APPEAL STATEMENT OF CASE

Land at Former Glossopdale Community College Site, Talbot Road, Glossop, SK13 7DR

Derbyshire County Council

March 2026

Carter Jonas

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Carter Jonas

Date: March 2026

Client: Derbyshire County Council

Job Number: J0097252

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1. INTRODUCTION

1.1 This Statement is submitted on behalf of our Client, Derbyshire County Council (the '**Appellant'**), following the refusal of Outline Application reference HPK/2024/0481 (the '**Application'**) by High Peak Borough Council (the '**Council**').

1.2 The application related to development at Land at Former Glossopdale Community College Lower Site, Talbot Road, Glossop, Derbyshire, SK13 7DR (the '**Site**'), and the description of the proposed development, as set out on the application form, is as follows:

> *"Outline planning application for the construction of up to 110 dwellings, with all matters reserved (except principal points of access) including all associated ancillary works and engineering operations"*

1.3 All matters were reserved for later approval although the primary means of access to the site are included.

1.4 A copy of the LPA's Decision Notice is provided as **Appendix A** and the Officer's Report as **Appendix B**.

1.5 The appeal is lodged with a request for determination by way of a public inquiry. More on this in **Chapter 4.**

1.6 The application was submitted to the Council as Local Planning Authority on 21st November 2024. The application was validated on 7th January 2025 and refused following planning committee (which was held on 8th September 2025) on 12th September 2025.

1.7 A comprehensive suite of plans and documents were submitted as part of the planning application, as listed in the Document Register at **Appendix C.**

1.8 A full list of the plans and documents submitted with this Appeal are set out in **Appendix D.**

1.9 The Statement of Case is structured as follows:

- The Site Location & Background
- Planning Policy
- Appeal Procedure & Presentation of Evidence
- Case for Appellant
- Documentation
- Planning Conditions and Obligations

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2. THE SITE

2.1 The site lies north of Glossop Town Centre and extends to approximately 4.78 hectares. It comprises previously developed land, with existing access from Talbot Road and North Road. The site is currently derelict and previously accommodated the Glossopdale Community College prior to its relocation to another site and the subsequent demolition of the school buildings and external areas. A plan showing the location of the site is shown in **Figure 1** below and a full version of the location plan is provided as **Appendix E.**

