

DELEGATED DECISION REPORT

HPK/2025/0022
Valid 12/02/2025

AVANTI CONVEYORS LTD
TURNLEE ROAD
SIMMONDLEY
GLOSSOP

RETROSPECTIVE
APPLICATION FOR ERECTION
OF LIGHTWEIGHT STORAGE
BUILDING ANCILLARY TO
EXISTING USE OF SITE.

(FULL - MINOR)

MAIN ISSUES

- Principle of Development
- Design, Character and Appearance
- Amenity
- Parking Provision and Highway Safety

DESCRIPTION OF SITE

The application refers to a parcel of previously development land that is located adjacent to a large industrial (B2) unit occupied by Avanti Conveyors Ltd which is situated east of Turnlee Road, within a Primary Employment Zone as defined within the Local Plan.

The site is characterised by hard standing and is situated a considerable distance below the level of the public highway. The site is accessed via an existing vehicular access serving the wider industrial site and existing car parking area.

PROPOSAL

The application seeks full planning permission for a new lightweight industrial unit of a rectangular form with an overall floor area of approximately 526m². The building would serve an extension to the existing industrial unit and is contained within the same planning unit.

Further to a site visit, it has become apparent that this structure has in fact been erected without the necessary planning permission, and therefore in agreement with the applicant's agent, the description of development has been amended to reflect that this application is retrospective.

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
- S2 Settlement Hierarchy
- S4 Maintaining and Enhancing an Economic Base
- EQ5 Biodiversity
- EQ6 Design and Place Making
- E1 New Employment Development
- E3 Primary Employment Zone
- CF6 Accessibility and Transport

National Planning Policy Framework 2024

Achieving Sustainable Development	Chapter 2
Building a Strong Competitive Economy	Chapter 6
Promoting Sustainable Transport	Chapter 9
Making Effective Use of Land	Chapter 11
Achieving Well Designed Places	Chapter 12
Conserving and Enhancing the Natural Environment	Chapter 15

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/0001/3162	For Proposed Erection Of Engineering Factory (Approved)
HPK/0001/4352	Portal Frame Building (Approved)
HPK/0003/4603	Erection Of Security Fencing (174 Metres Long 2.4 Metres High) (Refused 02/10/1995)
HPK/0003/5291	Proposed New Access and Fencing (Approved 24/06/1996)
HPK/2009/0559	Use For Warehousing & Distribution Of Goods With Limited Storage (Approved 15/01/2010)
HPK/2022/0257	Proposed change of use from a mixed use of Class B2 (General Industrial) and warehouse / storage and distribution use (Class B8) to entirely general industrial use (Class B2) (Approved 24/10/2022)

CONSULTATIONS

Publicity

Site Notice expiry date: 9th April 2025
Neighbour consultation period ends: 19th March 2025
Press Advert: N/A

Public Comments

None

Town / Parish Comments

N/A

DCC Flood Risk

No comments to make

Derbyshire Wildlife Trust

No objections subject to condition requiring Biodiversity Enhancement Plan to be submitted and approved in writing in the form of bird and bat boxes.

Derbyshire County Council Highways

No objections

OFFICER COMMENTS

Principle of Development

The site lies within the built-up area boundary of Glossop, one of the larger Market Towns that sit at the top of the settlement hierarchy under Local Plan (LP) Policy S2, and are the focus for housing and economic growth.

The application seeks full planning permission for a new industrial unit that would serve as an extension and thereby an extension of an existing larger industrial unit located within a Primary Employment Zone as defined within the Local Plan. The site is not constrained by any sensitive statutory designation.

As such, the application is fully supportive of strategic Local Plan Policies S1, S2 and S4, and economic development Local Plan Policies E1 and E3, in addition to relevant paragraphs contained within Chapter 6 and 11 of the NPPF, that when taken together requires significant weight to be attributed to supporting economic growth on previously development site within existing settlements.

