the Framework, it seems unlikely on the evidence that their problems could be resolved sufficiently and to the extent that collectively these suggested sites could amount to a 5-year-plus-5% supply of housing land *deliverable* in the terms of the Framework.

14. The Council's estimate of a 5.9-year housing land supply does not therefore accord with the provisions of the Framework, and moreover includes a windfall estimate which does not follow the Framework stipulation that an allowance for windfall sites in the 5-year supply *should not include residential gardens* and is consequently over-generous. Furthermore, the evidence for 2008-2011 taken from the AMR suggests a situation of *persistent under-delivery* in the terms of the Framework at ¶47, which states that in such a case *local planning authorities should increase the buffer* [of 5%] *to 20% (moved forward from later in the Plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land*. In these circumstances the housing land supply falls significantly short of what, under the Framework, is now required.

Affordable Housing

15. The evidence of the Council's AMR 2010-11 is that a total of 268 affordable homes have been delivered within the Borough (including Peak Park) in the past 7 years: during which time the annual need has varied between 443 and 591. The 2009 Chapel Housing Needs Survey identified 61 households in housing need in Chapel-en-le-Frith, and a further 87 households are registered as desiring affordable housing: 147 households in all. It has been several years since any new rented units were built. The Peaks and Plains Housing Trust, which supports the appeal proposal, doubts whether the delivery of sufficient affordable housing units could be achieved on the relevant brownfield sites, in the face of other costs – such as, on the ex-industrial sites, the remediation of contaminated land to enable residential use. In advance of specific proposals, accompanied by the necessary assessments and consultations, the levels of affordable housing that would be viable and deliverable on these ex-industrial sites have not yet been demonstrated.

16. The appeal scheme would make provision, via the submitted S106 agreement, for 30% of the total number of dwellings to be made available as affordable housing, in the proportion of 80% social rented housing, and 20% shared ownership. The affordable dwellings would include a variety of sizes: 25% would be 5-person, 3-bedroom houses; 37% would be 4-person, 2-bedroom houses; 19% 2-bedroom apartments and 19% 1-bedroom apartments. The mix is compatible with that identified by the 2009 Chapel Housing Needs Survey. In evidence to the Inquiry the shared ownership and rented elements of the appeal proposal were expressly welcomed by a young resident local mother, whose experience had been that the housing brought forward on brownfield sites was commonly too expensive for families to buy, and who also doubted, in common with the Housing Trust, that affordable homes could be brought forward on such sites.

The New Homes Bonus

17. The Appellant calculates that approval of the appeal proposals would result in around £900,000 of contributions to the local area through the Government's New Homes Bonus scheme: a factor which under S143 of Part 6 of the Localism Act 2011 is, as a *local finance consideration*, a material consideration in this appeal.

Prematurity and the Neighbourhood Plan

18. The Framework itself contains no reference to prematurity. However, the Government document 'The Planning System: General Principles' 2005 (which was not cancelled on issue of the Framework and remains extant) contains guidance on prematurity. The guidance of ¶17 of the General Principles document is that *it may be justifiable to refuse planning permission on grounds of prematurity where a DPD is being prepared or is under review, but it has not yet been adopted*; but that it may be *appropriate [to do so] where a proposed development is so substantial, or the cumulative effect would be so significant, that granting permission could prejudice the DPD by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the DPD*.

19. Relevant factors therefore include the stage reached by any currently emerging development plan, and the size and relative scale and significance of the proposed development. The question of relative scale and significance is to be judged in the context of the individual planning authority, its housing requirement, strategy and local circumstances: so that the examples of other cases (including the Romsey appeal decision to which the Council refers) are not of such relevance here as to be decisive. At 105 dwellings, the proposal would represent one-third of the total annual housing requirement of the RSS – that is, for 1 single year - for the Borough of High Peak. However, given the undershooting of housing targets in the recent past, the proposal would represent a lesser proportion of the cumulative outstanding requirement. Though the Local Plan divides the Borough into 3 sub-areas for housing purposes, the requirement itself spans the Borough as a whole. Using the figures of the (now abandoned) draft Core Strategy for the plan period, the proposal would represent 1.6% of the district total, and 8% of the 1,250 dwellings for the Central area. In these terms the scale of the proposed development would not be so substantial as to prejudice the emerging local plan (of which no draft was yet available to be offered in evidence to the Inquiry).