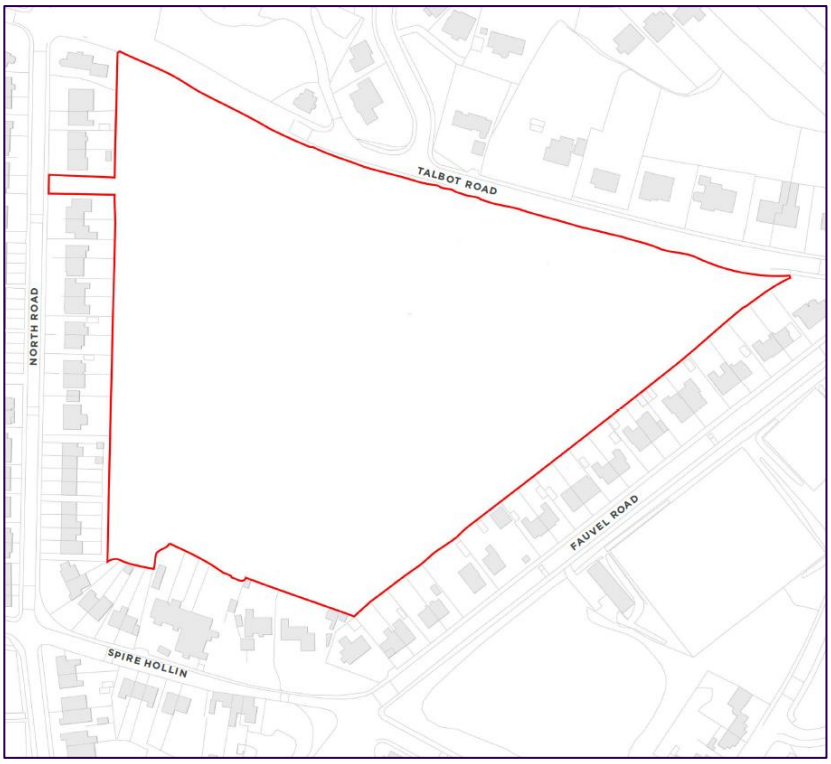

Figure 1: Extract from submitted Red Line Boundary

2.2 The site slopes broadly down from north to south, with a plateau across the middle/southern part of the site, which previously accommodated hard surfaced outdoor play and sports areas, with land around the previous southernmost terrace giving way to more steeply sloped land along the southern and western site boundaries.

2.3 The site is enclosed on all four sides by residential streets, primarily consisting of two-storey detached, semi-detached and terraced dwellings.

2.4 The site is currently unallocated in the High Peak Local Plan (adopted April 2016). It is within the settlement boundary and has no designations. Nearby designations of note are the conservation areas situated to the north west and the east shown in **Figure 2** below.

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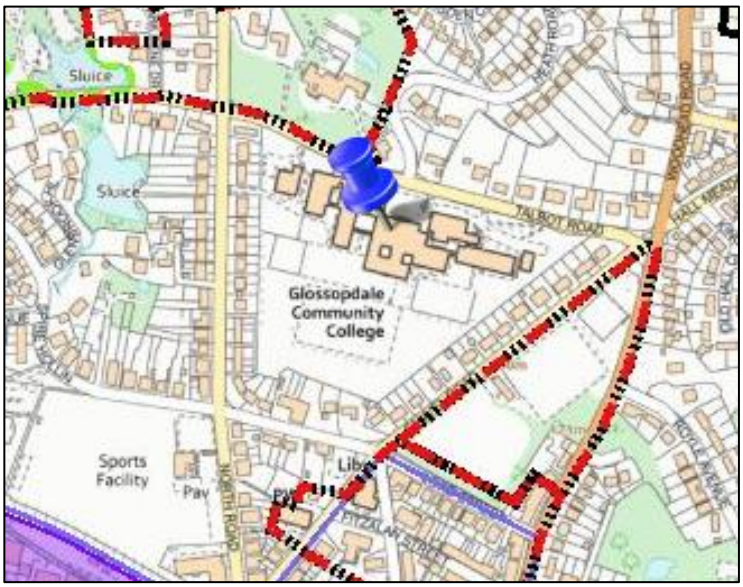

Figure 2: The site as shown on the High Peak Council Policies Map

History of Glossopdale Community College's Closure

2.5 In October 2014, Derbyshire County Council undertook statutory consultation to consolidate Glossopdale Community College onto a single site at Hadfield. At the time of the consultation, the school was accommodated across the following three sites:

- Glossopdale School (Hadfield)
- Glossopdale Community College (Talbot Road) (the Site at issue in this appeal)
- Talbot House (Sixth Form)

2.6 Following that consultation, the existing Glossopdale School site in Hadfield was identified as the most appropriate location for the consolidated school. It benefited from a larger site size, level topography, and capacity for expansion with scope for a replacement school building and sufficient outdoor sports facilities to serve the consolidated school.

2.7 In contrast, the Glossopdale Community College (Talbot Road) site (the Site in this appeal) was constrained by surrounding residential development, limited on-site facilities, and topography which was unsuitable for outdoor sports provision and substantial school building(s). The Talbot Road and Talbot House sites were therefore identified as surplus to requirements and suitable for disposal.

