

PLANNING STATEMENT

APPLICANT:

Wainhomes (North West) Ltd

SITE:

Land At Forge Road, Chinley, Derbyshire

DATE:

9 March 2018

Report Drafted By	Report Checked By	Report Approved By
MH	MH	MH
22.02.2018	02.03.2018	09.03.18

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1. INTRODUCTION

BRIEF

- 1.1 Hourigan Connolly is instructed by Wainhomes (North West) Ltd (hereafter referred to as “the Applicant”) to submit a detailed planning application to High Peak Borough Council (hereafter referred to as “the Council”) relating to land at Forge Road, Chinley, Derbyshire (hereafter referred to as “the site”). The description of development given in the planning application form is:

“Residential development comprising 17 dwellings (open market and affordable), public open space and associated infrastructure together with a new car park for 1st Chinley Scout Group”.

PURPOSE

- 1.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The purpose of this Planning Statement is as follows:
- To describe the site and surrounding area.
 - To examine any relevant previous planning decisions that have been made in relation to the site.
 - To identify any statutory designations or other designations affecting the site.
 - To describe the pre-application engagement that has taken place.
 - To consider the proposed development having regard to the provisions of the Development Plan.
 - To consider any other material considerations.
 - To outline the benefits of the scheme.
 - To demonstrate that the planning balance lies clearly in favour of the proposals.
- 1.3 This document should be read in conjunction with the suite of documents submitted in support of the detailed planning application.

2. THE SITE & SURROUNDING AREA

SITE LOCATION

- 2.1 The site is located to the south of the settlement of Chinley and to the east of Whitehough Head Lane/Green Lane and to the south of Forge Road.
- 2.2 The site lies within the Borough of High Peak and the Parish of Chapel-en-le-Frith although part of Forge Road and land to the north lies within the Parish of Chinley, Buxworth and Brownside.
- 2.3 Chinley is approximately 22 miles to the south east of Manchester and 12 miles to the south east of Stockport. The site is located approximately 2 miles from Chapel-en-le-Frith to the south-east and approximately 3 miles from Whaley Bridge which is located to the west.
- 2.4 The general location of the site is shown in Figure 2.1.

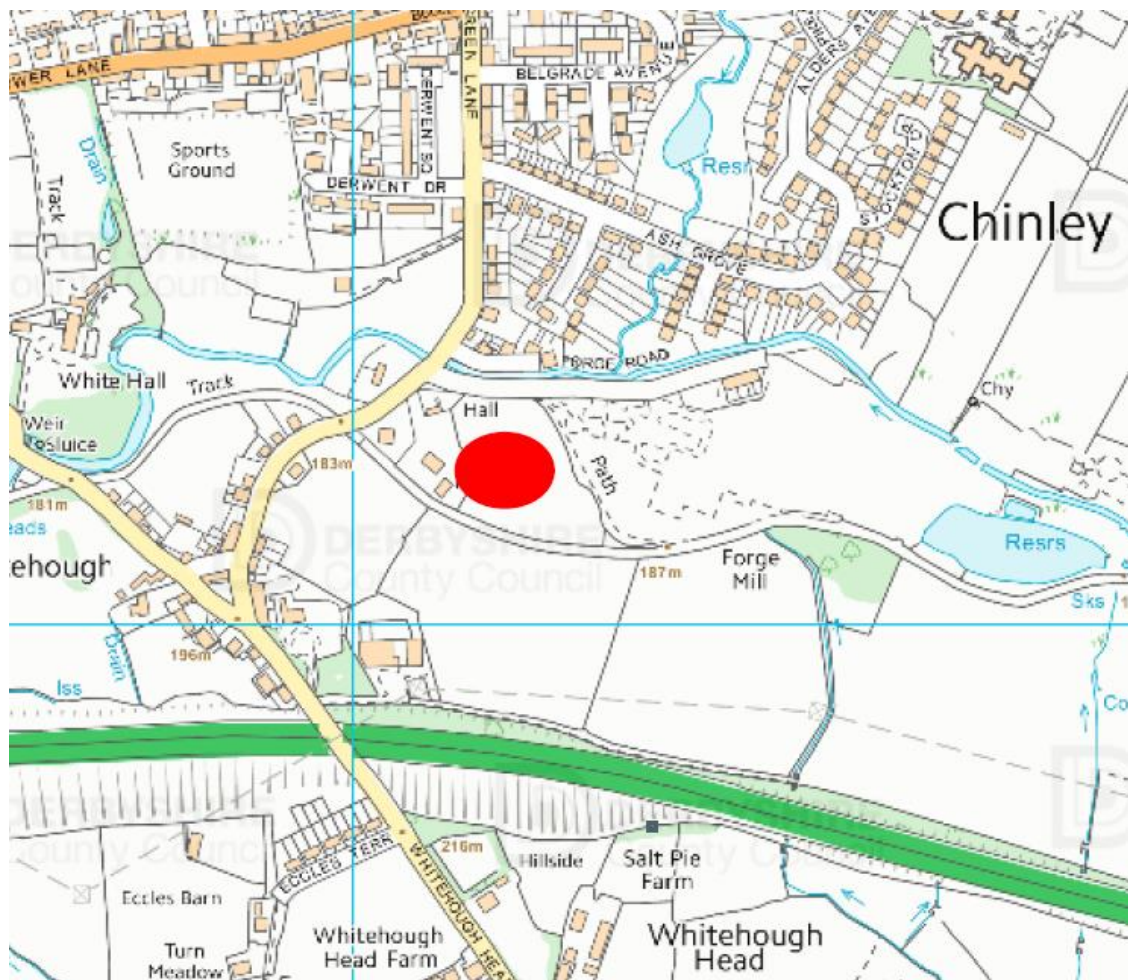


Figure 2.1 – General Location Of The Site Shown In Red.

SITE DESCRIPTION

- 2.5 Access to the site can be made from Forge Road.
- 2.6 The site comprises 1.119 hectares of primarily undeveloped scrub land that slopes gently down from the southern boundary to the northern boundary which runs parallel to Forge Road.
- 2.7 The site also accommodates a temporary car parking area and temporary timber fencing associated with the Forge Manor development further to the east.