20. Objectors suggest that the appeal proposal represents *the thin end of the wedge*, and that the Appellant has the intention to develop other, additional greenfield sites on the edge of Chapel-en-le-Frith. However, any such proposals would have to be judged on their merits against the development plan and housing land availability situation prevailing at the time of the planning application; and in that context would have to take into account, at the time, the guidance in 'General Principles' relating to *cumulative effect*.

21. The 'General Principles' document at ¶18 states that *where a DPD is at the consultation stage, with no early prospect of submission for examination, then refusal on prematurity grounds would seldom be justified because of the delay which this would impose in determining the future use of the land in question*. In the current case, where the draft Core Strategy has been abandoned and there is as yet no emerging draft local plan, no justification for refusal on prematurity grounds can be drawn from 'General Principles'. It happens that Chapel-en-le-Frith represents a 'Pathfinder' with funding for the preparation of a neighbourhood

plan under the Localism Act 2011. The local community group 'Chapel Vision' is currently preparing a neighbourhood plan for Chapel-en-le-Frith, primarily (though not exclusively) on the basis of using brownfield sites, rather than greenfield sites beyond the existing urban edge as defined in the Local Plan, for housing. Chapel Vision opposes the appeal development. On the evidence it is clear that to grant planning permission for the appeal proposal would not accord with the current thinking behind the neighbourhood plan.

22. Nevertheless, the position is that a neighbourhood plan must have regard to national planning policy and must be in general conformity with strategic policies in the development plan for the local area. The Local Planning Authority remains responsible for preparing, in the light of the Framework, the new local plan which will govern the location of development. Any neighbourhood plan must be in general conformity with the new local plan, interpreting its policies on a neighbourhood basis.

23. In this case there is no Core Strategy, nor any up-to-date local planning policy, either adopted or in late-stage emerging draft form to which substantial weight could be given, setting either the requirement or the location strategy for housing within the Borough. It will be up to a new-style local plan to determine in the light of the Framework, as a matter of strategy and in the light of evidence concerning the housing requirement, to what extent and where it may be necessary to allocate greenfield land for housing development. Moreover, at the time of the Inquiry no draft neighbourhood plan was available in evidence. In the absence of an up-to-date higher-order development plan, very little weight can be given to the neighbourhood plan in the decision on the current appeal, disappointing as that may be for those members of the community whose efforts have been involved in its preparation to date.

Conclusion on Issue (a)

24. The level of restraint imposed by LP Policy H1 and its overwhelming emphasis upon brownfield sites are inconsistent with the provisions of the Framework. Though adopted in 2005, the Local Plan is not a 'new-style' development plan document (DPD) prepared in accordance with the Planning and Compulsory Purchase Act 2004. In these circumstances, LP Policy H1 is out of date, and very little weight can be given to it in the terms of ¶215 of the Framework. Such weight as can be attributed to Policy H1 derives only from its combination with the Interim Housing Policy Statement which adapts Policy H1 to the housing figures contained in RSS (itself only temporary pending revocation). In conclusion, the proposed development is necessary in order to satisfy the requirement of the Framework, in measures set out at ¶47 onwards, *to boost significantly the supply of housing* and *to ensure choice and competition in the market for land*, and to meet identified needs for affordable housing. In the light of prevailing planning policy and the balance of material considerations, the proposal would not therefore have a materially harmful effect upon the housing supply, and would be largely of benefit.