2.8 Prior to the school's consolidation in 2018, the former Glossopdale Community College (Talbot Road) also had access to two off-site sports facilities (although these were not used in full for various reasons):

- Cemetery Road - Grass playing fields
- Fauvel Road - Grass playing field, redgra surface, tennis courts

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Cemetery Road

2.9 Cemetery Road included three grass playing pitches, which were identified in the High Peak Playing Pitch Strategy (2018) (PPS) as poor quality and the Playing Pitch Strategy Assessment Report (2017) identified that the *"drainage is particularly poor and pitches can become unplayable for months during the winter period".*

2.10 In November 2019, High Peak Borough Council approved an application for the following development at Cemetery Road:

> *"Redevelopment of existing sports facilities including new changing facilities/clubhouse and associated car parking, full-size artificial pitch, 2no. grass pitches and relocation of vehicular access"*

2.11 This application included redevelopment of the existing three playing pitches to create one full size artificial (3G) pitch, 2 grass pitches, and changing facilities/clubhouse. Sport England's consultation response confirmed that they considered the proposals offered "*the potential for significant overall benefits to sport and much enhanced ancillary facilities in line with Sport England Policy Exceptions 5 and 2, and NPPF Paragraph 97".*

2.12 In part, Sport England's support was on the basis that it would introduce an artificial 3G pitch, which had been identified in High Peak's PPS as being required to address a shortfall in the area. The provision of the 3G pitch therefore acts to meet that identified shortfall and provides community use of the site.

Fauvel Road

2.13 Fauvel Road was not identified in the High Peak PPS (2018) as playing pitch or playing field land. However, this appears to include some minor sports provision, including a grass field, redgra surface, and tennis courts, which are in poor condition and seemingly under-utilised.

Funding Position

2.14 The Talbot Road (the Site) and Talbot House sites were identified for disposal as a means of contributing towards the cost of the replacement school, which was forward funded by the Appellant on the basis that the two surplus sites would be sold for redevelopment. Following the opening of the replacement Glossopdale School (Hadfield) in September 2018, the Talbot Road (the Site) and Talbot House sites became redundant and surplus to requirements.

2.15 The Appellant applied to the Secretary of State for consent (under Section 77 of the School Standards and Framework Act 1998) to dispose of the Site, which was granted on 8th October 2015.

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2.16 The replacement school has been built and occupied for a number of years, and the Appellant is obliged to reimburse the Department for Education for the loan used to fund the replacement school. The **proceeds from the sale of the Site are ringfenced to repay this loan**, and the Secretary of State approval for disposal of the appeal site is subject to the same requirement for the capital receipt to be used for funding the replacement school.

2.17 Evidence is provided as **Appendix F** to show that it is an **essential** funding requirement to use the capital receipts from the sale of the Site to repay the loan used to forward fund the replacement school.

2.18 Drawing these matters together and to provide clarity on the usage of the Site, we set out below a brief timeline (which was also shared with officers) in understanding how the Site has been used:

- 8th October 2015 – Section 77 consent given by the Secretary of State for disposal of the Site (in its entirety)
- 18th February 2016 – Application for replacement school on the site in Hadfield submitted (LPA Ref: CD1/0216/137)
- July 2016 – Application for replacement school on the site in Hadfield approved
- June – September 2018 – Last pupils move to new school in Hadfield now known as Glossopdale School
- September 2018 – The Site becomes vacant
- 31st July 2020 – LPA approved demolition and clearance of the Site (LPA Ref: DET/2019/0008) (Extract of application provided as **Appendix G**) (**this included the removal of the tarmac and hard landscaped areas previously used for play and outdoor sport**)
- 2021 – Demolition and site clearance works carried out at the Site
- Pre-application submission and letter of response from the Council on 14th April 2023 (Provided as **Appendix H)**
- Consideration of application by High Peak Development Control Committee on 8th September 2025
- Issue of Decision Notice on 12th September 2025

Planning History

2.19 According to High Peak Borough Council Public Access, Derbyshire County Council Public Access, and Nimbus, the following planning history has been recorded for each of the relevant sites referred to above in the following tables:

- Table 1 - Glossopdale Community College (Glossop) (the Site in this appeal) – denoted by red star on Figure 3
- Table 2 - Glossopdale School (Hadfield) – denoted by blue star on Figure 3

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- Table 3 - Recreation Ground & Cricket Ground North Immediately Adjacent to School at Hadfield – denoted purple star on Figure 3
- Table 4 - Fauvel Road Playing Fields – denoted by yellow star on Figure 3
- Table 5 - Cemetery Road Sport Facilities – denoted by pink star on Figure 3.