SURROUNDING AREA

- 2.8 Residential development within Chinley can be found to the north beyond Forge Road and Black Brook.
- 2.9 To the east of the site is a public footpath providing a pedestrian link between Forge Road and The Peak Forest Tramway Trail. Beyond this is a children's day nursery and residential development forming part of the Forge Manor development. The area to the east is going through a process of transformation following the closure of the Forge Works site (previous occupied by Dorma) which was previously used as a factory with an ancillary shop. The factory closed in 2005 and a substantial amount of development has been completed following outline planning permission being granted on appeal, for a mixed-use scheme comprising up to 182 dwellings, up to 1,672 sq. m. of business floorspace (Use Class B1), up to 279 sq. m. of non-residential institution floorspace (Use Class D1), community facilities and associated infrastructure. Further details relating to the planning history of the Forge Works site are provided in Chapter 4 of this Planning Statement.
- 2.10 The Peak Forest Tramway Trail abuts the southern boundary of the site, with open countryside beyond. The A6 runs further to the south, in an east to westerly direction as can be seen in Figure 2.1.
- 2.11 To the west of the site is Victory Hall (which is used by the 1st Chinley Scout Group) and the rear gardens of residential properties located on Whitehough Head Lane.

SUSTAINABILITY CONSIDERATIONS

- 2.12 Being located on the edge of the settlements of Chinley and Whitehough, the site benefits from the services and facilities in the local area. The site lies approximately 700m from Chinley Railway Station which provides services to and from Manchester to Sheffield on the Hope Valley Line. Chinley also benefits from bus services providing links to Chapel-en-le-Frith and Glossop.

- 2.13 Whilst there are no major supermarkets in Chinley, there are a range of retail outlets in nearby Chapel-en-le-Frith and Whaley Bridge including Tesco, Morrisons, Co-op and Aldi. Chinley village centre provides various local conveniences including a post office, newsagents and some small food outlets.
- 2.14 Chinley Primary School is located approximately 1.4 km to the north east of the site, with High School facilities further afield in nearby Chapel-en-le-Frith. The site can therefore be considered as being in a sustainable rural location.

SUMMARY

- 2.15 The application site lies in a sustainable rural location, with good access to existing local amenities and facilities, public transport and pedestrian/cycle links.

3. STATUTORY & OTHER DESIGNATIONS

HERITAGE

- 3.1 The site does not contain any listed buildings or Scheduled Monuments and neither is it within a Conservation Area, although the Chinley and Whitehough Conservation Area lies immediately to the west as identified in Figure 3.1 below.
- 3.2 There is no character appraisal available for the Chinley and Whitehough Conservation Area. The impact of the proposed scheme on the setting of the Conservation Area and views into and out of it is the subject of Heritage and Landscape and Visual Impact assessments submitted in support of the application both of which consider that the proposals are acceptable.

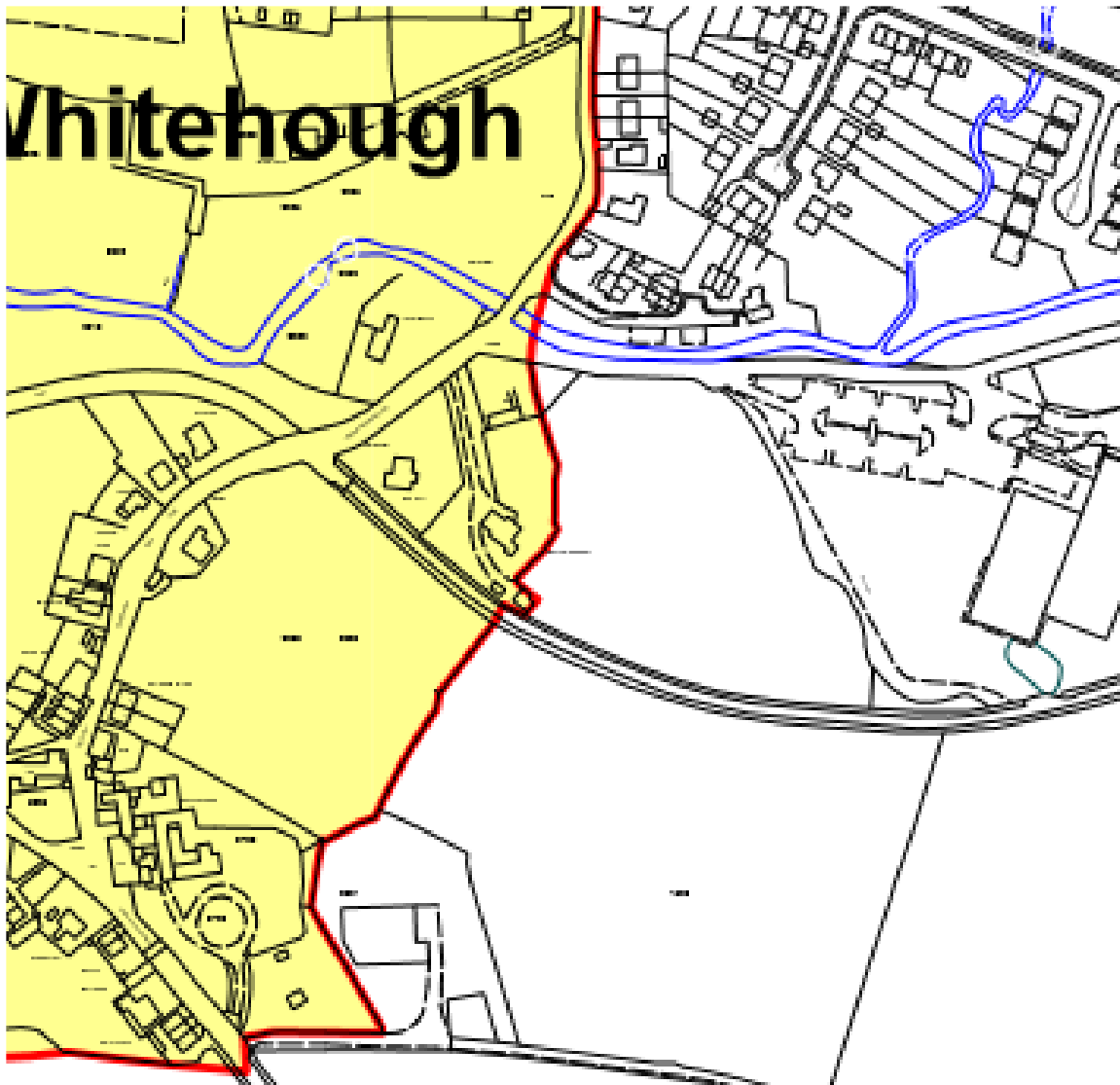


Figure 3.1 – Boundary of Chinley & Whitehough Conservation Area – Red Line & Yellow Colouring.

FLOOD RISK

- 3.3 The Environment Agency's online flood risk map (extract provided in Figure 3.2 below) shows that part of the site proposed for residential development falls within Flood Zone 1 and is not at risk of flooding. However, part of the site, including part of Forge Road falls within Flood Zone 2 (medium risk of flooding) and Flood Zone 3 (high risk of flooding).
- 3.4 The scheme is accompanied by a Flood Risk Assessment that confirms that exception and sequential testing is not necessary and that the proposals are acceptable in terms of flood risk.

