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**To:** [Planning Comments \(HPBC\)](#)  
**Subject:** Comment Received from Public Access  
**Date:** 24 December 2022 11:54:50

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Application Reference No. : HPK/2022/0470  
Site Address: LAND AT Longclough Drive Simmondley Glossop Derbyshire  
Comments by: Kate Raine  
From:

Longclough Drive  
simmondley  
Glossop

Phone:

Email:

Submission: Objection

Comments: I strongly object to this application and it should be refused. I am not even sure why it has been validated? Why is this applicant being allowed to submit piecemeal applications for parts of the site rather than a single new application covering the site as a whole? I note most of the documents used in the application are copies from application HPK/2021/0081 for the other 6 houses on the site.

The whole site is sensitive and complex and anything happening on even part of it will affect all residents on Brookside and Longclough Drive. Allowing the site to be considered in small parts will mask the true impact and does not allow residents fair consultation. I am sure that every developer would prefer to have their sites considered in separate small parts to circumvent responsibilities, restrictions and limitations.

#### Public Open Space (POS) and Legal Obligation

On the approved application HPK/2021/0081, the landscaping plan (HPK/2021/0081 Landscaping Plan 6424.01F) and the biodiversity management plan (HPK/2021/0081 Biodiversity Management Plan (Site plan)) have the whole of the site outside of the plots of six houses as public open space.

When the planning inspector approved the outline planning at appeal (APP/H1033/W/17/3177730) the indicative plan showed that everything outside of the six houses was to be public open space. The planning inspector placed great weight on this and the fact that it was covered by a legal obligation / s106. To date this s106 has not been published anywhere. What mechanisms are in it to ensure this compensation (POS) for the development of six houses does not get developed itself?

¿8. The proposed development seeks to secure a residential use of part of the appeal site to supply up to 6 dwellings, and provide publically accessible space on the remainder. An agreed planning obligation has been submitted which, amongst other things, would secure the use of the remaining open space for this purpose.¿

¿18. Under the terms of the obligation the bulk of the site (some 4325 SqM) would remain undeveloped, including considerable elements of its street frontages offering opportunities for access. Moreover, submitted details and the description of development indicate the appellant¿s intention to maintain this remaining open area as public space, with access, biodiversity and maintenance improvements. As the submitted planning obligation introduces a legally enforceable mechanism to secure these measures, I give considerable weight to this aspect of the appeal scheme in my consideration of its merits.¿

The proposed site in this application is part of the public open space (POS). How can it be permitted to build on the compensatory POS? This is contrary to local plan CF4 (twice over) and breaks the terms of the legal obligation.

The frontage of Longclough Drive forms a very prominent part of the POS both for access and as a visual amenity (landscaping plan (HPK/2021/0081 Landscaping Plan 6424.01F) and tree protection plan (HPK/0021/0081 10007-P-TP-9 A0 Tree Protection Plan)). At this time 22 trees need to be planted in the POS as compensation for all the TPO trees that have been cut down. As these trees will be compensation for the

visual amenity that has been lost, they should be in a prominent position in the site/POS so as to be enjoyed visually by as many residents as possible. The loss of this street frontage as POS, as proposed in the application, will be very damaging.

A house placed on this position within the site will obscure from view the land behind plots 1-4 from both the street frontage and the planned accessible footpath. The landscaping and compensatory trees placed here would be so hidden that they would no longer act as a visual amenity. This land would also be in danger of being forgotten about and becoming unkempt. It currently includes invasive species such as Himalayan Balsam.

#### Drainage

I note on the application form that surface water will be draining into the mains sewer. This is the least favourable option on the list given by United Utilities. At the appeal for outline planning for six houses on this site the Planning Inspector included a condition that the surface water had to discharge into a separate drainage system. APP/H1033/W/17/3177730 Condition 11 'the approved development shall make provision for separate systems of drainage for foul and surface water; no surface water shall discharge to the public sewerage system either directly or indirectly'. Why should this application be any different?

#### Parking and Construction Management Plan

Even the 6 houses approved in HPK/2021/0081 will be a great burden and harmful to the residents of the street. Parking is a long term issue that has been commented on many times. The street cannot lose any more parking space. Many houses on the street have no drives or parking spaces and the street is already full of vehicles. Where are these residents supposed to park their cars?

I also note the comments from Highways on this application that all construction storage and traffic etc has to be within the site and the public highway cannot be used without permission (contractors clearing the site have already ignored this). It is not clear how this is to be achieved for the 6 houses (HPK/2021/0081) and yet again no details have been set out on how this will be achieved in this application.

#### Summary

There are now 4 open applications for this site (DOC/2022/0051, HPK/2022/0470, HPK/2022/0471, HPK/2022/0473). It is both confusing and dangerous to make decisions in such a piecemeal fashion for such a sensitive and complex site such as this.

For 40 years applications on this site have been refused due to the harmful nature of any development on this site. The Council found even 6 houses on this site to be unacceptable in 2016 (HPK/2016/0416 Decision). The Outline planning was only agreed by the planning inspector at appeal (APP/H1033/W/17/3177730) for 6 houses as the rest of the site was to be public open space (POS) covered by a legal obligation. This was substantially more POS than previous applications and the only thing that made it acceptable.

I note that in the appeal for the Hollin Cross Lane site (APP/H1033/W/22/3303566) that High Peak Borough Council have stated that, 'In terms of the Housing Delivery Test, the Council has also exceeded its housing requirements over the past 3 years'. More than 6 houses being approved on this site will only be for the benefit of the applicant. Allowing more houses to be built on this site would be extremely harmful. It would overburden both the site and the street. It would reduce the compensatory POS to meaningless levels, especially as no thought has been made into making it at all accessible (see my comments DOC/2022/0051 17/10/2022). Why should the residents of the street have to suffer just for the developer to increase his profit margins?

This application should be refused. I reiterate my previous comments that if the applicant wishes to build any more than six houses on this site then an entirely new application for the whole site should be submitted.

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