

Steven Gunn-Russell  
White Peak Planning  
Didsbury Business Centre  
137 Barlow Moor Road  
Manchester  
M20 2PW

Hourigan Planning  
10th Floor Chancery Place  
50 Brown Street  
Manchester  
M2 2JG



Your ref: HPK/2022/0456  
Our ref: 2023-05-19  
Date: 19 May 2023

Dear Ben and Steven

**LAND SOUTH OF DINTING VALE (A57), GLOSSOP, DERBYSHIRE**

**PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING 92 DWELLINGS INCLUDING AREAS OF PUBLIC OPEN SPACE, LANDSCAPING AND ASSOCIATED WORKS**

**PLANNING APPLICATION REFERENCE: HPK/2022/0456**

As promised, we now wish to submit amended plans and documents in relation to the above planning application. We are also writing to you to address the statutory consultee responses that have been received by the Council. We discussed with you previously that we were waiting to see the viability response before making this further submission however at the time of writing this is still outstanding. The applicant has taken the decision to make this submission to move the application forward and reserves the right to make further submissions following receipt of the viability response.

Please find enclosed our updated Annex 1 document which lists the documents that are being submitted for consideration.

**Description of Development**

The amendments have resulted in the loss of 8 dwellings therefore please can you change the description of the development to refer to 92 dwellings as above (previously 100 dwellings).

**Scheme Amendments**

There have been changes to the housing mix from as summarised below:

	<b>Previous Layout (Rev A) - 100 Units</b>	<b>New Layout (Rev E) - 92 Units</b>
1 bedroom	6 (6%)	6 (7%)
2 bedroom	41 (41%)	21 (23%)
3 bedroom	32 (32%)	50 (54%)
4 bedroom	21 (21%)	15 (16%)
<b>Total</b>	<b>100</b>	<b>92</b>



**HOURIGANPLANNING.COM**

Hourigan Planning Limited. Company Number: 06949990  
Registered Office: Spring Court, Spring Road, Hale, Cheshire, WA14 2UQ



**RTPI**

Chartered Town Planners

The main changes to the layout are described in the Design Evolution Statement (Document 133) which includes the following:

- An ecological buffer has been added to the western boundary and dwellings are now orientated towards this area, therefore, removing any impacts on the trees in the LWS.
- Above ground SuDS features have now been incorporated including a swale along the western boundary and an attenuation pond adjacent to the PROW.
- Street trees have now been included throughout the layout sited within tree pits.
- A 3 metre wide footway/cycleway has now been provided, including along the western boundary connecting to the PROW within the site to Gamesley Sindings to the south west.
- Significant planting is now proposed to the north on either side of the site access. This will help mitigate any tree loss and also helps screen the development and access road from Dinting Vale.
- Children's play areas have now been incorporated into the layout in areas south of the PROW and the southern part of the site.
- A new range of house types are now proposed. 51% of the dwellings now comply with M4(2) standards in accordance with the Council's HELNA.

Another main change to the scheme can be seen from Document 180 (BNG Assessment), Document 185 (Landscape Masterplan) and Documents 187-190 (Planting Plans). The proposals have sought to maximise tree planting within the site as much as possible to help mitigate any tree loss. Document 180 also sets out that an off-setting solution of using the Chinley site has significantly reduced the net losses on site.

As a result of these amendments, we have included updates to various documents which are all listed in the revised Annex 1 included with this re-submission. Superseded documents are clearly identified by the strikethrough text.

We now address each of the comments in chronological order from when they appeared on the Council's website.

#### **DCC Archaeology (17 November 2022 and 17 January 2023)**

We note that DCC Archaeology requested the submission of archaeological field evaluation to establish archaeological significance and impact across the site prior to determination of the application.

An Integrated Geophysical Survey has now been undertaken and the results are contained in Document 177. The survey concluded that no significant anomalies suspected as being archaeological features were detected by the magnetometry survey and they survey detected no significant archaeological deposits. The GPR survey specifically targeted the proposed line of a Roman road and despite the use of various antennas, no evidence could be found to support its presence.

#### **DCC Flood Risk Management (24 November 2022 and 5 January 2023)**

We note DCC Flood Risk Management's comments and requests for additional information. Please refer to Documents 163-170 which address these comments.

#### **HPBC Tree Officer (24 November 2022)**

The Tree Officer raises various issues relating to tree loss, reduction of the existing woodland to accommodate the site access road, future pressure on the existing woodlands, lack of street trees etc. Please refer to Documents

185 (Landscape Master Plan), Documents 187-190 (Planting Plans) and Document 190 (AIA) which show how the latest layout impacts existing trees as well as the latest landscaping proposals.