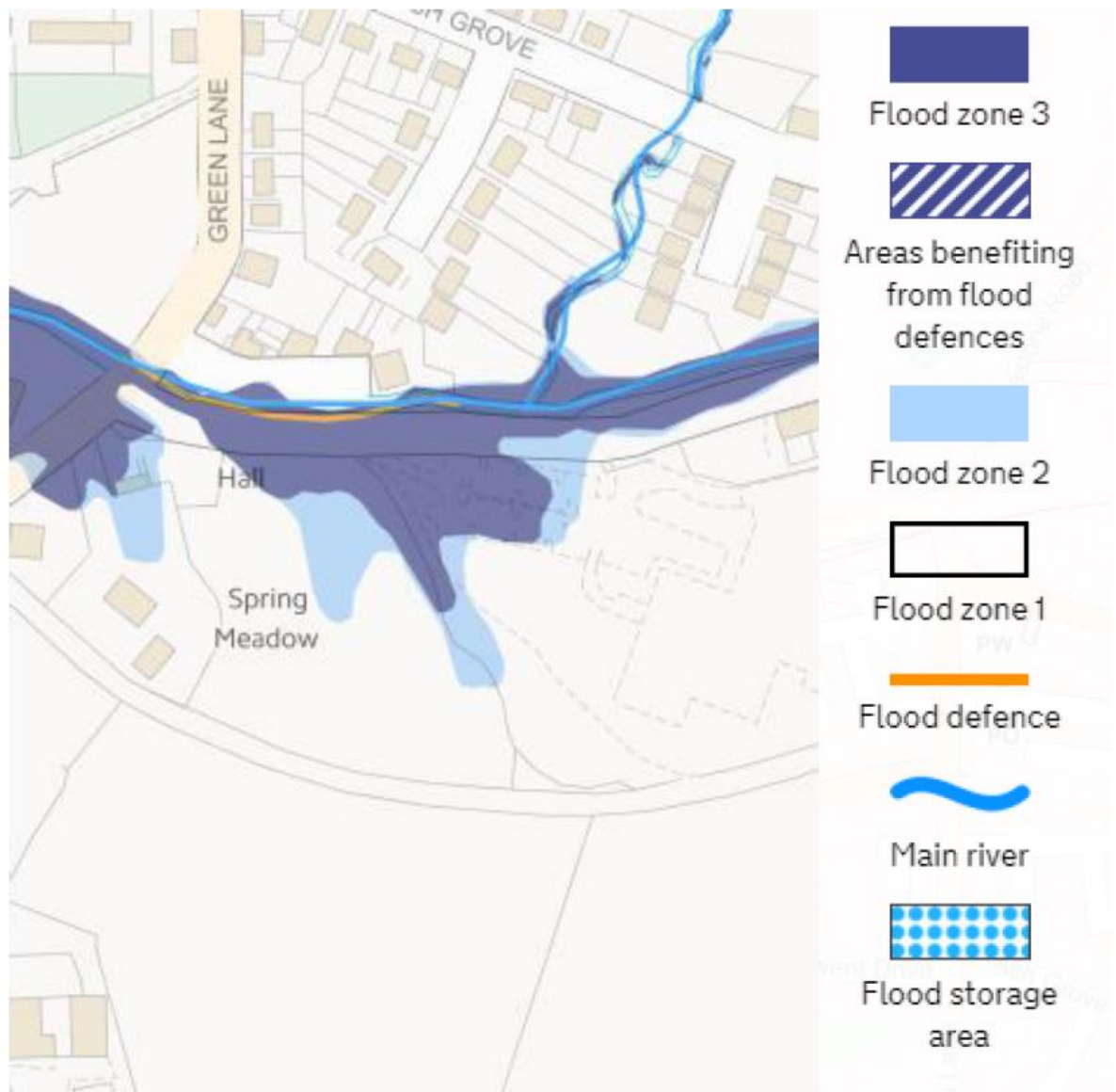


Figure 3.2 – Extract From Environment Agency's Flood Risk Map.

ECOLOGY

- 3.5 The site is not subject to any statutory ecological designations. The planning application is accompanied by an ecological assessment that confirms that the proposals are acceptable from an ecological perspective.

TREE PRESERVATION ORDERS

- 3.6 None of the trees on the site are subject to a tree Preservation Order. The planning application is accompanied by an Arboricultural Impact Assessment that confirms the proposals are acceptable in respect of trees. Moreover, the proposals provide for significant new tree planting and management which is a benefit of the scheme.

PUBLIC RIGHTS OF WAY

- 3.7 The site is not affected by any Public Rights of Way but a Public Footpath runs along but outside of the eastern boundary of the site and the Peak Forest Tramway Trail runs to the south of the site. Neither of these Public Rights of Way will be adversely affected by the proposals.

4. PLANNING HISTORY

- 4.1 The proposed scheme concerns land that was also in the ownership of Dorma before the main Forge Works site was proposed for redevelopment, but which has not been previously available to Wainhomes Northwest Limited.
- 4.2 The planning history in this area largely relates to the Forge Works site, with many applications submitted over the life time of the works for various changes and facilities to assist the function of the Dormer factory and business. In more recent times, the closure of the Dormer works led to the pursuit of other uses in this area and in particular a mixed-use scheme on the Forge Works site itself, comprising residential, institutional and business uses which was promoted on behalf of the Applicants at the time by Hourigan Connolly.
- 4.3 Key planning applications and resulting decisions are summarised in Table 1 below. However, the key decision relates to Outline Planning Application HPK/2012/0323 which was refused by the Council in November 2012. Outline planning permission was subsequently granted on Appeal in May 2013. The main reason for refusal related to highway and pedestrian safety which was considered by the Council could not be mitigated against. A second reason for refusal referred to the lack of a completed legal agreement making provision for local infrastructure such as open space, play areas, schools and the public highway. Within the Appeal Decision Letter, however, the Inspector concluded that she was satisfied that the modest increase in traffic movements associated with the proposed development, along with the scheme of improvements proposed, would be safely accommodated within the highway network and the proposals would not be detrimental to highway safety.
- 4.4 Reserved Matters Application HPK/2013/0577 for Phase 1 (91 dwellings) of the outline scheme was subsequently approved in January 2014. More recently Reserved Matters Application HPK/2016/0313 was approved in November 2017 for 62 dwellings. The total number of dwellings approved and to be delivered on the Forge Works site is therefore 153 i.e. 29 less than the 182 allowed for under the Outline Planning Permission. Clearly then there can be no issue (in highways terms) with 17 dwellings on the site the subject of this current planning application as the aggregate number of dwellings would be 170 i.e. 12 less than the 182 allowed for under the Outline Planning Permission. This matter is explored in more detail in the Transport Statement submitted in support of the scheme which concludes that the proposals are acceptable in highways and accessibility terms.