In light of the above the principle of development is fully supported subject to all relevant planning material 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 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 135 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 application site comprises a small parcel of hard standing (previously developed land) that lies adjacent to the parent larger industrial unit on one side and the public highway on another. The sensitivity of the site in terms of accommodating new development is thus considered to be low.

The proposed building has a rectangular form that sits a considerable distance behind the principal elevation of the larger industrial building, and is of a scale and height that allows the building to read as a secondary and subordinate ancillary structure. The materials to be used in the construction of this building are considered to be appropriate for its use and function, and its immediate context within an employment site within the urban area.

For the reasons set out above, the application is considered to reflect the design principles set out under LP Policies S1 and EQ6, and relevant paragraphs contained under Chapter 12 of the NPPF and is acceptable in design terms.

Amenity

LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.

LP Policy EQ10 seeks to ensure that people and the environment are protected from adverse impacts relating to issues including air pollution, noise, light pollution or any other nuisance or harm to amenity, by securing appropriate mitigation by way of planning conditions and obligations.

Paragraph 135 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.

Paragraph 198 of the NPPF states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural

environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development, which includes mitigating and reducing to a minimum potential adverse impacts from noise.

The application site lies adjacent to an existing industrial building on one side and the public highway to the other, with the nearest residential property being located some 80m distant to the north-west. Owing to the fact that this building would function in an ancillary manner, and subject to conditions that are consistent with those applied to the building that were attached to the most recent consent issued under HPK/2022/0257, it is considered that the introduction of this lightweight industrial unit would not give rise to any adverse harm to public or residential amenity, in accordance with LP Policies EQ6 and EQ10, and relevant paragraphs under Chapters 12 and 15 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 115 of the NPPF states that in assessing sites for specific applications, it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 116 goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact impacts on the road network would be severe.

The proposed lightweight building would function in an ancillary manner as an extension to the larger industrial unit, and would be served from an existing vehicular access from Turnlee Road and an existing car parking area. As such, and in light of comments from the Highways Authority, it is considered that the introduction of this building would not give rise to any harm to highway safety.

Other Matters

Ecology

LP Policy EQ5 requires all new development proposals to demonstrate that any protected species and habitats within the site will not be adversely affected and seeks to promote a nett gain in biodiversity by securing appropriate mitigation and ecological enhancements where appropriate.

Chapter 15 of the NPPF contains the relevant national planning policies aimed at conserving and enhancing the natural environment.

The application site is not constrained by any statutory ecological designation, and is exempt from the requirement to provide a 10% uplift in Biodiversity Nett Gain under the Environment Act (2021) as a consequence of the site being a sealed surface. However, local and national planning policy still encouraged and promotes biodiversity enhancement in all development proposals and should thus be pursued where possible.

Comments from Derbyshire Wildlife Trust have requested that a Biodiversity Enhancement Plan be secured as a condition. Owing to the fact that this application is now retrospective, it is recommended that this condition be applied in a manner that requires such details to be submitted within 3 months from the date of this decision and secured thereafter in accordance with the approved details.

Subject to this condition being adhered to, it is considered that the application would provide biodiversity enhancement in accordance with LP Policy EQ5 and relevant paragraphs under Chapter 15 of the NPPF.

CONCLUSION / PLANNING BALANCE

LP Policy S1a reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework. 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-date⁸, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii) 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination

The application seeks full retrospective planning permission for a lightweight industrial unit that would function as an extension to a larger industrial unit in an ancillary manner, that lies within the built-up area of Glossop in a Primary Employment Zone, not constrained by any statutory designation. The principle of development is thus fully supported by Local Plan Policies S1, S2, S4, E1 and E3, and relevant paragraphs contained under Chapters 6 and 11 of the NPPF.

An assessment of the application and concluded that subject to appropriate conditions that align with the wider industrial site and secure ecological enhancement, the application amounts to a sustainable form of development. In line

with LP Policy S1a and paragraph 11 of the NPPF the application is recommended for approval.

OFFICER RECOMMENDATION : Approve with Conditions

Case Officer: James Stannard

Recommendation Date: 16th April 2025

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council