The Tree Officer queries whether access to the site could be taken off Adderley Place to avoid the existing wooded area in the northern part of the site. I have written to you separately on this point on 12 December 2022 but just to recap the access point has been designed to accord with the site's allocation in the adopted Local Plan. Policy DS4 specifically states that *"the site will require substantial access improvements onto the A57"* and the boundary of the allocation in the Policy Map goes right up to Dinting Vale (A57) to accommodate this access.

It is also worth reiterating what the Inspector said about the site at Paragraph 187 of the Inspector's Report dated 24 March 2016:

*"Adderley Place, Glossop (Policy DS4) is a greenfield site on the edge of Glossop where approximately 130 new dwellings are proposed. It is adjacent to existing properties and woodland and has a generally low visual impact in the wider landscape. A crucial issue is creating a new access to the site from the A57 and the additional traffic. The evidence does not indicate that these matters are insurmountable and the VTR has taken the access into account. The Council owns part of the site, which the trajectory shows as coming forward in the middle of the plan period. Subject to the addition of a requirement for a wildlife survey (MM81), the site is sound."*

Based on the above, it has long been established that the site access is to come off Dinting Vale (A57). The Council and the Local Plan Inspector knew this when allocating the site for housing back in 2016. DCC Highways have not objected to the principle of the access point in their response. Moreover, in allocating the site the Council accepted that there would be a degree of tree loss to accommodate future development.

This is therefore a matter that needs to be weighed in the overall planning balance against the other significant benefits of delivering this allocated site.

#### **Trans Pennine Trail Partnership and Sustrans (24 November 2022)**

The Trans Pennine Trail Partnership and Sustrans (TTPS) have noted that a walking route only is proposed from the north of the site down the eastern side, to the southerly point of the development, and have asked for this route to be upgraded to include cyclists as a minimum requirement and extended to meet the connecting bridleway to the west of the site. This request has been addressed in the Technical Note by SCP (Document 175) which explains that a 3m wide footway / cycleway has now been provided through the site, including along the western site boundary connecting to the PROW running across the site, which provides the same levels of permeability as the requested link by TTPS. It is not within the applicant's control to provide the connection/extension to the bridleway to the west of the site as this area falls outside of the applicant's land ownership.

The other comments by TTPS relating to the Transport Assessment and Travel Plans have been addressed in the Technical Note by SCP.

#### **HPBC Planning Policy (24 November 2022)**

The Policy comments are summarised below along with our comments below these where necessary:

- The principle of development is acceptable.
- The site does not cover the whole Local Plan allocation as it excludes the south eastern part owned by the Council. The comments state that 100 dwellings for the proposed development is acceptable provided that access to the rest of the site is not compromised so that development could come forward at a later date. It is acknowledged that the Council owned land is outside of the application boundary and that it forms part of the wider allocated site. The proposed development subject to this application have been

designed by looking at both the constraints of the land within the red edge boundary, as well as the surrounding area. We believe that there are potential opportunities for links to the Council owned land and the applicant would welcome discussions separate to this application on the same.

- The comments state that it would be appropriate to have improved walking and cycling linkages from the development closer to the Trans Pennine Trail. As mentioned above the layout now provides a 3 metre wide footway / cycleway through the site that would improve the cycle and walking linkages to the Trans Pennine Trail.
- Officers have confirmed that the housing mix previously proposed was broadly in line with requirements of the Council's HELNA recommendations. The mix has now changed since the original submission and there is now a greater proportion of 3 bed units as summarised in the table on Page 1. The mix is now more in line with the HELNA.
- There is a demand for self-build plots in this area and this should be raised with the applicant. The proposals will not be providing any self-build plots.
- No affordable housing is proposed, and the Applicant's Viability Assessment has indicated that the provision of affordable housing is not viable. The Council provided the Applicant with a copy of Bruton Knowles review of the Viability Assessment on 14 April 2023 and the Applicant will be responding to this in due course.

#### **NHS (25 November 2022)**

We note that the Derby and Derbyshire ICB have requested a £90k contribution to support the development of existing local practices. The sum is requested on the grounds that additional capacity is needed, however the applicant has not been informed as to what the current capacities are. We need to see this information so we can understand whether the requested contribution meets the tests in the CIL Regulations.

#### **Derbyshire Police (25 November 2022)**

Derbyshire Police have confirmed that they do not object to the application in principle in relation to matters of community safety but have made some requests for amendments to the layout and specific house types as follows:

- Introduce additional fenestration on plots for outlook.
- Garden gates needed supplementing or repositioning.
- Introduce a mid-height post and rail fence to certain plots.
- Additional planting (grass/hedges) is necessary on some plots.
- There will need to be lighting provision for the communal car park to the apartments (if not adopted).