Table 1 – Planning History Summary

Planning Application Reference Number	Proposed Development	Outcome
HPK/2011/0682	Outline application for demolition of all remaining structures and redevelopment for up to 182 dwellings, up to 2,323 sq.m. business floorspace (Use Class B1) up to 325 sq.m. of non-residential institution floorspace (Use Class D1), community facilities and associated infrastructure.	Withdrawn February 2012.
HPK/2012/0323	Outline application for demolition Of Remaining Structures & Redevelopment for Up To 182 Dwellings, Up To 1,672 Sqm business floorspace (use Class B1), Up To 279sqm of non-residential institution floorspace (use Class D1), community facilities & associated infrastructure.	Refused November 2012 – allowed on appeal May 2013 (Ref. APP/H1033/A/13/2189819).
HPK/2013/0577	Reserved Matters application pursuant to HPK/2012/0323 for Phase 1 of the development - Construction of 91 no. dwellings, 1no. B1 Office Unit And 1no.d1 Creche Unit including access from Green Lane / Whitehough Head Lane and Associated Works. Various non-material amendment applications have been submitted in 2014, 2015 and 2017 to make changes to floor plans, site entrance and house types etc.	Approved January 2014.
HPK/2014/0582	Erection of a building to accommodate a D1 day nursery with ancillary worker accommodation & construction of a bin store.	Approved February 2015.
NMA/2017/0003 (relating to HPK/2013/0577)	Application for Approval of Amendments made to both the site entrance road into the development and internal highway amendments at the request of Derbyshire County Council to meet S38 adoption requirements (Wainhomes Application).	Approved April 2017
HPK/2016/0313	Reserved matters application (revised) with details of the appearance, landscaping, layout and scale for Phase 2 of the residential development comprising 62 no. dwellings and associated works pursuant to planning appeal reference: APP/H1033/A/13/2189819 (HPK/2012/0323).	Approved November 2017

5. THE PROPOSED SCHEME

DESCRIPTION OF DEVELOPMENT

5.1 The description of development given in the planning application forms is:

“Residential development comprising 17 dwellings (open market and affordable), public open space and associated infrastructure together with a new car park for 1st Chinley Scout Group”.

AREAS FOR DEVELOPMENT

5.2 The proposed scheme concerns a parcel of unremarkable land that was also in the ownership of Dorma before the main Forge Works site was proposed for redevelopment, but which has not been previously available to Wainhomes (North West) Limited.

5.3 The proposed scheme comprises the following areas for development:

- Forge Road only: 0.072 hectares.
- Total residential area: 0.742 hectares.
- Public open space: 0.26 hectares.
- 1st Chinley Scout Group Car Park: 0.045 hectares.

HOUSING MIX

5.4 This unremarkable parcel of land is proposed to be developed for 17 new homes (including 3 affordable homes (1 shared equity and 2 for rent) and features many of the house types which are being delivered on the main Forge Works site (known as Forge Manor) details of which are available online via this link:

<https://www.wainhomes.net/developments/Forge+Manor+-+Derbyshire/>

5.5 The proposed mix of housing is illustrated in Table 2 below:

Table 2 – Proposed Housing Mix

Type	Beds	Type	Square Footage	Number	Tenure	Plot Numbers
Churchill	2	Terrace	726	2	Affordable Rent	14,15
Churchill	2	Terrace	726	1	Intermediate	16
Churchill	2	Terrace	726	3	Open market	2, 11, 12
Brancaster	3	Detached	900	3	Open market	1, 10, 13
Haversham	4	Detached	1,342	2	Open market	6, 17
Shakespeare	4	Detached	1,343	1	Open market	9
Whitemoor	4	Detached	1,517	1	Open market	7
Priestly	4	Detached	1,532	2	Open market	5, 8
Cavendish	5	Detached	1,712	2	Open market	3, 4
			Total	17		

- 5.6 It is important to note that this development will help to mitigate the loss of some of the affordable housing that would have materialised on the main Forge Works site if all 182 dwellings had come forward as originally planned. In that respect it is material to note that as 29 less dwellings (than was allowed for under the provisions of the Outline Planning Permission) are to come forward on the main Forge Works site the resultant loss of affordable homes is 9 dwellings (8.7 rounded) as the Section 106 Agreement associated with the Outline Planning Permission requires 30% of all homes to be affordable.
- 5.7 The current scheme proposes 3 affordable homes in line with Policy H4- Affordable Housing of the High Peak Local Plan (Adopted April 2016) which requires provision of 20% on schemes of less than 25 dwellings.
- 5.8 Dwellings have the benefit of private garden areas, off road parking areas or communal parking areas. The total number of parking spaces is 54.
- 5.9 Further details of the proposed dwellings are given in the Design & Access Statement submitted in support of the scheme.

PUBLIC OPEN SPACE

- 5.10 The proposed scheme includes a substantial area of public open space which will serve the development, and which will clearly also be of benefit to all surrounding residents and businesses as the Forge Manor development contains no substantial areas of public open space. The proposed open space will be maintained by a management company and the Applicant will not be looking to have the area adopted by the Council and hence there will be no burden on the public purse.

ECOLOGY

- 5.11 The scheme also has the potential to deliver net gains to biodiversity through the creation of new habitat, tree planting and appropriate management.

FLOODING & DRAINAGE

- 5.12 The scheme ensures that all dwellings are located outside of any areas of flood risk.
- 5.13 In terms of surface water from the development this will be attenuated in underground storage cells before being discharged at appropriate rates to Black Brook.
- 5.14 The Applicant is also aware of recent problems in the area (on land outside of their control) with drainage channels running from the A6 to Black Brook. In that respect it should be noted that if planning permission is granted for the proposed development the ditch that runs from south to north along the eastern boundary of the site will be cleared and maintained thereby benefiting surface water flows to Black Brook. Such management will not materialise if the site is left undeveloped.

HIGHWAYS

- 5.15 In terms of highways capacity there are no issues with the 17 dwellings proposed as the aggregate number of new dwellings to be served from Forge Road would be 170 i.e. 12 less than the 182 allowed for under the Outline Planning Permission for Forge Works.
- 5.16 In terms of off-site highway works we are instructed that our client is working with Derbyshire County Council and statutory undertakers to resolve the pedestrian link between Forge Road, Green Lane and the village centre of Chinley. In that respect it is hoped that a resolution should be reached very shortly thereby enabling the works to be carried out fully.