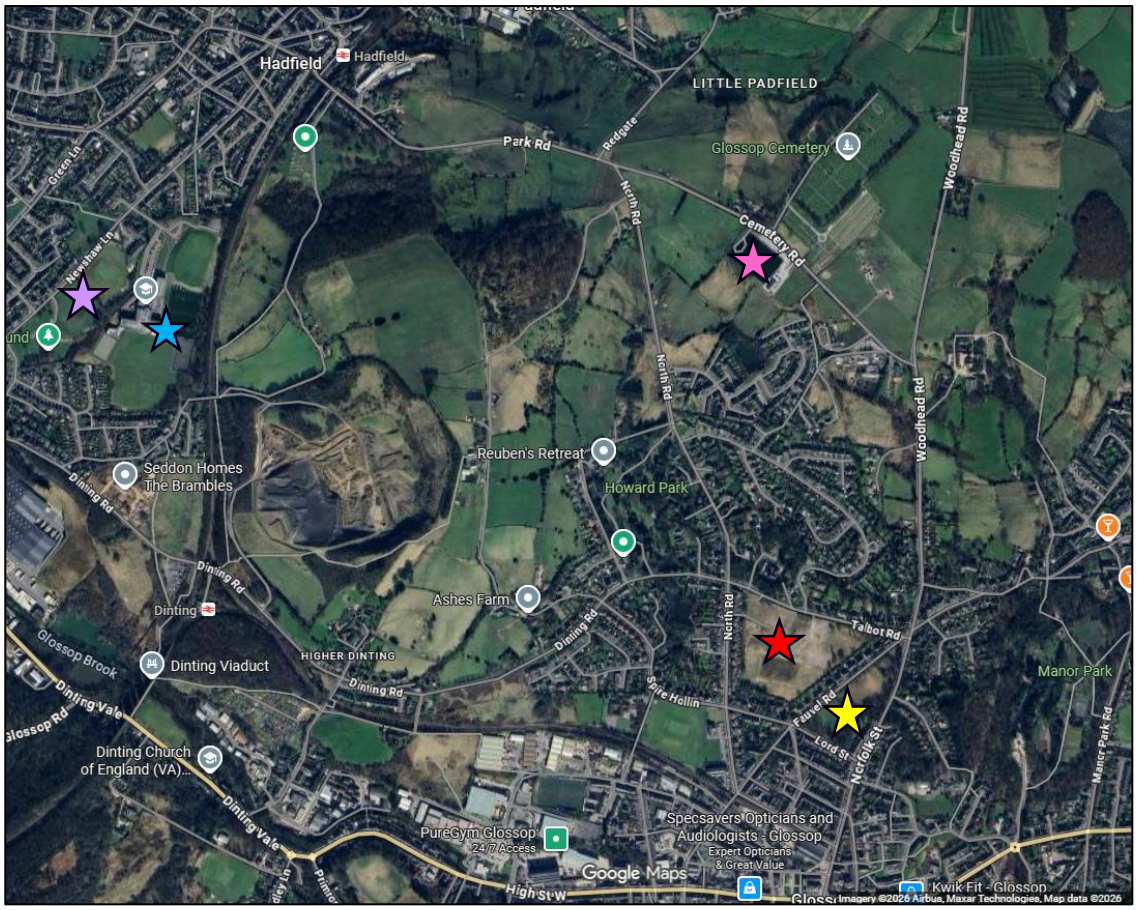

Figure 3: Extract from Google Maps showing location of the relevant sites

Former Glossopdale Community College (Glossop) Site

Table 1: Planning History of Former Glossopdale Community College (Glossop)

Reference	Proposal	Address	Decision	Date of Decision
HPK/0003/6460	Rooftop Aerial for Police Radio Coverage	Glossopdale Community College, Talbot Road, Glossop	Approved (Delegated by High Peak Borough Council)	21/08/1997
CON/2007/0018	Proposed Detached Vocational Training Centre Building Comprising 2 Multi-purpose Workshops, 2 Classrooms, Student Social Area, Office, Toilets	Glossopdale Community College (lower Site), Talbot Road,	Decision made by Derbyshire County Council (no documents available online)	13/12/2007