Issue (b): Character and Appearance

25. The appeal site occurs at the western end of the urban area, where built development gives way to open land. The 2 fields comprising the site are contained within the acute western angle formed by the junction of Crossings Road with Manchester Road. The southern field is bordered on 2 sides by frontage residential development. The northern field narrows towards the north, tapering along the line of a watercourse which forms its north-western boundary,

its short northern boundary adjoining the single dwelling 'Nearwell' which fronts Crossings Road. The overall shape of the appeal site represents a truncated triangle with a slight outward 'bulge' to the north-west. On the far side of Crossings Road and Manchester Road, the urban area of Chapel-en-le-Frith extends away to the south and east.

26. Together with the adjoining grassland to the west and north-west, the appeal site is included within the landscape character classification of 'settled valley pastures' as defined by the Derbyshire Landscape Character Assessment. The appeal site itself is no longer pastureland, having been ploughed some years ago for arable crops. As arable land, the site is not typical of the adjoining countryside, which features damp lowland pastures rising towards the north-west and culminating in the rocky outcrops of Eccles Pike. As a local landmark owned by the National Trust, Eccles Pike attracts many visitors via local lanes and footpaths. These, with increasing height, afford extensive views back towards Chapel-en-le-Frith, setting the town within a panoramic landscape. Much of the valley floor, the foothills rising from it, and the summit of Eccles Pike are collectively designated as a Special Landscape Area (SLA) in the High Peak Local Plan. The appeal site itself, though clearly once forming part of the valley-floor pastureland as revealed by damp-loving plants which persist within the headlands of the arable fields, is excluded from SLA designation.

27. Against this background and using conventional landscape methodology for the identification of visual receptors, their sensitivity to change and the magnitude of change to a view, the Parties disagree on the significance of the visual impacts consequent upon the appeal proposal. Nevertheless, whether the residential occupiers of existing ribbon developments on Crossings Road and Manchester Road are classified as receptors of *moderate sensitivity* or of *high sensitivity* on the basis of the existing views available to them and the consequent reduction in the scope of such views, it remains one of the *General Principles of the Planning System*, as set out at ¶29 of that document, that in relation to private interests *the basic question is not whether owners and occupiers of neighbouring properties would experience … loss from a particular development but whether the proposal would unacceptably affect amenities and the existing use of land … which ought to be protected in the public interest*.

28. Those views most available to the general public are to be seen from the lane and footpaths on the approaches to Eccles Pike, and from the summit. From the public footpath which contours round the hillside below the Pike and below the level of the lane, the effect of perspective is to limit the surface area of the appeal site which is visible, and the screening effect of existing trees and hedges is substantial. From the summit, however, the site is more clearly visible, and in full. Initially, the site would look raw under development and would stand out starkly and intrusively against the neighbouring green and open valley floor, to the point of material harm to the countryside. With time, the proposed perimeter landscaping would soften the edges of the site, and the proposed central area of planting would separate and so reduce the extent of the bare rooftops visible from above. The enlargement of the built-up area would be obvious: but the new built boundary would nevertheless be held well within the compass of the existing outermost edges of the settlement, and would not project beyond them.

29. In the existing view the item which most draws the eye is the new school building which serves Chapel-en-le-Frith and the surrounding area. This is light-coloured, massive and wide-spread. It represents a prominent and striking visual element, unavoidable in the southward panorama seen from Eccles Pike. In contrast, the

appeal proposal would be of a lower profile, edged and subdivided by landscaping and, with care in the use of materials (especially roofing materials), could be made to mesh almost seamlessly with the grain and roofscape of the existing urban area.

30. The proposed development would eliminate the tract of open land which currently separates the settlement edge from the SLA, allowing no space to act as a transitional spatial element in advance of the area designated for landscape value. The elimination of the foreground to the SLA through the reduction in the area designated as open countryside would be materially harmful in terms of LP Policy OC1: but the Special Landscape Area itself would remain in its entirety and there would be no harm in terms of LP Policy OC3. The intervention of the new development would have little or no effect upon the overall setting of Eccles Pike, which would be sufficiently widespread to ensure that the Pike itself and its surrounding landscape structure would remain visually independent of the development and of the urban area.