1ST CHINLEY SCOUT GROUP CAR PARK

- 5.17 The proposed scheme also provides an opportunity to remedy an existing issue with parking for First Chinley Scout Group who are based at Victory Hall at the junction of Forge Road, Whitehough Head Lane and Green Lane. As things currently stand visitors to Victory Hall currently park alongside the wall outside of the premises. This causes issues with turning of vehicles in the highway and is not a practical and safe solution for those parking outside of the premises.
- 5.18 Indeed, once Forge Road becomes adopted the area currently utilised by the Scout Group for parking will become highway verge and Forge Road itself at the junction with Green Lane and Whitehough Head Lane will be subject to parking restriction in the form of double yellow lines.

5.19 Therefore, it is important to secure a parking solution for the Scout Group and this scheme aims to deliver an appropriate solution for the benefit of all road users. Working collaboratively with the First Chinley Scout Group the application includes a new car park for the sole use of the Scouts and which contains 20 spaces. This will ensure that cars are no longer parked along Forge Road and do not have to turn around within the highway thereby improving safety for all road users and visitors to Victory Hall.

6. PRE-APPLICATION ENGAGEMENT

- 6.1 Prior to lodging this planning application, we wrote to all elected representatives at Chapel-en-le-Frith Parish Council, Chinley, Buxworth & Brownside Parish Council, High Peak Councillors for Blackbrook Ward and the Derbyshire County Councillor to advise them of our client's intentions and to invite them to engage with us.
- 6.2 In response some Councillors from Chapel-en-le-Frith Parish Council have said that it would be inappropriate for them to comment and that a formal response would be forthcoming from the Parish Council. At the time of writing no formal response from the Parish Council had been received.
- 6.3 The Clerk of Chinley, Buxworth & Brownside Parish Council responded to request a meeting. At the time of writing that meeting was in the process of being organised and we look forward to meeting Councillors in due course.
- 6.4 At the time of writing no response had been received from High Peak Councillors for Blackbrook Ward and the Derbyshire County Councillor.
- 6.5 Due to contractual constraints this scheme was not subject to a pre-application submission to the Council but senior Officers were advised of the consultation exercise mentioned above and the likely timescales for submission of the application.

7. THE DEVELOPMENT PLAN

INTRODUCTION

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

“where in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.

7.2 In this instance, the Development Plan comprises the High Peak Local Plan which was adopted on 14 April 2016 together with the Chapel-en-le-Frith Neighbourhood Development Plan which was made on 5 August 2015.

HIGH PEAK LOCAL PLAN

7.3 The Local Plan sets out the Council’s vision and strategy for the Borough until 2031. An extract from the Interactive Proposals Map is included below.

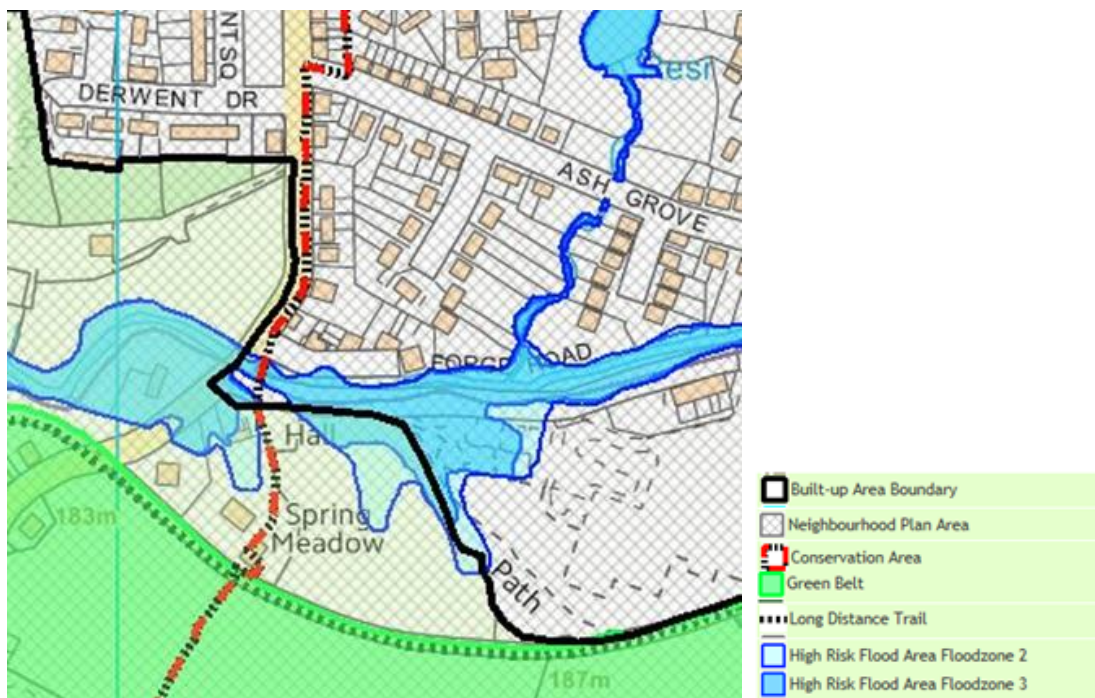


Figure 6.1 – Extract from High Peak Local Plan Proposals Map and Key.

- 7.4 It is clear from the Proposals Map that the site falls outside of the built-up area boundary of Chinley and also outside of the area of Green Belt located to the south of the site, incorporating the Peak Forest Tramway Trail. It therefore falls within the open countryside although it clearly has a close physical relationship with existing built development rather than the wider open countryside which comprises the Green Belt land to the south.
- 7.5 The proximity of the Chinley and Whitehough Conservation Area is also evident from the Proposals Map, as is the area of flood risk at the north-eastern end of the site, as previously identified above. The site is also identified as falling within a 'Neighbourhood Plan Area' and this relates to the Chapel-en-le-Frith Neighbourhood Development Plan, which was made on 5 August 2015 and now forms part of the Development Plan for this area.

POLICY S1 – SUSTAINABLE DEVELOPMENT PRINCIPLES

- 7.6 **Policy S1** establishes the principle of sustainable development in accordance with the Framework. The proposed development accords with this Policy through the provision of family homes within a sustainable location.

POLICY S2 – SETTLEMENT HIERARCHY

- 7.7 **Policy S2** identifies the Settlement Hierarchy for the Borough. Policy S2 states that development will be directed to the most sustainable settlements. Chinley is identified in the second tier 'Larger Villages' which comes after 'Market Towns'. It is stated that a moderate scale of development may be acceptable in such locations. However, the policy also states that outside of the villages development will be strictly controlled to a limited number of circumstances.