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Reference	Proposal	Address	Decision	Date of Decision
	And Stores And A New Vehicle Access From Talbot Road To A Service Yard With Car Parking, With New Stepped Pedes	Glossop, SK13 7DR		
CON/2008/0011	1. Detached Vocational Training Centre Building Comprising 2 Multi Purpose Workshops, 2 Classrooms, Student Social Area, Office, Toilets & Stores. 2. New Vehicle Access From Talbot Road To A Service Yard With Car Parking With A New S	Glossopdale Community College Lower Site , Talbot Road , Glossop , Derbyshire , SK13 7DR	Decision made by Derbyshire County Council (no documents available online)	
CON/2011/0014	CD1/1011/99 Construction of 250mm concrete base and lean-to canopy with supporting wall and fencing	Glossopdale Community College Lower Site, Talbot Road, Glossop, Derbyshire, SK13 7DR	Consultation Applications-Observations Made (Decision by Derbyshire County Council)	18/11/2011
DET/2019/0008	Demolition of existing building and engineering block at Glossopdale Community College Lower Site Talbot Road Glossop	Glossopdale Community College Lower Site, Talbot Road, Glossop, Derbyshire, SK13 7DR	Prior Approval Granted (Delegated Decision by High Peak Borough Council)	31/07/2020
HPK/2024/0481	Outline planning application for the construction of up to 110 dwellings, with all matters reserved (except principal points of access) including all associated ancillary works and engineering operations	Glossopdale Community College Lower Site Talbot Road Glossop SK13 7DR	Refused (Planning Committee – High Peak Borough Council)	12/09/2025

Glossopdale School (Hadfield)

Table 2: Planning History of Replacement Glossopdale School (Hadfield)

Reference	Proposal	Address	Decision	Date of Decision
HPK/0000/5912	Provision Of Four Tennis Courts	Glossop Hadfield School Newshaw Lane Hadfield	Application appears on High Peak Borough Council Interactive Map but not in the	

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Reference	Proposal	Address	Decision	Date of Decision
			search function – no details available	
HPK/0003/4320	Erection Of Two Double Classroom Blocks	Glossopdale Community School Newshaw Lane Hadfield	Approved (by Derbyshire County Council)	21/03/1995
HPK/2007/0005	Artificial Turf Sports Pitch (106 M By 71m) And 8 Floodlights, To Be Located On Existing Sports Area	Glossopdale Community College (upper Site), Newshaw Lane, Glossop, Hadfield	Approved (Delegated Decision by High Peak Borough Council)	27/02/2007
CON/2008/0012	Conversion of the existing caretakers detached bungalow into a social services drop in centre. Works to include internal alterations, new floor coverings, new kitchen and installation of an accessible w.c.	Glossopdale Community College, Newshaw Lane, Hadfield, Glossop, Derbyshire, SK13 2DA	Decision made by Derbyshire County Council (no documents available online)	07/07/2008
CD1/0216/137	Construction of replacement community college and sports facilities, with the provision of additional areas of car parking and landscaping, along with the demolition of existing school buildings	Glossopdale Community College, Newshaw Lane, Glossop, SK13 2DA	Approved subject to conditions (Derbyshire County Council website)	07/07/2016
SD2899	Discharge of Condition 3 - A land contamination investigation and risk assessment, in addition to any assessment provided with the planning application of Planning Permission CD1/0216/137	Glossopdale Community College, Newshaw Lane, GLOSSOP	Approved under delegated powers	22/12/2016
SD2940	Discharge of Condition 18 - Submission under Condition 18 - surface water drainage of Planning Permission CD1/0216/137	Glossopdale Community College, Newshaw Lane, GLOSSOP	Approved under delegated powers	22/12/2016
CON/2016/0002	Proposed construction of replacement community college and sports facilities along with the provision of additional areas of car parking and	Glossopdale Community College, Newshaw Lane, Hadfield, Glossop,	Decision made by Derbyshire County Council (no documents available online)	22/12/2016

