
From: Stannard, James
Sent: 15 February 2023 16:29
To: Planning Comments (HPBC)
Subject: FW: HPK/2022/0468 - Land Off New Road, Whaley Bridge

Categories:

Hi

Please see below latest comments from DCC Highways in connection with HPK/2022/0468

Thanks

James Stannard MRTPI
Planning Officer
High Peak Borough Council and Staffordshire Moorlands District Council
Tel:
Mobile:
Email:

From: Glen Donaldson (Place)
Sent: 15 February 2023 16:00
To: Stannard, James
Subject: HPK/2022/0468 - Land Off New Road, Whaley Bridge

Hello James.

As previously mentioned, the latest applications HPK/2022/0468 and previous application HPK/2021/0601 were both for a new commercial development comprising two new buildings and associated car parking, Land Off, New Road, Whaley Bridge, Derbyshire and HPK/2021/0601 was previously refused for 3 reasons and 1 on them for the following highway reason:

'Insufficient information has been submitted that demonstrates the proposals would not lead to the intensification in the use of New Road and the access junction from Buxton Road. In the absence of this information, it has not been possible to assess whether the proposal would interfere with the safe and efficient operation of traffic on the surrounding roads and/or would lead to potential danger and inconvenience to other highway users, contrary to the provisions of High Peak Local Plan policy CF6 and paragraph 104, 111- 113 of the National Planning Policy Framework.'

The applicant has now provided the aforementioned information in the form of the attached Transport Statement (TS) for assessment and it is noted:

1. Section 2 states that there was only 3 collisions at or near the junction with New Road and Buxton Road with only 1 being serious, so this cannot be used as a reason for refusal.
2. Section 3 provides information relating to encouraging different modes of transport (hence latest recommended Condition 1).
3. Section 5 provides trips number expected from the site, but also mentions an alternative route (Shallcross Mill Road to Elnor Lane), so the numbers can be split in each direction and to encourage this, additional directional signage will be provided (hence latest recommended Condition 3), add this to the site existing use, the proposed Travel Plan to encourage walking, cycling and local buses/train use and the amount of businesses and dwellings that already have access to New Road and Shallcross Mill Road via Buxton Road and Elnor Lane respectively, it was difficult to sustain a reason for refusal on intensification grounds due to

9 additional trips per hour during the AM period and 6 per hour during the PM period cannot be deemed severe.

4. The resurfacing of New Road came about from previous HA responses relating the access road to the site and New Road where the HA response was as follows: The County Council has also looked at the HA response for planning application HPK/2018/0381 which was provided on 14 January 2019 and the following was stated:

'As you are aware, New Road is not adopted and is not within the applicants control. Therefore the Highway Authority cannot recommend a condition to ensure improvement works are carried out on New Road as part of this planning application. As far as can be ascertained from the details submitted, there is an existing right of vehicular access to the site via New Road. However, as per the submitted Design and Access Statement, the applicants makes it clear that, if the development is granted New Road will be resurfaced. If your Authority can think of any mechanism to ensure this occurs it would obviously be beneficial to all users of New Road. The additional details in the e-mail below confirm the building immediately adjacent to the site access is within the ownership of the applicant, and it will be demolished as part of the proposals. This will improve the available emerging visibility onto New Road. Within the site, the private access road has a sufficient width to allow for 2-way traffic. There is an adequate level of parking being provided for each dwelling and turning space is available to ensure all residents and delivery vehicles can enter the site, turn and exit in a forward gear. However, no details have been submitted with regards to the proposed refuse collection method. As it's not envisaged the refuse vehicle will enter the private site, space should be made available within the close vicinity of New Road to enable bins to be stored on collection days. I trust your Authority will consult with the relevant refuse company regarding this.'

Due to the Design and Access Statement submitted with planning application HPK/2018/0381 providing the following wording...*'if the development is granted New Road will be resurfaced'*, I assumed the applicant had assurance that improvements to New Road can be provided, hence the request at its junction with Buxton Road. There are mechanisms within the Highways Act 1980 to prevent loose material being deposited upon the public highway, but if this can be prevented under a planning Condition, it would be a benefit to all highway users, so it is a desire and not a need regarding planning approval and should not prevent approval.