POLICY S3 – STRATEGIC HOUSING DEVELOPMENT

- 7.8 **Policy S3** states that provision will be made for at least 7,000 dwellings over the period 2011-2031 at an overall average annual development rate of 350 dwellings. Chapel-en-le-Frith is located within the Central area, which will need to provide between 1,065 and 1,171 dwellings over the Plan period.
- 7.9 The proposed development will assist the Council in delivering the housing requirement within the central area and meeting the Council's housing need.

POLICY S6 – CENTRAL SUB-AREA STRATEGY

7.10 **Policy S6** Central Sub Area identifies that a range of suitable and deliverable housing sites must be identified to meet the needs of this sub area. The subject site is clearly a deliverable housing site.

POLICY H1 LOCATION OF HOUSING DEVELOPMENT

7.11 **Policy H1 Location of Housing Development** sets out (*inter alia*) that the Council will give consideration to approving sustainable sites outside the defined built up area boundaries, taking into account other policies in the Local Plan, provided that:

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

7.12 Policy H1 also states that if necessary the Council will review the Local Plan to bring forward additional sites for housing.

7.13 It should be noted that part of Policy H1 quoted above is not contingent on there being no 5 year supply; the provisions apply even if the supply is in excess of 5 years.

7.14 In respect of Policy H1 criteria clearly the site adjoins the built-up area boundary and would be well related with the existing pattern of development, surrounding land uses and has been designed to be of an appropriate scale having regard to site specific conditions.

7.15 Additionally, there can be no argument (given the reduction of dwelling numbers on the wider Forge Works site) that a development here would be of inappropriate scale. With careful landscaping as proposed this site would not lead to a prominent intrusion into the countryside or have a significant adverse effect on its character.

7.16 As established above the site is in a sustainable rural area. The capacity of local infrastructure is not an issue considering the proposed reduction of committed dwellings on the adjacent site.

7.17 Overall development of the site would comply with Policy H1.

POLICY H3 – NEW HOUSING DEVELOPMENT

7.18 The proposals comply with Policy H3 for the following reasons:

- The proposals comply with Policy H4 (see below).
- They provide a range of market and affordable house types.
- The proposed mix of housing contributes positively to creating an inclusive community taking into account the characteristics of existing housing in the surrounding locality.
- The proposals include a proportion of homes for newly forming households.

POLICY H4 - AFFORDABLE HOUSING

7.19 **Policy H4 Affordable Housing** requires 30% affordable housing provision within schemes of 25 dwellings or more and 20% affordable housing provision on schemes of between 5 and 24 units (or 0.16ha or larger). The target is for 80% rented accommodation with the balance being intermediate housing which this site could deliver. On this site 3 of the dwellings will be affordable. Two of the dwellings will be available for rent and the third will be an intermediate home. The proposals comply with Policy H4.

POLICY EQ3 – RURAL DEVELOPMENT

7.20 Policy EQ3 deals with the types of housing development that will be allowed in the countryside. One of the criteria being development in accordance with Policy H1. As the scheme is in compliance with Policy H1 it follows that it is also compliant with Policy EQ3.

POLICY CF6 ACCESSIBILITY AND TRANSPORT

7.21 **Policy CF6 Accessibility and Transport** states that the Council will seek to ensure that development sites can be safely accessed in a sustainable manner and in that respect, this is a sustainable rural site.

POLICY CF7 PLANNING OBLIGATIONS AND COMMUNITY INFRASTRUCTURE

7.22 **Policy CF7 Planning Obligations and Community Infrastructure Levy** sets out that 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 development acceptable in planning terms through the appropriate use of planning obligations and/or conditions. In that respect there are no known viability issues, at this stage, which would preclude a policy compliant scheme coming forward.

POLICY EQ1 – CLIMATE CHANGE

- 7.23 **Policy EQ1** encourages all development to incorporate energy efficiency within the proposal, so far as is appropriate. In this case the Applicant will take a fabric first approach to energy efficiency with the development being in conformity with the latest Building Regulations.

POLICY EQ5 - BIODIVERSITY

- 7.24 **Policy EQ5** explains that when considering proposals which could have an impact on wildlife, plant life or geological features, the Council will wish to be satisfied that the potential benefits to nature conservation have been fully taken into account in the design of the scheme and its subsequent maintenance and management. This is a scheme that does not adversely affect biodiversity but provides opportunities to secure biodiversity enhancements. The proposals comply with Policy EQ5.

POLICY EQ6 – DESIGN AND PLACE MAKING

- 7.25 **Policy EQ6** considers design and place making within the Borough and identifies that all development should be well designed and of a high quality that responds positively to both its environment and the challenge of climate change.
- 7.26 The proposed development will complement the existing surrounding residential area and enhance the character and appearance of the surroundings. The proposed scheme would meet the needs of future occupiers through the provision of high quality family homes.
- 7.27 The impact on the surrounding highway network was considered at the Outline Planning Application stage in relation to Forge Works and it was concluded that there would be no unacceptable impact on the surrounding network. The proposed development incorporates off-street parking for all properties in accordance with the Council's parking standards.
- 7.28 The proposals would result in the loss of some trees however satisfactory mitigation will be provided through replacement tree planting.
- 7.29 The proposed development would have no unacceptable impact on the amenity of neighbouring properties through noise, loss of privacy, overshadowing, or traffic.
- 7.30 The Scout car park will remove a potential conflict between vehicles in Forge Road and visitors, importantly children, to Victory Hall (1st Chinley Scout Group).

POLICY EQ9 – TREES, WOODLANDS AND HEDGEROWS

- 7.31 **Policy EQ9** identifies that the Council will protect existing trees, woodlands and hedgerows. The proposals would result in the loss of some trees however satisfactory mitigation will be provided through replacement tree planting.

POLICY CF6 – ACCESSIBILITY AND TRANSPORT

- 7.32 **Policy CF6** requires that development can be safely accessed in a sustainable manner. Proposals should also minimise the need to travel.
- 7.33 The site is located in a sustainable location with access by foot to both train and bus routes. This provides new residents with sustainable and healthy transport options to access jobs and services. The wider road network is supported by a pedestrian network to be delivered by the Forge Works development which assists the sites integration into its surrounding.
- 7.34 Each dwelling is provided with off road car-parking spaces to meet the parking standards appropriate for each dwelling size.