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Reference	Proposal	Address	Decision	Date of Decision
	landscaping along with demolition of exisring school buildings.	Derbyshire, SK13 2DA		
CD1/0420/5	Erection of a two storey teaching building with associated connecting canopy and the provision of three Multi User Games Area (MUGA) courts	Glossopdale School, Newshaw Lane, Hadfield, Glossop, SK13 2DA	Approved subject to conditions (Derbyshire County Council website)	18/12/2020
DOC/2022/0019	Discharge of conditions 4,5 and 18 relating to CD1/0420/5	Glossopdale Community College, Newshaw Lane, Hadfield, Glossop, Derbyshire, SK13 2DA	Discharge of Conditions – Approved (Delegation Decision – High Peak Borough Council)	Valid 25/04/2022 but no decision date available on High Peak Public Access
DOC/2022/0058	Discharge of condition 13 relating to CD1/0420/5	GLOSSOPDALE SCHOOL AND SIXFORM, Newshaw Lane, Hadfield, Glossop, Derbyshire, SK13 2DA	Discharge of Conditions – Approved (Delegation Decision – High Peak Borough Council)	Valid 22/09/2022 but no decision date available on High Peak Public Access

Recreation Ground & Cricket Ground North Immediately Adjacent to School at Hadfield

Table 3: Planning History of Ground & Cricket Ground North Immediately Adjacent to School at Hadfield

Reference	Proposal	Address	Decision	Date of Decision
HPK/0000/9357	For Proposed Extension To Pavilion	Hadfield St Andrews Cricket Club Newshaw Lane Hadfield	APPROVED	No date or documents available – information on High Peak Interactive Map only
HPK/0001/8199	Metal Container Box At Cricket Club For Storing Equipment	Sports Club, Newshaw Lane, Hadfield	Granted	No date or documents available – information on High Peak

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Reference	Proposal	Address	Decision	Date of Decision
				Interactive Map only
HPK/0003/4322	Relocation Of Equipped Play Area And Installation Of New Equipment Approx. 40m Sw Of Existing Play Area	Recreation Ground Newshaw Lane Hadfield	Approved (By Planning Committee)	23/03/1995
HPK/2002/0857	New cricket scoring facility	Hadfield St Andrews Sports Club, Newshaw Lane, Hadfield, Glossop, Derbyshire,	Approved (Delegated Decision)	05/12/2002
HPK/2008/0396	Skatepark	Recreation Ground, Newshaw Lane, Hadfield	Approved (By Planning Committee – High Peak Borough Council)	14/08/2008
HPK/2025/0388	Development of land to the south corner of the ground for new non-turf cricket training nets	Cricket Ground Newshaw Lane Hadfield Glossop SK13 2AT	Approved (Delegated Decision by High Peak Borough Council)	08/12/2025

Flauvel Road Playing Fields

Table 4: Planning History of Flauvel Road Playing Fields

Reference	Proposal	Address	Decision	Date of Decision
HPK/0003/6475	Erection Of Permanent Hq Premises	Site Adj. Playing Fields, Fauvel Road, Glossop	Approved (Planning Committee)	18/12/1997
HPK/0003/8875	Army Cadet Force Centre	Site Of Former Gymnasium Fauvel Road Glossop	Approved (Planning Committee)	12/04/2000

Cemetery Road Sport Facilities

Table 5: Planning History of Cemetery Road Sport Facilities

Reference	Proposal	Address	Decision	Date of Decision
HPK/2020/0316	Variation of condition 2 of application HPK/2019/0273	Sports Ground, Cemetery Road, Glossop,	Decided by Committee – approved (High	10/11/2020

