

From:
To: [Planning Comments \(HPBC\)](#) Comment
Subject: Received from Public Access 24 June
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Application Reference No. : HPK/2024/0143

Site Address: Derbyshire County Council Works Department Ashbourne Lane Chapel-En-Le-Frith Derbyshire SK23 0PA High Peak

Comments by: Sebastian Spain

From:

6

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Central Area

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Submission: Objection

Comments: Response to planning application HPK/2024/0143.

The Chapel-en-le-Frith Neighbourhood Plan outlines several policies relevant to the application including:

- Employment Policy EP1: Design of Employment Sites
- Employment Policy EP2: Existing Employment Sites
- Employment Policy EP5: Site Specific Requirements for Allocated Employment Land

The High Peak Local Plan outlines further policy relevant to the application including:

- Policy S6: Central Area sub-strategy

Having reviewed the details of the application, I do not believe the proposed development meets the criteria of these policies and I object to the proposal on the following grounds.

Scale and subsequent loss of amenity to neighbouring residences

C-e-l-F Neighbourhood Plan policy EP1: Development should be visually attractive, compatible with the character of the surrounding area, include necessary screening and be of a scale, design and finish appropriate to the locality, particularly where the development can be viewed from main roads or other heavily used areas, including high ground and beauty spots.

The proposed development includes raising the ground level of rear of the site from approximately 221 metres to 225 metres with an increase of approximately 3.6 metres in the north-eastern section neighbouring Netherfield Road and Buxton Road. The proposed industrial units have a height of 8.34 metres at the ridgeline which, combined with increased ground level, will be significantly taller than the existing buildings on the site.

In the north-eastern section of the site, the current buildings are low level (approx. 2.5 metres) and on low ground (221 metres). The increased ground level and increased building height will equate to an increased height of approx. 10 metres in this area close to the site boundaries with houses on Netherfield Road and Buxton Road. This scale of building is hardly comparable to the character of surrounding buildings and the raised ground level effectively places the buildings in an elevated position compared to their surroundings making them more conspicuous and imposing rather than less.

C-e-I-F Neighbourhood Plan policy EP1: "Development should have no unduly adverse effect on residential amenity."

C-e-I-F Neighbourhood Plan policy EP2: "Proposals which lead to the improvement, modernisation or upgrading of current employment sites will be welcomed and supported, subject to there being no adverse impacts on the amenity of neighbours."

The proposed increased ground level at the north-eastern section of the site will be approximately the same height as the top of fences of neighbouring properties. Additionally, there is no screening between the edge of the pedestrian areas surrounding the units and the site boundaries. This will mean that users of the site will be elevated compared to the level of the neighbouring properties resulting in these properties being severely overlooked, particularly the gardens to the rear of properties. The addition of a development of this scale will also result in significant overshadowing of the neighbouring residential properties and their gardens. Both the overlooking and the overshadowing will have an unduly adverse effect on residential amenity due to the loss of privacy and daylight which will reduce the ability to use their gardens.

Noise, light, and other pollutants

The proposed site was not identified as an allocated site in the Neighbourhood Plan. However, considering its similarity to sites that were identified e.g., Site ES1 Former Longson's Transport Yard, some of the site-specific requirements should apply in addition to requirements in EP2 (above) including:

C-e-I-F Neighbourhood Plan policy EP5: "No unacceptable impact on neighbouring properties through noise, vibration, smell, smoke, dust, fumes, lighting, litter, traffic and other disturbance, and no unacceptable impact on residential amenity including consideration of hours of operation."

The proposed external lighting will impinge on neighbouring properties with the emergency lighting on north-east facing elevation of Unit C facing towards the neighbouring properties well above the fence line so it will also illuminate gardens and be clearly visible from these properties.

There is significant potential for noise and other pollutants depending on what business(es) occupy the units. The applicants do not provide details pertaining to the potential tenants of the units but provide usage classes as defined in The Town and Country Planning (Use Classes) Order 1987 and subsequent amendments, specifically classes B2, B8, and E(g).

Use class B2 General Industrial is a broad class that includes "a process for or incidental to any of the following

purposes; (a) the making of any article or part of any article (including a ship or vessel, or a film, video or sound recording); (b) the altering, repairing, maintaining, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article; or (c) the getting, dressing or treatment of minerals; in the course of any trade or business other than agriculture, and other than a use carried out in or adjacent to a mine or quarry;

Class B8 is Storage and Distribution, while class E(g) is any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. As class E(g) includes industrial uses that don't cause detriment to the surrounding the inclusion of class B2 implies the site could be used for industrial uses that do cause detriment to the amenity of that area by the reasons detailed above which goes against the Neighbourhood Plan. In addition to the usage class of the building, the operating hours will also have a significant effect on how much detriment is caused with potential light, noise and other pollution occurring 24/7. For example, Storage and Distribution facilities tend to work long hours with traffic movements etc., often occurring 24 hours a day which will have a significant impact on neighbouring properties.

Peak Forest Tramway

C-e-l-F Neighbourhood Plan policy EP1: Development must not cause detriment to valuable areas or features of nature conservation or man-made heritage.

C-e-l-F Neighbourhood Plan policy EP5: The neighbouring historic Peak Forest Tramway must be protected in the form of a buffering zone.

High Peak Local Plan policy S6: The Council will seek to promote the sustainable growth of the Central Area such that it reflects the historic character of the settlements, provides increasing range of employment opportunities, promotes the growth of a sustainable tourist economy and meets the housing needs of the local community. This will be achieved by:

- Protecting and enhancing the historic environment.
- Ensuring the redevelopment of industrial legacy sites reflects their historic character.

The site contains sections of the former Peak Forest Tramway which has historical significance both locally and nationally. The Chapel Neighbourhood Plan and the High Peak Local Plan both recognise the importance of the Tramway and that efforts should be made to protect and enhance it. However, this application makes no provision for the protection of remaining aspects of the Tramway during its construction nor does it aim to enhance the historic environment.

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