The new layout now includes a different range of house types and the changes have sought to address the comments made.

#### **DCC Place (28 November 2022)**

##### ***Education***

DCC have requested the following contribution with regards to education provision:

- *£217,986.60 towards the provision of 12 Primary places at Dinting Primary School towards additional education facilities as Dinting is both the nearest school and has capacity for expansion.*

As you know the applicant commissioned consultants Alfredson York Associates (AYA) to carry out their own Education Impact Assessment and this was submitted with the planning application (Document 9). This report shows that there are fifteen primary schools within two miles of the proposed development and all but one of them would have surplus places. The report concluded that as of January 2022 there were 604 surplus primary school places. These schools could therefore accommodate any future demand for education as a result of the development.

### ***Broadband***

The applicant notes the advisory comments on broadband provision. The proposals will provide broadband to all of the new dwellings.

### ***Local Authority Collected Waste***

The applicant notes that DCC is currently reviewing its approach to assessing the impact of housing development on waste services.

### ***Libraries***

We note the requested contribution of £7,040 (£70.40 per dwelling) towards library stock levels. Once the applicant knows all the contributions that are being sought it will consider these further in relation to the tests in the CIL Regulations and viability.

### ***Public Health and Adult Social Care***

We note Public Health and Social Care support in principle 100 dwellings being built at Dinting Vale and they support the proportion, size and mix of dwellings previously proposed. They have stated that they would prefer that the 1 bed units are delivered as bungalows or "stacked bungalows" and request that all dwellings meet M4(2) standards.

There is a provision of 1 bed units in the form of the Chinley apartment block. Each apartment has its own separate access and is therefore similar to "stacked bungalows". The applicant has utilised the ground floor apartments for elderly provision elsewhere in the Borough at their development at Forge Road, Chinley.

The scheme now provides M4(2) dwellings throughout the layout in accordance with the HELNA.

### ***Countryside services***

We note the concerns raised by Countryside Services about the potential impacts on the Local Wildlife Site (LWS) to the west of the site. The previous layout had dwellings backing onto the LWS which meant some of the trees from the LWS would have overhung some of the gardens. The new layout has now addressed this by replanning this area so that new dwellings are set back from the LWS and they now face towards it removing any future pressure on these trees.

### ***Sustainable Travel***

We note the request for the provision of an off-site shared path to connect the site to the existing bridleway network to the south west at a cost of £61,920.

Once the applicant knows all the contributions that are being sought it will consider these further in relation to the tests in the CIL Regulations and viability.

### **British Horse Society (28 November 2022)**

BHS request that a link is provided from the site to the Pennine Bridleway. As mentioned above a 3m wide footway / cycleway has now been provided through the site, including along the western site boundary connecting to the PROW running across the site, which provides the same levels of permeability as the requested link by the BHS. However, it is not within the applicant's control to provide the connection/extension to the bridleway to the west of the site as this area falls outside of the applicant's land ownership.

### **United Utilities (28 November 2022)**

United Utilities have requested that a detailed drainage plan be submitted to enable them to have an opportunity to review and comment on the development prior to determination of the application. The applicant notes that United Utilities requested a condition regarding the submission of a sustainable surface water drainage scheme and a foul water drainage scheme if permission was granted without the provision of this information first.

A Preliminary Drainage Design was originally submitted with the application (Document 38) however it appears that this has not been reviewed by UU. We wrote to you on 16 December 2022 to request that you reconsulted with UU so we could get some feedback on the previous Preliminary Drainage Design but no comments have been received. Notwithstanding this, this submission now includes a new Preliminary Drainage Design, along with External Works Drawings and a revised Flood Risk Assessment which should deal with UU's comments.

### **HPBC Environmental Health (Contamination and Noise) (30 November 2022)**

In relation to Contamination, Environmental Health have not raised any objections and recommend a standard pre-commencement condition relating to contamination. A Phase II Geo-Environmental Investigation Report has now been completed and this can be found in Document 176. Please now consider this as part of the proposals.

In relation to Noise, the comments state that layout needs to make it clear where the acoustic fencing is proposed. A revised Noise Assessment has been produced (Document 172) to reflect the new layout and the acoustic fencing is clearly shown on the amended Boundary Treatment Plan (Document 128).

### **Dinting Primary School (30 November 2022)**

The school has stated that it does not have any vacant spaces and they are oversubscribed. They have also raised comments on congestion, parking, trees and air quality.

