

Development Control Section
Development Services
High Peak Borough Council
Town Hall
Buxton
Derbyshire
SK17 6EL

25 Marsh Lane
New Mills
High Peak
SK22 4PN

Dear Sirs,

Planning Application: HPK/2016/0476 Land to the Rear The Old Vicarage, Marsh Lane, New Mills.

With reference to the above planning application I would request that you consider the following issues whilst considering this application.

1.0 Access off Marsh Lane.

The current proposal to access the development from Marsh Lane requires careful consideration as what is not clear from the plans submitted is that the point of entry into the site is on the brow of a steep hill close to a notoriously bad junction between Marsh Lane and Church road and directly facing the main entrance to a park extensively used by local children.

The traffic regularly backs up from the junction between Marsh Lane and Church road to well past the proposed entrance.

The consequence of which is that during peak times it will be very difficult to turn right out of the new development as standing traffic will block the carriageway. This will inevitably result in the traffic leaving the development trying to turn right edging out onto Marsh Lane and blocking the road for vehicles trying to travel along Marsh Lane from Church Road towards Furness Vale. This will in turn cause disruption to the traffic using Church Road.

The footpath leaving the new development will connect onto a very narrow existing footpath which will more than likely encourage people to meander across Marsh Lane at a particularly dangerous position, given the fact that the likely occupants of the new development will have children that will walk to both the local Primary and Secondary school. This arrangement appears unsatisfactory and it would appear better if the footpath was positioned on the other side of the access road.

The new section of footpath adjacent to the Old Vicarage appear to require the end section of the existing boundary wall with the Old Vicarage being demolished and the footpath construction over the existing tree roots. The legal ownership of this section of wall must be established as its demolition appears central to the proposal.

Consideration should also be given to impact this scheme will have on the excellent proposal from Morebaine Developments who in partnership with New Mills AFS and New Mills Juniors Footbath Club (both of which have done exceptional work with the local community and offered a focus for young people who would have otherwise found themselves in trouble with the authorities) propose to develop the Church Lane site (directly opposite Marsh Lane at the junction with Church Road) to provide much needed facilities for the local community.

2.0 Transport Statement.

The transport statement supplied with the current application cannot be relied upon to support this planning application for the following reasons:

- 2.1 The statement has been prepared on behalf of a third party "Forest Construction" and it is unclear if they have consented to this document being used by the applicant (The Guinness Partnership Ltd).
- 2.2 The statement concerning accidents is misleading there have been two accidents in recent months to my knowledge one of which was particularly bad (outside No 23 Marsh Lane) and required all three emergency services and hospital treatment for the injured parties.
- 2.3 Item 3.1.3 it is disputed that the dimensions indicated will physically fit on-site. The site layout is not as indicated on drawing 725/05 and detailed co-ordinates should be provided so the junction can be accurately set-out on-site to establish if the proposed dimensions physically fit as there is uncertainty that they will actually fit.
- 2.4 Item 3.2.1.1 speed recording equipment was placed downhill from the proposed entrance (not over the proposed entrance to the development) close to the junction with Church Road. Hence vehicles would inevitably be slowing down as they approached the stop junction at the junction with Church Road and vehicles travelling South along Marsh Lane would only just be starting to accelerate as they leave the junction with Marsh Lane (a tight 90 degree bend). It is therefore contended that the information recorded is unrepresentative and that the survey should be redone with the equipment positioned in the correct location.
- 2.5 Item 5.2.2 states that the peak flow was recorded between the hours of 08.00 and 09.00 and 16.00 and 17.00. This is clearly misleading in the case of the morning peak it starts at around 7.30 am and the evening peak time starts at around 17.00 and lasts until around 18.30. It is therefore contended that the information recorded (particularly for the evening peak) is unrepresentative and that the survey should be redone during the correct peak periods.

- 2.6 Item 5.3.6 is disputed 39 houses, which should read 40 allowing for the partly renovated house at the rear of the two existing dwellings (No 9 & No11). Will generate more than 17 – 20 traffic movements. Time should be allowed to have an independent review of the new data produced in item 2.4 and 2.5 above and expert opinion given as to the validity of these calculations.
- 2.7 Item 5.3.7 is disputed an increase of 2 traffic movements for 8 additional homes (which should read 9 allowing for the partly renovated property) appears incorrect. On a straight pro-rata ($17/29 \times 39$) you would get 5 additional traffic movements. Again time should be allowed to get expert opinion on this calculation once the new data has been produced under item 2.4 and 2.5.
- 2.8 Drawing 725/05 appears to indicate construction beyond the boundary of the site and does not reflect the current arrangement at the front of the Old Vicarage and adjacent property. Detailed co-ordinates are required to allow proposed entrance to be set out on-site and a physical check carried out to demonstrate that the dimensions indicated do actually fit (current site conditions appear to indicate that the arrangement will not be achieved).
- 2.9 Drg 725/SP/02 swept path analysis appears to show vehicles straddling kerbs which is unacceptable. Swept path analysis should be re-run once the entrance setting out has been accurately established and the position of the footpath agreed (adjacent to No 11 would improve the safety for pedestrians leaving the development and heading towards Church Road).
- 2.10 The report fails to address the fundamental issue of the interaction between the Marsh Lane, Church Road junction and the proposed junction with the new development without consideration of which it is impossible to properly consider the impact of the scheme on the surrounding roads.

