

The application was previously deferred due to requested documentation not being submitted with the planning application. To date documentation which should assist The public and regulatory bodies to enable a complete and fully informed decision based on **all** the evidence is still in abeyance, inclusive of or in part, FRA report, linkage plans, Drainage plans, POS and incomplete wildlife survey and Transport Plan.

The Surveys that have been submitted have been contested by DDC regulatory bodies, disputing the accuracy of data submitted, the method used In calculating the data, lack of metric in wildlife surveys or highlighting numerous non compliance with EQ requirements, HELNA, The Local Plan or NPPF policy.

In the view of the above, I believe it is sufficient reason for this this planning application to be refused.

Education Impact assessment.

(Page 9 3.5.1 and 10 3.5.2) include school places outside the local catchment area and primarily serve Tameside school placement demands. Therefore local available school placement availability should be lower than stated.

5. Summary and Conclusions.

(5.1.2 Primary school level, the local schools are forecast to continue to have significant levels of surplus places, given the falling birth rates anticipated from the middle of the decade onwards).

DCC Analysis of the current and future projected numbers on roll, together with the impact of approved planning applications shows that the normal area primary school would not have sufficient capacity to accommodate the 23 primary pupils arising from the proposed development

Dinting primary school have submitted a response stating, the primary school will not have any vacant spaces in school, in actual fact they are oversubscribed and currently have a waiting list. Consequently they could not take extra children into school without the provision of an additional classroom, an expense they are confident has not been included in any budget. Their 5 year plan, also shows that they will be oversubscribed with parents having to lodge appeals to try to secure a place for a child or sibling

The 106 offer £96.000 towards education is derisory In light of DCC Education 106 calculation = £217,986.60

Transport Plan.

The transport plan does not address or acknowledge the potential impact the proposed access will have on Dinting Vale primary school or the adjoining church, be it pupils put at risk due to additional traffic movements at a point not 22m from the school access, or adding to emissions to that of frequently standing traffic at a well known choke point.

(3.5 The bus stop is proposed to be located circa 15m South East of its existing position which does not impact on the junction visibility splays.).

*(Transport Assessment plan pge 40 appendix B states, **visibility splay 2.4 x 45m offset 0.5m???? into highway)***

Derbyshire highways response January 2020 The proposed junction will need to be laid out in accordance with current design criteria and provided with **exit visibility sightlines of 2.4m x 54 m**

The bus stop may not impact on visibility but the regular stoppage of buses due to passenger set down or pick up will impede sightlines, particularly if a car is attempting a right turn from the site. The set down area will straddle the vehicular access for the Dinting girl guides group and that of the adjacent off road residential parking slot, (not identified on Transport plan diagrams) also bringing school children and parents into conflict due to the cluttered layout

National Policy Framework (NPPF).

(4.2 Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of Transport modes. This can help to reduce congestion and emissions and improve air quality and Public health.).

The site is served by one vehicular access road via the A57, the sites proximity to retail stores, shops, leaves no other option but to travel by car in order to conduct the weekly shop, adding to the strain on parking facilities within the town. The majority of daily commutes will be to workplaces outside of Glossop. The plan does not encourage cycle use, the A57 is a well known route for bringing cyclists into conflict with other traffic. Travel by train involves a walk up a steep incline not conducive to those with impaired mobility. The above points and the proposed access, at a point facing a primary school, add to the already congested infrastructure and does nothing to improve air quality and Public health. there is not a choice of Transport modes, it is limited not convenient, which is why commuters choose is to sit in traffic in the car rather than on the bus.

(4.6 Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.)

There is an impact on road safety, the access is at a point 22m from the school access, cumulative impacts on the network will add to the current traffic congestion, particularly with cars leaving the access wishing to travel East, this manoeuvre will ultimately lead to residents on leaving the estate, opting to travel down the unadopted highway which carries **PROW.50** to the detriment of pedestrians and exiting at the junction to Simmondley lane at a point with insufficient visibility splays

Derbyshire highways response January 2020 *There is an existing PROW crossing the site along the route of the existing unadopted track serving Adderley place. Whilst it may be possible to incorporate the route of the PROW within the proposed estate street design, the existing track is not suitable for use by a significant additional development traffic, therefore permanent measures to prevent vehicular use need to be out in place*

WH response 29/11/2022 *in respect off restricting vehicular use of the unadopted track from the new development. .*

(“We are not proposing any type of barrier as we do not think it necessary”)

(4.7 create places that are safe, secure and attractive – which minimise the scope for conflict between pedestrians , cyclists, and vehicles, avoid unnecessary street clutter and respond to local character and design standards.)

The scope for pedestrians to be brought into conflict will be increased, be it residents using PROW50 as a rat run in an effort to avoid accessing at the A57, or conflict with schoolchildren and accompanying parents to and from school Dinting school. The proposed access being across from The school access

Street clutter will be increased by the access which will be bordered to the West by an off street parking access and disabled bay and bordered to the East by the Girl guides access and adjoining off road residential Parking which will be straddled by the set down area of the bus stop situated 15m from the access, the safety zig zag lines to the pelican crossing not acknowledged in the transport plan. I envisage the daily congestion on A57 this will lead to people parking on the access road during school runs or if attending school and church public functions.

4.8 Planning policies should

(Support an appropriate mix of uses across an area, and within large scale sites, to minimise the number and length of journeys, for employment, shopping, leisure, education and other activities.).