Conclusion on Issue (b)

31. In conclusion, the appeal proposal would in various ways outlined above, and initially, have an effect upon the character and appearance of the surrounding area which would be materially harmful and in conflict with LP Policy OC1. However, some elements of that harm would be temporary, and moderated through the imposition of conditions. On balance, the appeal proposal would not be harmful to the character of the area to the point at which the appeal proposal ought to be refused on that account: the harm being outweighed by the benefits to the housing supply which are considered under Issue (a) above.

S106 Agreement

32. A copy of an executed, signed and dated S106 Agreement was submitted in advance of the Inquiry. The Agreement would secure 30% affordable housing on the appeal site, comprising 80% social rented housing, and 20% shared ownership housing on the site overall, and a specified overall mix of dwelling types and sizes. Under Schedule 1 of the Agreement, the order of priority to be given to tenants of the social rented housing and to purchasers of the shared ownership housing would be firstly those already resident in the Chapel-en-le-Frith area for a minimum of 5 years, followed by those with a local connection or family association within the Chapel-en-le-Frith area, and thirdly applicants with employment in that area.

33. The Agreement provides for contributions to off-site highways works (£26,500) to be carried out in the vicinity of the appeal site, and to off-site children's play provision (£45,000) to be used in Chapel-en-le-Frith and the Central area of the Borough. The Agreement also provides for maintenance of the peripheral landscaping area and of the open space within the site, via maintenance schemes to be submitted to the Council and approved prior to the commencement of development.

34. The Agreement also provides for the phased payment to the Council of a Primary Care Facilities Contribution of £512.56 per dwelling (total £53,818.80) to assist with capacity issues at Thornbrook Surgery and at the Goyt Valley Medical Surgery, both in Chapel-en-le-Frith. The Appellant, though having provided a signed Agreement which incorporates the contribution, nevertheless questions its appropriateness in the absence of a Local Plan policy to require it. However, in this respect as in others (including housing supply), the old-style local plan may

also have become outdated. NHS Derbyshire has demonstrated firstly, that both surgeries, as at 1 April 2011, had patient lists significantly above the recommended list size, and that following the development the subject of this appeal the patient lists at both surgeries would increase appreciably; and, secondly, that Thornbrook Surgery currently has a significant shortfall in available space, leading to overcrowding.

35. It is clear that the appeal development would have a direct impact upon both surgeries: upon the need and demand for healthcare and upon the conditions under which healthcare is delivered. It is, of course, possible (as the Appellant suggests) that some future residents of the development would prefer to use a surgery elsewhere: perhaps nearer to a workplace. No evidence was available to the Inquiry to suggest a proportion of residents who might be expected to make that choice. In its absence, it is not unreasonable to assume that the majority of residents would elect to use one of the surgeries most local to Chapel.

36. The costs estimated by NHS Derbyshire are based upon the average cost of an average GP surgery with provision for dental and pharmacy services, and assume an average of 2.3 persons per household and an average of 1800 patients per full-time GP. NHS Derbyshire considers that the Contribution would be spent on extending existing premises to provide consulting rooms for any additional GPs required to deal with the increased number of patients (estimated at 241 persons overall), or to remodel existing premises to give more privacy and so make better use of existing space.

37. In these circumstances, the S106 contributions including the Primary Care Facilities Contribution meet the tests of the Framework at ¶204 (and of S122 of the Community Infrastructure Levy Regulations 2010), that they should be *necessary to make the development acceptable in planning terms*; *directly related to the development*; and *fairly and reasonably related in scale and kind to the development*.

Conditions

38. In addition to the standard conditions (Nos. 1-3) on time and the submission of details, it is necessary to impose further conditions. Conditions Nos. 4-9 are necessary in the interests of highway safety and convenience. Condition 10 is necessary in order to ensure satisfactory drainage. Conditions Nos. 11-16 are necessary to ensure satisfactory landscaping of the site in the interests of visual amenity. Condition No.17 is necessary in the interests of nature conservation. Conditions Nos.18-20 imposed in order to achieve a satisfactory noise environment during the development of the site, and Conditions Nos.21-23 to ensure adequate remediation of land in the event of the discovery of contamination, are necessary in the interests of residential amenity. The conditions are set out in Annex A to this decision.