CHAPEL-EN-LE-FRITH NEIGHBOURHOOD DEVELOPMENT PLAN

- 7.35 The Chapel-en-le-Frith Neighbourhood Development Plan was made on 5 August 2015, and now forms part of the Development Plan for the Borough of High Peak.
- 7.36 It is important to note that the Neighbourhood Plan was adopted prior to the adoption of the Borough-wide Local Plan and covers a different time horizon (2013 – 2028).
- 7.37 It should also be noted that the Parish Council sought to have the site designated as Local Green Space in the Neighbourhood Plan but following our submissions to the Examination this was rejected by the Examiner who commented as follows in her report:

“175. This site is visible from adjacent public rights of way. The site appears to have some ecological value, but otherwise, it is only a field adjacent to the built-up boundary to Chinley and adjacent to a development site. The location as a buffer between the proposed development and the Whitehough Conservation Area is not sufficient reason for designation.

176. From my observations at my site visit and having considered the evidence base and representations made both for and against this proposed designation, I do not consider there to be robust justifiable evidence to show that this site is demonstrably special to a local community or holds a particular local significance. Thus, I do not consider that this site meets the criteria for designation as Local Green Space.

177. There is objection to the designation of the area as Local Green Space on behalf of developers wishing to develop the site. My recommendation to delete the designation does not in any way suggest that the site is suitable for development. This is not something for my consideration under the Local Green Space criteria”.

7.38 Notwithstanding this, the proposed plan incorporates a large area of public open space which will provide amenity benefits to the immediate residents and the wider community which is not currently enjoyed as the land is private and inaccessible.

7.39 Within the made Neighbourhood Plan the site is not identified for any particular use or specific protection via a policy.

7.40 The following section considers those Policies which are relevant to this application.

7.41 **Policy H3** relates to Design Criteria and identifies that new housing developments within the Parish should be of a high quality. Policy H3 identifies the following criteria which should be considered by developers:

- Connections.
- Public Transport.
- Meeting local housing requirements.
- Character.
- Working with the site and its context.
- Creating well defined streets and spaces.
- Legibility.
- Streets for all.
- Car parking.
- Public and private spaces.
- Storage.

7.42 All of the above points have been dealt with above and are covered in the Design & Access Statement.

7.43 **Policy H4** is concerned with affordable housing and this has been addressed above in respect of the Local Plan.

- 7.44 **Policy C2** is concerned with biodiversity and states that proposals that result in net biodiversity gain will be supported subject to other policy considerations. This is a scheme that will secure net biodiversity gains and ought to be supported as there are no other policy conflicts.
- 7.45 **Policy CNP1** is concerned with infrastructure and in that respect, this is a scheme that will deliver a policy compliant scheme insofar as infrastructure is concerned.
- 7.46 **Policy TR1** requires that Applicants demonstrate that the site can be access via safe walking and cycling routes, link with public transport and address any additional traffic impact. This is a matter dealt with in the Transport Statement submitted with the scheme which concludes that the proposals are acceptable.

SUMMARY

- 7.47 The application proposals comply in every regard with the requirements of the Development Plan, they comprise a high quality, well designed sustainable development and under the provisions of Paragraph 14 of the Framework they ought to be approved without delay.

8. OTHER MATERIAL CONSIDERATIONS

INTRODUCTION

8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

“In principle...any consideration which relates to the use and development of land is capable of being a planning consideration. Whether a particular consideration falling within that broad class is material in any given case will depend on the circumstances” (Stringer v MHLG 1971).

8.2 Material considerations must be genuine planning considerations, i.e. they must be related to the development and use of land in the public interest. The considerations must also fairly and reasonably relate to the application concerned (*R v Westminster CC ex-parte Monahan 1989 refers*).

8.3 The Courts are the arbiters of what constitutes a material consideration. All of the fundamental factors involved in land-use planning are included, such as the number, size, layout, siting, design and external appearance of buildings and the proposed means of access, together with landscaping, impact on the neighbourhood and the availability of infrastructure.

8.4 The Courts have also held that the Government’s statements of planning policy are material considerations which must be taken into account, where relevant, in decisions on planning applications. These statements cannot make irrelevant any matter which is a material consideration in a particular case. But where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them. If they elect not to follow relevant statements of the Government’s planning policy, they must give clear and convincing reasons (*E C Grandson and Co Ltd v SSE and Gillingham BC 1985 refers*).

8.5 In this case the following material considerations are relevant.

NATIONAL PLANNING POLICY

THE NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

8.6 The NPPF (the Framework) was published and came into force on 27 March 2012. In general terms, it is considered that the Framework significantly supports the proposed scheme.

8.7 Regard must now be had to the Framework as a material consideration in planning decisions as per Paragraph 2 of the Framework and Section 38(6) of the Planning and Compulsory Purchase Act 2004.

8.8 Paragraph 14 of the Framework states:

*“At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking... For decision-taking this means: approving development proposals that accord with the development plan without delay...”*

8.9 Paragraph 7 of the Framework states that there are 3 dimensions to sustainable development; namely economic, social and environmental. In relation to these dimensions we comment as follows:

ECONOMIC

8.10 The construction of the scheme would contribute to generating full-time equivalent (FTE) jobs within the construction industry over the build period, albeit on a modest scale, which would be a benefit to the economy of the local area.

8.11 Moreover, the proposals would also generate an additional expenditure within the local economy, supporting local shops, services and businesses. This level of expenditure would in turn support jobs in the borough as well as potentially creating additional public sector jobs (e.g. teachers, doctors etc.) as a direct consequence of the proposals and additional residents.

8.12 New residents occupying the development would also generate demand for health, education and other services off the site (e.g. schools, hospitals, public administration), thus supporting further public-sector employment.

8.13 Lastly, the proposals would generate an additional capital receipt for High Peak Borough Council via New Homes Bonus payments, based on the properties adding to the net supply of housing in the Borough.

8.14 Overall it is evident that the application proposals are fully commensurate with the economic dimension of sustainable development and would represent a significant economic boost for the area.

SOCIAL

8.15 There is no doubt that this site would make a meaningful contribution to meeting housing need within the local community.

8.16 Indeed, increasing the overall supply of housing improves affordability by redressing supply/demand issues and reduces prices overall thereby allowing more people access to the housing market and enhanced social mobility, which is a positive social benefit.

8.17 The proposals would also facilitate the creation of jobs within the local labour pool, both during construction and the operational phase.

8.18 The site is considered to be well located in relation to local services and has the potential to reduce reliance on the private motor vehicle. For these reasons, it is considered that the proposals would also be socially sustainable.

8.19 The proposed scheme also provides an opportunity to remedy an existing issue with parking for First Chinley Scout Group who are based at Victory Hall at the junction of Forge Road, Whitehough Head Lane and Green Lane. As things currently stand visitors to Victory Hall currently park alongside the wall outside of the premises. This causes issues with turning of vehicles in the highway and is not a practical and safe solution for those parking outside of the premises.

