

DELEGATED DECISION REPORT

HPK/2023/0058
Valid 28/02/2023

LAND OFF HAYFIELD
ROAD
NEW MILLS

PROVISION OF SUBSTATION

(FULL - MINOR)

MAIN ISSUES

- Design, Character and Appearance
- Highway Safety

DESCRIPTION OF SITE

The application refers to a small parcel of land within a new housing development off Hayfield Road, New Mills that is currently in the early stages of construction being undertaken by Wain Homes. The site sits immediately adjacent to the main access road to the estate a short distance from the junction of the public highway.

PROPOSAL

The application seeks full planning permission for a Substation The structure has a simply rectangular form, which spans a width of 3.1m and length of 3.8m reaching a height of approximately 3.0m. . As submitted the building was to be a GRP substation but at the request of Officers in the interests of good design, revised plans have been submitted which show the substation being constructed in a stone that is consistent with the houses within the estate, and a pitched slate tiled roof. (The description of development has been amended accordingly)

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The Local Development Plan for this site comprises the High Peak Local Plan (2016). Adopted Supplementary Planning Guidance documents and the National Planning Policy Framework (NPPF) are also material considerations in determining applications.

High Peak Local Plan 2016

- S1 Sustainable Development Principles
 - S1a Presumption in Favour of Sustainable Development
- EQ6 Design and Place Making
- CF3 Local Infrastructure
- CF6 Accessibility and Transport

National Planning Policy Framework 2021

Achieving Sustainable Development	Chapter 2
Promoting Sustainable Transport	Chapter 9
Supporting High Quality Communications	Chapter 10
Achieving Well Designed Places	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2017/0534 Residential development comprising 97 units including means of access and associated works (Approved 4th March 2021)

CONSULTATIONS

Publicity

Site Notice expiry date: 5th May 2023
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

None

New Mills Town Council Comments

No objections

Derbyshire County Council Highways

Initial Comments

The proposal seeks the provision of a substation in association with the residential development of 96no. dwellings at the land off Hayfield Road, New Mills.

Whilst there are no objections to the proposal in principle, it is recommended that space is provided within the site to enable a maintenance vehicle to pull off the adjacent road and park whilst any works are being carried out, in order to prevent any obstruction or inconvenience to other highway users. This will also require the provision of a dropped kerb crossing to enable access.

On the basis that maintenance/works associated with the substation, would be sporadic it is considered that a suitable access could be provided.

Accordingly, before making my formal recommendations I would be obliged if you could ask the applicant to submit a revised plan in view of the above comments and in the meantime please hold the application in abeyance until a revised plan has been submitted.

Revised Comments

The revised Site Plan demonstrates the provision of a vehicular access and off-street parking area to provide access / parking for maintenance vehicles associated with the substation, in line with the Highway Authorities previous comments.

Looking at our records it doesn't appear that there is a section 38 agreement in place for the wider development, however, the section 38 process is underway. Therefore, the applicant should be aware that regardless of any planning consent granted for the substation, the detailed designs should be submitted to the Development Control Implementation team for technical approval (Development.Implementation@derbyshire.gov.uk).

The Highway Authority has no objections to the proposal, and it is recommended the following conditions are included in any consent:

1. A new vehicular access shall be formed to the Proposed New Estate Road, in accordance with the revised application drawing – Site Plan Substation SP-S001 Rev. P2, and shall be provided with maximum visibility splays in both directions, as measured from a point located centrally and 2.4m back into the access. The area within the sightlines shall thereafter be kept clear of any object greater than 1m in height (0.6m in the case of vegetation) above the nearside carriageway channel level.
2. The substation, the subject of the application, shall not be taken into use until space has been provided within the site for the parking of maintenance vehicles in accordance with the revised application drawing – Site Plan Substation SP S001 Rev. P2, laid out, constructed and maintained throughout the life of the development free from any impediment to its designated use.
3. There shall be no gates or other barriers within 5m of the nearside carriageway edge and any gates shall open inwards only.

In addition to the above conditions, the following note should be appended to any consent for the applicant's information: -

- a. The Highway Authority recommends that the first 5m of the proposed access / driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel, etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the landowner.

OFFICER COMMENTS

Principle of Development

The applicant seeks permission for a modest substation to support the housing estate of 97no. dwellings that are currently under construction. Local Plan (LP) Policy CF3 relates specifically to local infrastructure provision and supporting the release of land for local infrastructure to meet additional requirements arising from

development. The site lies within the built-up area boundary and is not constrained by any sensitive statutory designation.

Given the nature of proposed development and the planning policy context set out above, the principle of development is considered to be acceptable subject to all relevant planning considerations.

Design, Character and Appearance

LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.

LP Policy EQ3 refers to rural development proposals which lie outside of the defined built-up area boundaries and seeks to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness.

LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, having regard to matters of scale, height, density, layout, appearance and materials.

Paragraph 130 of the NPPF states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

The site sits at the eastern fringes of a large housing development within the settlement boundary, situated a short distance from the public highway and within proximity of existing residential development. As such, the overall sensitivity of the site is considered to be low.

The proposed structure is of a very modest scale and height, and would be read within the context of properties at the southern end of the estate and shared main access. At the request of Officers, the applicant has agreed to finishing the structure in a Darlstone Pitched Walling stone with a pitched tiled roof consistent with the properties on the estate currently under construction, which is considered to be much more favourable in design terms, given its prominence from the public highway.

As such, subject to appropriate conditions securing the high quality external materials, it is considered that the proposed development in its revised form would not result in any harm to the character and appearance of the site or its wider vicinity, in accordance with LP Policies S1 and EQ6, and relevant paragraphs under Chapter 12 of the NPPF.

Highway Safety

LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network.

Paragraph 110 of the NPPF states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users.

The site is accessed from the shared access road that serves the housing development extending westwards from Hayfield Road. A revised Site Plan has been submitted in response to initial comments from the Highways Authority which have been found to satisfactorily address all matters relating to highway safety. The application in its revised form is thus considered to be in accordance with LP Policy CF6 and paragraph 110 of the NPPF in its revised form.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF). It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The application for a modest substation to serve a large housing estate at the edge of New Mills is acceptable in principle having regard to LP Policy CF3, and that the site is not constrained by any sensitive statutory designation.

An assessment of the application has found that the proposals do not give rise to any harm to the character and appearance of the site or wider area, and, in light of the submission of a revised plan, does not give rise to any adverse highway safety impacts.

The application therefore constitutes a sustainable form of development and in line with LP Policy S1a and paragraph 11 of the NPPF is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 16th May 2023

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council