Overall Conclusion

39. On the basis of the main planning issues and all material considerations, the overall conclusion, on balance, is that this appeal should be allowed.

S Holland

INSPECTOR

ANNEX A: CONDITIONS

1) Details of the layout, scale, appearance, and landscaping (excluding the perimeter landscaping), (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

2) Application for approval of the reserved matters shall be made to the local planning authority before the expiration of 3 years from the date of this permission.

3) The development hereby approved shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

4) Before any other operations are commenced (excluding site clearance), space shall be provided within the site curtilage for the storage of plant and materials, site accommodation, loading and unloading of goods vehicles and the parking and manoeuvring of site operatives' and visitors' vehicles. The space to be provided shall be laid out and constructed in accordance with detailed designs which shall have been submitted to and approved in writing by the local planning authority; and shall be retained throughout the contract period in accordance with the approved designs and free from any impediment to its designated use.

5) Before any other operations are commenced (including those to be carried out under Condition 6 below), the existing vehicular access to No.88a Manchester Road shall be modified in accordance with details which shall have been submitted to and approved in writing by the local planning authority.

6) Before any other operations are commenced (with the exception of those to be carried out under Condition 5 above), a new estate street junction shall be formed to Manchester Road in accordance with Plan Ref.SCP/10294/F01 Revision C, laid out, constructed to base level and provided with 2.4m x 54m and 2.4m x 57m visibility splays to the east and west respectively, the area in advance of the sightlines being levelled, constructed as footway, and not to be included in any other plot or subdivision of the site.

7) Before any other operations are commenced (with the exception of those to be carried out under Conditions 5 and 6 above), a new vehicle access shall be formed to Crossings Road in accordance with application drawing SCP/10294/F02 and shall be located, designed, laid out, constructed and provided with 2.4m x 51m and 2.4m x 45m visibility splays to the north and south respectively. The area in advance of the sightlines shall be retained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining carriageway channel level.

8) No development shall commence until details of the footway on Crossings Road fronting the application site, to include its modification/widening, have been submitted to and approved in writing by the local planning authority. The footway shall be constructed in accordance with the approved details prior to the first occupation of any dwelling on the site.

9) No development shall commence until details of the new estate streets within the application site have been submitted to and approved in writing by the local planning authority. The details shall include the layout and construction of the streets to the County Council's current criteria for adoption, and the programme for their construction. The streets shall be constructed to adoptable standards in accordance with the approved details.

10) No development shall commence until a scheme to limit the surface water runoff generated by the development and to manage the risk of flooding from overland flow of surface water has been submitted to and approved in writing by the local planning authority. The scheme shall include the following:

    (a) the discharge of surface water from the development shall be restricted to a maximum of 10.9 litres per second per hectare;

    (b) in accordance with the approved Flood Risk Assessment, surface water attenuation (including allowances for climate change) shall be provided in the form of swales and ponds.

11) All planting, seeding or turfing comprised in the details of perimeter landscaping approved under this permission shall be carried out in the first planting/seeding season following the first occupation of the dwellings and no later than within 12 months of that first occupation or of the completion of the development, whichever is the sooner; and any trees or plants which within 5 years from the completion of the approved development die, are removed or become seriously damaged or diseased shall be replaced in he next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.

12) No development shall commence until a scheme for the provision of a buffer zone alongside the watercourse has been submitted to and approved in writing by the local planning authority. The scheme shall include the following:

    (a) plans showing the extent of the buffer zone;

    (b) details of planting;

    (c) a management plan demonstrating how the buffer zone will be protected during development and managed, maintained and protected in the long term.

    The development shall be carried out in accordance with the approved scheme.

13) No development shall commence until a detailed method statement for the removal or long-term management/eradication of Japanese Knotweed on the site has been submitted to and approved in writing by the local planning authority. The method statement shall include

    (a) measures to prevent the spread of Japanese Knotweed during any operations such as mowing, strimming or soil movement;

    (b) measures to ensure that any soils brought to the site are free from the seeds/roots/stems of any invasive plant covered under the Wildlife and Countryside Act 1981.