In conclusion the report should be re-commissioned by the applicant (to ensure that both him and the local authority are legal entitled to rely on its content thus ensuring any future misrepresentation claims can be correctly processed against the consultant preparing the revised report) with the monitoring equipment positioned in correct location and the peak flow amended. The swept path analysis should also be re-submitted once drawing 725/05 has been physically checked on-site and time allowed for an independent review of the revised report to be carried out focusing on the interaction between the existing junction between Marsh Lane and Church Road and the new site entrance.

3.0 Existing three houses adjacent to parking spaces No 11 & 9.

The plans appear a little lacking in detail with regards the existing three houses adjacent to the parking spaces No 11 & 9. The current arrangement is that the house closest to the Old Vicarage has an off road parking space that exits on the drive of the Old Vicarage. The adjacent house uses the land at the side to park two cars and the house to the rear of the cluster is partially renovated and will require two parking spaces on completion of the renovation. Hence currently the three existing houses have off-road parking for six vehicles whereas the new scheme only shows off-road parking for two vehicles. This will result in cars parking on Marsh Lane in front of the Old Vicarage which will obscure the view from the entrance to the new development. Six parking spaces should be provided within the new scheme to replace the existing ones being removed by the new access road.

4.0 Demolition of old barn & construction of Plots 36 & 37.

It would appear a great shame if the existing barn at the entrance to the development could not be retained in the new development. This building is part of the heritage of New Mills and should be preserved for future generations if at all possible.

5.0 Contaminated land.

Having recently been involved in the construction of 25 Marsh Lane and having lived on Marsh Lane for over 25 year I have an insight into what is likely to be experienced.

There are historic records and countless anecdotal accounts of the land at the rear of the Old Vicarage being used as an uncontrolled tip. Many of these accounts refer to Asbestos being dumped here. It is universally accepted that ground investigation surveyor are of limited use when trying to identify the location of Asbestos (as the Asbestos tends to stay where it was place hence you can get a test result for Asbestos screening in one trial hole and yet still discover asbestos in the adjacent trial hole).

Given the weight of evidence that asbestos is present on this site and its sensitive location bounded on the East elevation with the school playing fields. Full site remediation must take place prior to any development work starting to ensure that the asbestos is located and dealt with in accordance with the current legislation.

This task has been hampered by the fact that during the last few months uncontrolled excavation work has been carried out on the site. In an attempt presumably to remove any sensitive flora or animal habitat, to reduce the scope for planning objections. Unfortunately where contaminated land is concerned this is possibly the worst thing possible. The value of the historical test data will be diminished as there is now no guarantee that the material previously sampled is still in the same

location and the probability is that previously uncontaminated areas have now been cross contaminated. It is therefore essential that additional site testing is carried out at a high density to establish where exactly the contaminants now are on the site.

It should be further recommended that a site remediation strategy be developed by an independent third party and that any remediation works are supervised and verified by an independent third party. As there is concern within the local community about the way in which the contamination on this site has been dealt with to date and reservations that if this issue is not dealt with absolute transparency then the houses destined for outright sale will become unsellable.

It is also imperative that all garden and planted areas are excavated down to virgin ground and covered with an appropriate depth of imported (clean and verified via chemical testing) sub-soil and then covered with imported (clean and verified via chemical testing) topsoil.

Ground gas is also likely to be a real issue and given the incomplete nature of the historic records for the previous use of the site it would be prudent to ensure ground gas protection measures are included in each house.

6.0 Ground conditions.

The ground in this part of New Mills is very difficult to build on. Rock is present close to the surface but this rock is very fragmented and can be unstable. Historically building constructed on this material have experienced problems with settlement, 23 Marsh Lane currently shows signs of settlement cracking, the bungalow (previous property on 25 Marsh Lane) had extensive settlement issues and was demolished 2012, 27 Marsh Lane had settlement issues in the late eighties and was substantially re-built.

It is highly likely that the final design solution will consist of large concrete pads and connecting ground beams. This will necessitate large volumes of fragmented rock being excavated out and replaced with concrete.