There are no means of public transport within the large scale site, the number and length of journeys will **not** be minimised in fact increased. As most new builds are populated by residents who have moved from outside the borough, their places of work will invariably be, outside the borough. no-one will want to carry the weekly shop from Tesco's, Dinting school although being in near proximity, is currently oversubscribed and projected to be the case for the next 5 years, therefore school runs will inevitably be to wherever availability dictates, the situation that can only be exacerbated as more developments are at the approval stage in line with the local plan proposals. (Gamesley Sidings, Woolley Bridge, Dinting Rd. North, Dinting Rd. South, lesser sites Zion Church, Charlestown.)

Public Open Space.

There are no detailed/ designated POS areas, in addition, the undeveloped area to the north of the development should not be considered as such. The site plan currently provides no element of linking up to The Transpenine trail or other amenity and just underpins the argument that The site in its current state is isolated and lacking in amenity

Flood Risk assessment.

A flood risk assessment undertaken on behalf of the applicant by RSK, identified additional underground culverts within the HPBC land, and which may extend into the development site. RSK recommended a detailed survey of that system and associated data suggests culverts are present at an unknown location **within the site**. The report states (The culverts and associated overland flows which would occur should these become blocked **present a constraint to development of the site. Allowance should be made for a wide set off zone (16m) from the culverts that should be kept free of development.** It would be expected that any outfall from the developed surface water management scheme would outfall into the culverted watercourse.) It goes on to state that all the culverts should be properly surveyed, location identified and subject to internal investigation to establish condition.

To Date this survey has not been undertaken.

Housing

The number and type of 2,3 and 4 does not meet with SHMA, HELNA or Local Policy DS4. The site underdelivers on 3 bed houses and over delivers on 2 beds in relation to HELNA. (The LPA suggest this can be offset by the 2 beds plus study, the study could easily be used as a small bedroom and potentially balances out the over delivery of 2 Beds and under deliver of 3 beds)

It does not change the fact the site has under and overdelivered on build types, if we take this statement a step further, the 2 bed with study (now an extra bedroom) if we also convert the attic space it will now be classed 4 bedroom apply the same logic to 3 beds now 5 beds, 4 beds now 6.

It is not for the LPA to aid or suggest to an applicant means to subvert or find loopholes in local or national policy. I believe the above has undermined the integrity of the LPA

Archaeology

A recent survey conducted by a Mr. Peter Wroe in an effort to identify the long considered location of a Roman road running up to Melandra castle, identified its potential to be located to the rear of the Zion Church Development (HPK/2022/0353) in response he has informed the LPA of the following.

(I recommend that this archaeological interest is best addressed through a conditioned scheme of work in line with NPPF para 205. This would comprise evaluation trenches to establish presence/absence, followed by more extensive excavation and recording should the Roman road be identified. The following conditions should therefore be attached to any planning consent: "a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority.) As the line of the Roman road undoubtedly will dissect the WH site, in line with Policy DS4, the same condition should be applied to the Wainhomes application.

Biodiversity

DWT advised that the site, due to its uniqueness has the potential to support rare species of Flora and Fauna (ref. Local Plan 2016) .The wild life surveys confirm that this is currently the case, despite all surveys not at completion stage or having been conducted at times of the year that are **not** optimum to encapsulating most species.

Invertebrate report Pge. 9 - 4.4.2 recorded a rare species of Garden bumble bee and (Summary pge 1 – 1.2.1 stated the site to be that of at least District importance) which justifies DWT initial concerns for loss of rare flora or fauna.

Policy – EQ5,EQ6 EQ9.

Tetra Tech Report - Biodiversity Impact Assessment

Under the current proposals, **the site fails to achieve no net loss or a positive score for area-based habitats. This is mainly due to the necessary removal of LBAP grassland and LBAP woodland, required to facilitate the proposed development and the access road.** The proposed plans do demonstrate that areas of woodland will be retained, and new scrub and

grassland planting will be created to mitigate for the necessary vegetation removal. There are no works proposed or losses to the wet ditches (river habitats) and as such no change in units has occurred.

(note this statement does not take into consideration the final surface water drainage scheme not available at the time of this report)

5.0 CONCLUSION Based on the current proposals and outlined assumptions, the proposed development is predicted to result in an overall net loss of approximately -65.21% or -23.34 habitat units, +834.71% or 4.96 hedgerow units and no change in river units. **Therefore, the proposed development, currently fails to meet the local policy EQ5 requirement of no net loss and also the NPPF requirement to achieve a net gain. As the BNG target is not currently achieved, a review of the recommendations set out in Section 4 will be required.**

Where avoidance and mitigation cannot redress the losses, there are two further options to consider through use of compensation:

a) Offsite compensation of habitats which will require off-site land. This land will not be developed for 30 years and will be used to off-set the biodiversity losses of the development in terms of units. In addition, a 30-year plan to manage and maintain the habitats will also be required.

(there is limited off site land available within the borough)

b) Biodiversity unit offsetting scheme such as **S106 payment to LPA** or other similar mechanism to a land bank. The LPA should be consulted for the cost per each biodiversity unit. **Typically, it can vary between £20,000 - £25,000 per biodiversity unit (Townsend Chartered Surveyors, 2022) required to reach the target BNG score (i.e., 24.34 biodiversity units).**

£22,500.00 X 24.34 = £547,650.00 in potential S106 payment.

In the event the LPA are minded to approve the application, we would seek to have the above S106 applied as a condition to the consent.