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Reference	Proposal	Address	Decision	Date of Decision
		Derbyshire, SK13 7QG	Peak Borough Council)	
HPK/2020/0531	Variation of condition 2 following grant of planning permission in relation to HPK/2020/0316	Glossop North End Juniors AFC, Cemetery Road, Glossop, Derbyshire, SK13 7QG	Decided by Committee – approved (High Peak Borough Council)	25/03/2021
DOC/2021/0052	Discharge of conditiona 3,4,6,7,12,13 and 15 relating to HPK/2020/0531	Sports Ground, Cemetery Road, Glossop, Derbyshire, SK13 7QG	Delegated – approved (High Peak Borough Council)	02/12/2021
HPK/2023/0045	Variation of Condition 14 in relation to HPK/2020/0531 to be amended in order to allow operations to take place on site away from the approved new access point.	Glossop North End Community Club, Cemetery Road, Glossop, Derbyshire, SK13 7QG	Decided by Committee – approved (High Peak Borough Council)	05/05/2023
HPK/2023/0329	Installation of external storage container and associated timber fence screening	Sports Ground, Cemetery Road, Glossop, Derbyshire, SK13 7QG	Delegated – approved (High Peak Borough Council)	02/11/2023
HPK/2023/0347	2no. permanent, non-illuminated entrance signs to be located either side of the vehicular access road. 2000x800 signage boards mounted on 2no. 76mm grey highways grade steel posts. Signage boards fitted to steel posts with standard highways grade stainless steel signpost brackets.	Sports Ground, Cemetery Road, Glossop, Derbyshire, SK13 7QG	Delegated – approved (High Peak Borough Council)	29/11/2023
NMA/2023/0030	Non-material amendment relating to HPK/2019/0273 - Inclusion of pedestrian footpath adjacent to the new access road. Realignment of car parking spaces to suit site arrangement	CEMETERY ROAD COMMUNITY AND SPORTS HUB, Cemetery Road, Glossop, Derbyshire, SK13 7QG	Non Material Amendment – Approved (High Peak Borough Council)	04/01/2024
HPK/2025/0206	Variation of Condition 8 in relation to applicaiton HPK/2023/0045 - The use of floodlights to be permitted from 08:00 -	GLOSSOP COMMUNITY SPORTS HUB, Cemetery Road, Glossop,	Decided by Committee – approved (High Peak Borough Council)	17/09/2025

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Reference	Proposal	Address	Decision	Date of Decision
	22:10 on any given day, for the lifetime of the development.	Derbyshire, SK13 7QG		
HPK/2023/0476	Application for Removal or Variation of Condition 1 in relation to application HPK/2023/0045. Substitution of amended drawings in relation to the access road & adjacent public footpath & car parking layout	CEMETERY ROAD COMMUNITY AND SPORTS HUB, Cemetery Road, Glossop, Derbyshire, SK13 7QG	Under assessment by case officer	

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3. PLANNING POLICY

High Peak Local Plan

3.1 The High Peak Local Plan was adopted on 14th April 2016 and is now more than five years old. As such, a Local Plan Review is in progress.

3.2 The Local Development Scheme published in February 2025 set the following Local Plan timetable:

- Early Engagement – January-March 2023
- Preferred Options Consultation – Spring 2025
- Proposed Submission Consultation – Winter 2025
- Submission of Local Plan – Spring 2026
- Examination – Summer 2026
- Adoption – Autumn 2026

3.3 The Council is significantly delayed in its progress against this timetable. To date, the Council has not progressed beyond the early engagement carried out between January – March 2023. This is a delay of at least three years.

3.4 The evidence base documentation, such as the Strategic Housing and Employment Land Availability Assessment (SHELAA) was published in 2009 and an update to the SHLAA published in April 2014. We are not aware of any subsequent updates.

Supplementary Planning Documents

3.5 Documents (SPDs) and strategies that provide detailed guidance on specific planning issues. These documents are material considerations in the determination of planning applications and appeals. The key SPDs and related strategies include:

- High Peak Playing Pitch Strategy and Action Plan (January 2018) – An updated Open Space Study and Playing Pitch Assessment was undertaken in 2017.
- Glossop Design and Place Making Strategy
- Residential Design SPD (2005)
- High Peak Design Guide SPD (2018)
- Developer Contributions SPD – The Council adopted a Developer Contributions SPD on 25 October 2023.