    Development shall be carried out strictly in accordance with the approved method statement.

14) No development or other operations shall commence until a detailed Arboricultural Method Statement to include a scheme for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site has been submitted to and approved in writing by the local planning authority. The Arboricultural Method Statement and tree/shrub/hedge protection scheme shall include full details of the following:

    (a) timing and phasing of arboricultual works in relation to the approved development;

    (b) implementation, supervision and monitoring of the approved tree/shrub/hedge work specification;

    (c) implementation, supervision and monitoring of the approved tree/shrub/hedge protection scheme;

    (d) implementation, supervision and monitoring of any approved construction work within any area designated as being fenced off or otherwise protected in the approved tree/shrub/hedge protection scheme.

    No development or other operations shall take place otherwise than in complete accordance with the approved Method Statement and protection scheme.

15) Both before and after submission/approval of the Arboricultural Method Statement and protection scheme to be submitted:

    (a) no trees and hedgerows within the site shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the local planning authority to a detailed felling/removal/pruning specification;

    (b) any trees, shrubs or hedge plants removed without such consent, or which die or become severely damaged or diseased within 5 years from the completion of the development hereby approved shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority has given written consent to any variation;

    (c) no operations shall commence on site (including soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) unless the protection works required by the submitted/approved protection scheme are in place;

    (d) no excavations for services, no storage of materials or machinery, no parking of vehicles, no deposit or excavation of soil or rubble, no lighting of fires and no disposal of liquids shall take place on the site otherwise than outside any area designated as being fenced off or otherwise protected in the submitted/approved protection scheme.

16) All protective fencing erected in accordance with Condition No.15 above shall be retained intact for the full duration of the construction of the development hereby approved and shall not be removed or repositioned without the prior written approval of the local planning authority.

17) The development hereby approved shall be carried out in accordance with the recommendations contained in Section 7.2 of the Phase 1 Habitat Survey and Protected Species Assessment.

18) No construction work audible at residential property adjoining the site shall take place outside the following hours:

    (a) 0800hrs to 1800hrs on Mondays to Fridays;

    (b) 0800hrs to 1300hrs on Saturdays;

    (c) At any time on Sundays or Public Holidays.

19) Any equipment which needs to be operated on or adjacent to the site outside the hours specified in Condition No.17 above in connection with the development hereby approved shall before its first use be acoustically screened in accordance with a scheme which shall have been submitted to and approved in writing by the local planning authority; and the approved acoustic screening shall be retained at all times when the equipment is in use.

20) No piling shall take place except in accordance with a written method statement which shall have been submitted to and approved in writing by the local planning authority.

21) No development shall take place until an investigation and risk assessment, in addition to any assessment provided with the planning application, has been completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The scheme shall be submitted and approved in writing by the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and submitted to the local planning authority. The report of the findings must include:

    (a) A survey of the extent, scale and nature of contamination;

    (b) An assessment of the potential risks to human health, property including crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwater and surface water, and ecological systems;

    (c) An appraisal of remedial options and proposals of the preferred options.

22) In the event of any contamination being found to be present, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural environment must be prepared, and submitted for approval in writing by the local planning authority. The remediation scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

23) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given 2 weeks' written notification of the commencement of the works to be carried out under the remediation scheme.

