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Mr Anton Godfrey,
The Planning Inspectorate,
Room 3M,
Temple Quay House,
2 The Square,
Bristol,
BS1 6PN

Our Ref. 20/399

22nd October 2024

Dear Anton,

**RE: RESPONSE TO THE APPEAL STATEMENT OF HIGH PEAK BOROUGH COUNCIL OVER S.78
PLANNING APPEAL APP/H1033/W/24/3348363**

We are writing on behalf of our client, Mandale Homes, (the appellant) in respect of the Appeal Statement of High Peak Borough Council (as the Local Planning Authority [LPA]) received on 10th October 2024, for an appeal against the non-determination of outline planning application ref. HPK/2024/0041 for residential development of up to 2no. dwellings with all matters reserved, at land at Blackshaw Clough, Glossop.

Response to the LPA's Appeal Statement

At the outset, we welcome the acknowledgement within the LPA's Appeal Statement that the application would have been refused on a single ground only, which relates to (surface water) drainage, with the principle of development accepted. We also note the LPA's acknowledgement that the Local Highway Authority did not object to the application, having been satisfied that previous applications determined nearby could be accommodated by the local highway network, which has sufficient capacity; indeed, the appeal proposals would only add a further 2no. dwellings (maximum) to the potential 103no. dwellings set to be delivered nearby. Furthermore, the LPA accept that *'clearly the site is sufficient in size to accommodate two dwellings and provide parking and private amenity areas'* and *'adequate separation distances could be provided between the dwellings on the appeal site, Hawkshead Mill and the Bute Street development to the south.'*

In terms of drainage, we reiterate our previously stated view that for such a small scheme, this can be adequately addressed via condition, especially as United Utilities are satisfied subject to the imposition of a foul and surface water drainage condition. In that respect, the appellant has no objections to the LPA's suggested drainage condition, nor the one related to levels. On this particular matter, we would just add that engineering works in or around the overflow were always likely to be necessary to deliver new housing in line with the allocation that covers the appeal site. If an appropriate drainage and engineering solution were not deemed possible for land in or around the overflow, it is reasonable to assume that the land would not have been allocated for development. In our view, this adds further weight to a condition being a suitable approach to dealing with drainage.

With regards to the overflow, the last contact received from the LPA regarding works to the overflow was now over two years ago, in early October 2022, and we are not aware of any flooding or overflow-related incidents within that period. Whilst there was an issue with the flooding of a small number

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of rear gardens of the new dwellings to the east of the appeal site earlier in 2022, this was resolved by some reprofiling work to the overflow (the Lead Local Flood Authority [LLFA] are evidently aware of these works having observed them on-site) and the installation of gabion baskets by the appellant. To confirm, we are not aware of any flooding or overflow-related incidents since the above works were undertaken, and the appellants' dedicated customer care team have had no such complaints or reported incidents.

The appellants' engineers have also advised that a surface water solution that avoids directing water towards the overflow is possible. This would entail surface water being fed, via gravity, to the United Utilities surface water manhole on Bute Street to the south west. Depending on the final design and level of the dwellings and gardens, this could be pumped, if necessary.

The above notwithstanding, if the Inspector was minded to allow the appeal subject to the overflow being re-constructed to the satisfaction of both the LLFA and LPA first, it is our view that this could be secured via a *Grampian* condition to prohibit development authorised by the planning permission until a specified action has been taken. The appellant would raise no objection to such a condition, and this could be added to the list suggested by the LPA.

Conditions

To confirm, the appellant has no objections to any of conditions proposed by the LPA in the event the appeal is allowed.

Conclusions

To conclude, for the reasons set out above and in our Appeal Statement, we respectfully request that the appointed Inspector resolves to allow the appeal subject to any conditions that are deemed necessary.

We trust this information is of assistance. Should you have any queries in respect of this matter please do not hesitate to get in touch.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'David Marjoram', written in a cursive style.

David Marjoram
Principal Planner