8.20 Indeed, once Forge Road becomes adopted the area currently utilised by the Scout Group for parking will become highway verge and Forge Road itself at the junction with Green Lane and Whitehough Head Lane will be subject to parking restriction in the form of double yellow lines.

8.21 Therefore, it is important to secure a parking solution for the Scout Group and this scheme aims to deliver an appropriate solution for the benefit of all road users. Working collaboratively with the First Chinley Scout Group the application includes a new car park for the sole use of the Scouts and which contains 20 spaces. This will ensure that cars are no longer parked along Forge Road and do not have to turn around within the highway thereby improving safety for all road users and visitors to Victory Hall which should be considered a social benefit of the scheme.

ENVIRONMENTAL

8.22 The proposals would not have an unacceptable impact on environmental issues and there is an opportunity to enhance the biodiversity of the site. Furthermore, the proposals present an opportunity to manage the surface water regime on the site for the benefit of the wider area.

MUTUAL DEPENDENCY

- 8.23 Paragraph 8 of the Framework indicates that the economic, social and environmental roles of sustainability are mutually dependent and should be sought jointly and simultaneously through the planning system.
- 8.24 In this case the appraisal site could secure economic, social and environmental benefits which would result in a sustainable solution to meeting housing needs whilst also providing opportunities for economic and social benefits to be delivered locally.

LOCAL CIRCUMSTANCES

- 8.25 Paragraph 10 of the Framework states that:

“Plans and decisions need to take local circumstances into account, so that they respond to different opportunities for achieving sustainable development in different areas”.

- 8.26 The emerging proposals could respond to local circumstances by helping to meet an identified need for both open market and affordable homes in a highly accessible location.

DELIVERABILITY

- 8.27 This is considered to be a deliverable site having regard to the definition given in Paragraph 47 and Footnote 11 of the Framework:

- Suitable – the proposed housing is in a suitable location.
- Available – the site is available now.
- Achievable – there is a realistic prospect that housing could be delivered on the site well within 5 years subject to planning permission being granted. Furthermore, development of the site is viable and could deliver a policy compliant scheme in terms of planning obligations.

- 8.28 To summarise the overall position, this unremarkable looking undeveloped site is a logical housing site and would be delivered quickly following the grant of detailed planning permission.

PLANNING PRACTICE GUIDANCE

- 8.29 Planning Practice Guidance (PPG) was launched on 6 March 2014 in its final form. The PPG replaces some 230 planning guidance documents but results in no amendments to the Framework.

8.30 With regards Design, paragraph ID: 26-001-20140306 reiterates the guidance set out in the Framework; that good quality design is an integral part of sustainable development. Furthermore, the PPG notes that:

'Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well and will adapt to the needs of future generations'.

8.31 The PPG makes it clear that planning policies and decisions should seek to ensure the physical environment supports the three strands of sustainable development (i.e. economic, social and environmental) and in doing so issues including the promotion of local character; designing safe connected and efficient streets; incorporating a network of greenspaces; promoting cohesive and vibrant neighbourhoods, should all be given careful consideration.

8.32 The PPG also reiterates the guidance set out in the Framework, that both Local Plans and planning decisions should be based upon and reflect the presumption in favour of sustainable development (paragraph ID 21b-006-20140306 and ID 12-011-20140306).

8.33 This application submission has demonstrated how the proposals have addressed the key design issues above, and that the residential scheme comprises sustainable development.

SUPPLEMENTARY PLANNING DOCUMENTS (SPDs) AND DESIGN GUIDANCE

8.34 The proposals are not considered to give rise to any material conflict with any of the Council's SPDs or Design Guidance.

CONCLUSIONS

8.35 Taking into account relevant national and local other material policy considerations it is submitted that those identified support the proposed scheme and indicates that this detailed planning application ought to be approved.

9. SUMMARY OF BENEFITS AND CONCLUSIONS

9.1 Hourigan Connolly is instructed by Wainhomes (North West) Ltd (hereafter referred to as “the Applicant”) to submit a detailed planning application to High Peak Borough Council (hereafter referred to as “the Council”) relating to land at Forge Road, Chinley, Derbyshire (hereafter referred to as “the site”). The description of development given in the planning application form is:

“Residential development comprising 17 dwellings (open market and affordable), public open space and associated infrastructure together with a new car park for 1st Chinley Scout Group”.

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

“where in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.

9.1 It has been demonstrated in our Planning Statement that the application proposals fully comply with the provisions of the Development Plan.

9.2 Other material considerations identified fully support the scheme.

9.3 There are no dis-benefits of developing this site in the manner proposed. The benefits of the scheme are wide ranging across all three dimensions of sustainable development (economic, social and environmental) and can be summarised as follows:

- Delivery of a mix of much needed open market and affordable homes.
- Provision of open space to serve the development and wider community.
- The proposed scheme also provides an opportunity to remedy an existing issue with parking for First Chinley Scout Group who are based at Victory Hall at the junction of Forge Road, Whitehough Head Lane and Green Lane. As things currently stand visitors to Victory Hall currently park alongside the wall outside of the premises. This causes issues with turning of vehicles in the highway and is not a practical and safe solution for those parking outside of the premises.

Indeed, once Forge Road becomes adopted the area currently utilised by the Scout Group for parking will become highway verge and Forge Road itself at the junction with Green Lane and Whitehough Head Lane will be subject to parking restriction in the form of double yellow lines.

Therefore, it is important to secure a parking solution for the Scout Group and this scheme aims to deliver an appropriate solution for the benefit of all road users. Working collaboratively with the First Chinley Scout Group the application includes a new car park for the sole use of the Scouts and which contains 20 spaces. This will ensure that cars are no longer parked along Forge Road and do not have to turn around within the highway thereby improving safety for all road users and visitors to Victory Hall.

- New tree planting.
- Bio diversity improvements through the creation of new areas of habitat and active management of the site.
- The scheme ensures that all dwellings are located outside of any areas of flood risk. In terms of surface water from the development this will be attenuated in underground storage cells before being discharged at appropriate rates to Black Brook. The Applicant is also aware of recent problems in the area (on land outside of their control) with drainage channels running from the A6 to Black Brook. In that respect it should be noted that if planning permission is granted for the proposed development the ditch that runs from south to north along the eastern boundary of the site will be cleared and maintained thereby benefiting surface water flows to Black Brook. Such management will not materialise if the site is left undeveloped.
- Economic benefits generated during the construction phase and in the local economy thereafter through the support for shops and services.
- Local finance considerations in respect of Council Tax and New Homes Bonus Payments to the Council.

9.4 For the reasons set out above we are firmly of the view that the planning balance lies in favour of this scheme and we therefore respectfully request, on behalf of our client, that the Council grants detailed planning permission for the proposed development without delay.