It is therefore imperative that controls are put in place to restrict the noise produced by the mechanical breakers and that the release of silica dust is not allowed into the atmosphere. Given the location of the site surrounded on three sides by residential properties and a school playing field to the East it would be inappropriate to allow crushing of any rock on the site.

7.0 Drainage Proposal.

The proposal for dealing with the surface water generated by the scheme is an attenuation system created with the use of oversized pipes.

Given the ground conditions which are likely to be fragmented rock this will require large deep excavations in rock. This will require the use of large hydraulic breakers which will create a great deal of noise and dust. Control measures must be introduced to ensure the disruption to the local residents is kept to a minimum and under no circumstances can crushing on-site be allowed (due to the release of silica dust and the possibility of asbestos fibres becoming air born and contaminating the adjoining playing fields).

There appear to be no allowance for dealing with hydrocarbon contamination of the surface water system from parked cars.

8.0 Gabion retaining wall at South end of site.

The drawings are a little unclear as to the purpose of the gabion retaining wall. It cannot be allowed to raise the level of the South end of the site above the existing level of the garden behind 25 Marsh Lane.

9.0 Boundary treatment.

A section of boundary wall appears missing at the rear of the footpath between the new entrance road and the Old Vicarage (If this has purposely been left down to aid visibility it is unlikely to stay that way as there is nothing to stop people walking into the front gardens of the two existing houses).

It is unclear at what level the fence to the East elevation will be positioned. The site is such that a steep bank exists along the East side of the site (which has recently been excavated to an unstable batter). The footpath along this elevation is regularly used by school children access the school playing fields and unless adequate fencing is placed along the top edge a severe accident is likely to occur.

The existing coal yard and industrial area to the South of the site is particularly noisy Acoustic monitoring should be provided along this elevation to establish the level of Acoustic fencing that will be required along this edge to ensure blocks 6, 7 & 8 are habitable.

10.0 Material selection.

The proposal to use Marshalls Cromwell Pitched Face, is clearly unacceptable as this product is a reconstructed stone, not a Natural Stone Walling product. The requirements of the area are for a "coursed natural gritstone" as evidenced in the Planning Permission for 25 Marsh Lane determined on 23/11/2011 with the sited reason being "In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8)".

Artstone band / cills should be natural stone for the reason detailed above.

UPVC windows and doors should be wooden for the reason detailed above.

Marley Eternit Cedral Weather board should be wooden for the reasons detailed above.

Marley Eternit Rivendale fibre cement slate should be natural blue slate for the reasons detailed above.

11.0 Site access during construction activities.

Parking cannot be allowed to take place on the East side of the site (Quarry Road) as this is already heavily congested and used several times a day by school children accessing the school playing fields.

Parking cannot be allow on Marsh Lane as this is already congested and there is only a short stretch available for parking between the Old Vicarage and 57 Marsh Lane (outside these areas parking is not allowed for reasons of road traffic safety), when you factor in the limited parking on Church Road it is clear that on-site parking will have to be provided for the duration of the construction phase.

Given the proposed site entrance at the top of a steep hill adjacent to a notoriously bad junction it is imperative that mud is not permitted to be deposited on the road. The only realistic way this can be achieved is with a full time mechanical wheel wash and permanent gateman checking that the wheels of every vehicle leaving site are clean and the road is not compromised (It must be remembered that school children cross the bottom of Marsh Lane several time a day to go to and from the pavilion and the consequences of a car or van skidding on mud from the development and colliding with a party of school children are unthinkable).

Solid fence must be erected to the perimeter of the site before development commences particularly along the top of the steep batter to the East side of the site. This fencing cannot be Heras type and must be a solid fencing given the inherent dangers of the scheme (asbestos,

contamination, deep excavations, heavy plant and equipment for breaking out substantial volumes of rock and its location adjacent to the school playing fields).

Full time security should be provided to ensure inquisitive school children to not enter the site.

12.0 Affordable housing / sustainability.

The calculations used to justify the development are very global and it is difficult to see how a grant of less than £ 13,000 per plot is going to make this project financially viable when you consider the cost implications of the site. It would be prudent to ensure the developer has sufficient contingency allocated to this scheme to ensure its completion to the required standard.

The allocation of houses for outright sale and affordable rent is uneven across the development (outright sale clustered around Arden Estate). This is unlikely to produce a coherent and sustainable estate.

The estate would benefit from a more even mix of outright sale and affordable rented this could easily be achieved by switching Plots 9 & 10 with 30 & 31 and 14 & 15 with 24 & 25. This would produce a more inclusive society and remove any prejudice / stigma from people living on a particular part of the estate.

I trust you will consider my comments when determining on this application.

Yours faithfully.

Matthew Catterall
Bsc (Hons) MRICS.