However, the attached TS introduction confirms the Gas Works was dismantled in the 1970's and paragraph (1.1.2) states that the land to the west of the access road was home to a *"builders yard owned by Samuel Dickinson who vacated the site 5 years ago, with the current site vacant."*

No planning history exists of the referenced builders yard and the 2011 aerial photographs of the site provided by HPBC (see below) does not show the presence of any commercial builders yard.



Due to the adopted Local Plan Policies, the adoption of the NPPF (2012 onwards) and the lack of planning history confirming the previous lawful commercial use of the site after 1970 when the Gas Works was dismantled, The County Council shall treat application HPK/2022/0468 as a “new” commercial/industrial site.

Therefore, the attached TS does not contain enough information to fully assess the highway implications, namely previous vehicle trip numbers/vehicle sizes for any former use (be it Former Gasworks or Builders Yard) so it is not possible to assess if the site constitutes an intensification use at its junction with New Road and Buxton Road (previous County Council concern) without understanding what has happened in the past compared with what is proposed for the future.

Once the aforementioned information has been provided, the County Council can provide a formal response based on the previous and proposed trip numbers and size of vehicle.

Regards

Glen Donaldson | Project Engineer | Highways Development Control

Place | Derbyshire County Council
County Hall | Matlock | Derbyshire | DE4 3AG

Tel:

E-mail::

In summary, the

Can you please ensure that you include an analysis within your response as to why the development is acceptable in light of the fact that the previously recommended condition can not be applied. This will be required in order to justify our recommendation to local residents who have objected on highway grounds, specifically in relation to the intensification of the site, the narrowness of New Road, and the junction with Buxton Road, that your previously recommended condition 1 sought to address.

Regards

James Stannard MRTPI
Planning Officer
High Peak Borough Council and Staffordshire Moorlands District Council
Tel:
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From: Glen Donaldson (Place) **Sent:** 15 February 2023 10:36
To: Glen Donaldson (Place) **Subject:** FW: HPK/2022/0468 - Land Off
New Road, Whaley Bridge

From: Glen Donaldson (Place)
Sent: 14 February 2023 12:02
To: Stannard, James
Subject: HPK/2022/0468 - Land Off New Road, Whaley Bridge

Hello James.

You will be aware of the Highway Authority's (HA) previous consultation response raised a number of issues in connection with accesses onto the Buxton Road and Elnor Lane which are both Highway Maintainable at Public Expense (HM@PE) and in the intervening period a number of discussions (both internally and externally) have taken place to try and resolve the highway issues, which has culminated in the recently submitted updated attached Transport Statement (TS), so from a highways aspect the application is now considered acceptable in principle although it should be noted that improvements are required on New Road at its junction with Buxton Road due to its present condition (potholes, ponding and deteriorating surface) which may cause loose material to be deposited onto the HM@PE which is an obvious highway safety issue.

- In order to implement these works, at least 15m of New Road (carriageway) must be constructed and firstly approved by the LPA and HA as this scrutinises construction details and will be necessary in order for the Highway Authority to enter into a Section 184 Agreement for these works.
- It is noted the applicant has provided information identifying the site can be accessed in 2 directions which then enter Buxton Road and Shallcross Mill Road, both of which do not form part of the HM@PE and remain private and I assume the applicant has rights to use both New Road and Shallcross Mill Road.
- There will be disruption to the HM@PE when work commences, so a construction management plan will therefore be an essential element.

Therefore, the principle of development has already been accepted from a highways aspect and, as highlighted above, notwithstanding the information already submitted further minor modifications could well be required as part of the subsequent construction approval processes with the Highway Authority and on this basis the Highway Authority will send a formal response later today which will include recommend Conditions/Notes.

Regards

Glen Donaldson | Project Engineer | Highways Development Control

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