The response from AYA is contained at Document 184. You will see that they maintain that the school has capacity based on figures provided by the Government and forecasts provided by DCC. Notwithstanding this, there is also the matter of parental choice to consider as not all children from the development will go to Dinting Primary School. The Education Impact Assessment submitted with the application concluded that as of January 2022 there were 604 surplus primary school places within 2 miles of the site. It is the applicant's position that these schools could accommodate any future demand for education as a result of the development.

### **Derbyshire Wildlife Trust (DWT) (1 December 2022)**

We note the comments from the Wildlife Trust on the Habitat Survey and Assessment, BNG, Protected Species and Proposals and Layout.

As discussed in Document 180, based on the final layout and outlined assumptions within the BNG Assessment which includes applying the offsetting solution using the offsite area within Chinley, the proposed development is predicted to result in an overall net gain of approximately 17.92% or 6.32 habitat units, +332.33% or 1.75 hedgerow units and no change in river units.

The applicant has now provided a response letter (document 182) following meetings between the applicant's Ecology Consultants (Tetra Tech) and DWT in January and February. The response is set out in a clear tabular format with Tetra Tech responding directly to various comments raised by DWT.

#### **DCC Highways (1 December 2022)**

The Technical Note (Document 175) and updated Travel Plan (Document 174) by SCP and the Technical Note by Betts (Document 170) have addressed the comments made by DCC Highways.

#### **HPBC Conservation Officer (5 December 2022)**

We note that the Conservation Officer has no comments to make on the proposed development.

#### **HPBC Leisure and Recreation (5 December 2022)**

The Leisure and Recreation Development Officer requested on-site play provision in the form of a LEAP owing to the size of the proposed development and the lack of play facilities in the vicinity of the site. A Trim Trail has been provided within the site at the southern end of the site. Details of this can be found at Document 186.

The applicant also notes the requested contribution towards the enhancement of existing facilities within a 2km radius totaling £113,735. Once the applicant knows all the contributions that are being sought it will consider these further in relation to the tests in the CIL Regulations and viability.

#### **High Peak Access (6 December 2022)**

The applicant notes High Peak Access request that the development is revised to demonstrate compliance with Building Regulation M4(2) to meet the requirements of High Peak Local Plan Policy H3 (e) and the HELNA 2022.

The amended plans now show that 47 of the dwellings would comply with M4(2) standards. This amounts to 51% of the dwellings and therefore complies with the recommendations in the HELNA with regards to M4(2).

#### **Network Rail (6 December 2022)**

Network Rail state that they have no objection in principle to the proposed development and the applicant has noted their comments about noise. The Noise Assessment has considered the noise from the railway line and concludes that there will be acceptable noise levels at the site for future residents.

#### **HPBC Waste Services (6 December 2022)**

HPBC Waste Services have made some comments about waste collection. These comments have been factored into the new Waste Management Plan (Document 144) and the bin store details for the apartments (Document 192).

#### **Environment Agency (7 December 2022)**

The Environment Agency has not objected to the proposed development. They have provided guidance and advice for the applicant and recommended a precautionary planning condition concerning unidentified contamination which the applicant accepts.

#### **Natural England (20 December 2022)**

We note that Natural England considers that the proposed development will not have any significant adverse impacts on statutorily protected nature conservation sites or landscapes.

### **HPBC Environmental Health (Air) (20 December 2022)**

Environmental Health (Air) has requested further information to be included in the Air Quality Assessment. The applicant has prepared a revised Air Quality Assessment that has now addressed the comments - see Document 173.

### **FPCR Landscape and Design (9 January 2023)**

The applicant notes the comments provided by FPCR in relation to the submitted Landscape and Visual Impact Appraisal and other associated landscape documents. These comments have been addressed in the LVA Addendum at Document 178.

Appendix A of the FPCR response contains various comments on the layout and design matters. These comments have been factored into the revised plans and accommodated where possible. Please refer to the Design Evolution Statement (Document 133) and amended Design and Access Statement (Document 132) for further information which justifies the design approach to the scheme.

### **Viability**

The Applicant has now received the Council's independent review of the Viability Assessment from Bruton Knowles and a response will be provided in due course.

### **Summary**

I trust the above will assist you when considering the application further. If you have any queries about the enclosed information, I would be pleased to speak with you.

Yours sincerely

**NIALL MELLAN** BA (Hons) MSc MRTPI  
Associate

cc: Wain Homes Limited

Marc Hourigan	Hourigan Planning
Nick Brookman	Hourigan Planning