ANNEX B: LIST OF APPLICATION PLANS

BAR197/2-001	Location plan (John Rose Associates)
BAR197/2-003	Existing site plan (John Rose Associates)
11-018-1000	Amended indicative site layout plan (MCK Architects)
11-018-1001	Streets and movement plan (MCK Architects)
11-018-1002	Colour and materials palette (MCK Architects)
1201-2010-05a	Landscape strategy (Tyler Grange)
1201-2010-14	Tree Survey plan (Tyler Grange)
1201-2010/16	Landmark features design sheet (Tyler Grange)
1201-2010/17	Boundary treatments design sheet (Tyler Grange)
1201-2010-18b	Soft landscape proposals overview sheet (Tyler Grange)
1201-2010-19b	Soft landscape proposals – Sheet 1 (Tyler Grange)
1201-2010-20b	Soft landscape proposals – Sheet 2 (Tyler Grange)
1201-2010-21b	Soft landscape proposals – Sheet 3 (Tyler Grange)
1201-2010-22b	Soft landscape proposals – Sheet 4 (Tyler Grange)
SCP08100F01C	Proposed access off Manchester Road (Singleton Clamp & Partners)
SCP10294F02	Proposed access off Crossings Road (Singleton Clamp & Partners)

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr Peter Taylor	Solicitor, of DLA Piper, Victoria Square House, Victoria Square, Birmingham B2 4DL
He called	
Mr Colin Barnes	of Barnes Walker Ltd, Unit 6 Wearlee Works, Longley Lane, Manchester M22 4WT
Mr Martin Seddon	of Martin H Seddon Ltd, 47 Alms Hill Road, Sheffield S11 9RR

FOR THE APPELLANT:

Mr Jeremy Cahill QC	instructed by John Rose Associates
He called	
Mr Jonathan Berry BA(Hons) DipLA AIEMA CMLI MArborA	of Tyler Grange, 11 Market Place, Macclesfield, Cheshire SK10 1EB
Mr Carl Copestake BA(Hons) DipUPI MRTPI	of John Rose Associates, 1-3 Berkeley Court, Borough Road, Newcastle-under-Lyme, Staffordshire ST5 1TT

INTERESTED PERSONS:

Ms Ruth George	
Mr Hugh Barton	of Chapel Vision,
Ms Sue Stockdale	of Chapel-en-le-Frith Parish Council,
Mr Paul Hellewell	
Mrs Jo Daniel	
Dr Derek Yalden	
Mr Paul Winter	

DOCUMENTS

Documents submitted by the Appellant:

1 Opening statement
2 List of Plans
3 Responses to consultation on amended plans
4 Copy of e-mail dated 18 May 2012 from Chapel Vision Housing Group to Robinson Developments re sites in Chapel-en-le-Frith
5 Review of sites contained in Council's estimate of 5-year land supply
6 Copy of Council's Annual Monitoring Report 2010/11
7 Copy of High Peak Housing Land Availability Schedule as at 31 March 2012
8 Table of Comparison between Appellant and Council on Housing Land Availability
9 Extract from Derbyshire Dales and High Peak Draft Core Strategy Chapter 6 – Supporting the Rural Economy and Enhancing Prosperity
10 Comments by Primary Care Projects Officer NHS Derbyshire
11 Costing model for integrated primary care services, NHS Derbyshire
12 Additional landscaping condition
13 Closing Submissions

Documents submitted by the Council:

14 Letter of Notification of appeal and List of persons notified
15 Particulars of residential land for sale at Harpur Hill, Buxton
16 Letter dated 23 May 2012 to HPBC from DPP Consulting Ltd
17 Revised 5-year land supply position as at 22 May 2012
18 Letter dated 10 October 2008 to HPBC from Miller Homes
19 Copy of planning application dated 6 March 2012 by Elegant Homes at Sheffield Rd, Chapel-en-le-Frith
20 Copy of planning permission HPK/0003/9366 re Waterswallows Road, Buxton
21 List of Conditions

Documents submitted by Interested Persons:

22 Statement by Hugh Barton (of Chapel Vision) inc. Annex of responses to survey of suitability re major housing sites in Chapel-en-le-Frith
23 Statement by Ruth George
24 Bundle of plans re proposed residential sites - John Rose Assoc submission re Derbyshire Dales and High Peak Joint Core Strategy (Ruth George)
25 Table of sites (Ruth George)
26 Bundle of documents submitted by Suzan Stockdale, Clerk to Chapel-en-le-Frith Parish Council
27 Copy of Illustrative Masterplan by Barratt Homes (Mr Winter)
28 Statement by Mrs Jo Daniel