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LPA – Local Plan Call for Sites Consultation

3.6 As part of the Council's Local Plan Review, the Council undertook a Call for Sites consultation. On 6th February 2025, we submitted the application site to the Council's Call for Sites. The submission was made on the basis that it sought a site allocation for residential development provided as **Appendix I.**

3.7 As outlined above, the Council has not yet progressed to a Preferred Options or Proposed Submission consultation, despite these being scheduled for Spring and Winter 2025 respectively within the Local Development Scheme published in February 2025.

Five Year Housing Land Supply

3.8 The Council's Five-Year Housing Land Supply Interim Position Statement (March 2025) assesses housing supply against a base date of 1st April 2023, covering the five-year period to 31st March 2028. According to this statement, as of 1st April 2023, High Peak had a deliverable housing land supply of 1,653 dwellings, which the Council calculates as equivalent to 2.85 years of supply.

3.9 Under paragraph 78 and footnote 39 of the 2024 Framework, the five-year supply must be measured against local housing need using the standard method set out in the Planning Practice Guidance (PPG). The Council's calculation applies the updated standard method figure of 553 dwellings per annum (dpa) plus 5% buffer, in line with the 2024 Framework.

3.10 The previous 5YHLS position published in November 2023 stood at 6.4 years, based on an annual housing requirement of 258dpa. Accordingly, it is apparent that the Council's housing land supply position is inadequate and is in freefall. There is no sign of this position improving given the Council's significant failure to progress a replacement local plan in accordance with its own timetable.

LPA's Housing Delivery Test

3.11 The most recent Housing Delivery Test Results were published in December 2024 show that High Peak had a HDT result of 153%.

3.12 We understand that the next Housing Delivery Test results are expected to be published later this year, with two years' results likely to be released together.

3.13 In the meantime, an overview of High Peak's annual Authority Monitoring Report (published in December 2025) is provided below which shows a significant decline in housing delivery since the 2023 results were published.

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Annual Monitoring Report

3.14 The Council published its most recent Authority Monitoring Report in December 2025. This indicates a clear and significant reduction in housing completions over the most recent two-year period when compared with housing delivery recorded in the previous AMR published in November 2023.

3.15 We consider that this change in delivery trends is relevant to the evidential context for housing delivery and supply. In particular, the updated figures provide further context for considering the assumptions that underpin the Authority's anticipated delivery rates and the overall reliability of its housing trajectory. The revised data therefore forms an important part of the assessment of recent housing delivery performance and the extent to which the Authority's evidence accurately reflects current market conditions.

3.16 When considered alongside previous monitoring data, the latest figures suggest that delivery has slowed materially in the short term. We consider that this has implications for the assessment of both past performance and projected future outputs.

3.17 In summary, the updated monitoring data indicates that:

- Housing completions across the authority area have reduced noticeably over the most recent two-year period relative to earlier years; and
- This reduction in delivery has a meaningful influence on the evidence base relating to housing delivery and supply, and informs the overall assessment of the Authority's housing land position.

3.18 Extract from page 17 of the report shows the following:

Table 6: Extract from page 17 of Annual Monitoring Report (December 2025)

Year	High Peak Completions (outside Peak District National Park) (net)	High Peak completions (within Peak District National Park) (net)
2020/21	249	0
2021/22	387	2
2022/23	426	0
2023/24	268	0
2024/25	198	4

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4. APPEAL PROCEDURE & PRESENTATION OF EVIDENCE

4.1 The Appellant considers that a Public Inquiry is the most appropriate appeal procedure in this case for the following reasons.

4.2 First, this is a significant development in its local context, bearing in mind (1) its size; (2) the paucity of similarly sized development sites in the Council's area; (3) the previous use of the Site; and (4) the extent of local interest in the redevelopment of the site.

4.3 Secondly, there is a need for the evidence to be tested by an advocate. This applies to both reasons for refusal. On the first reason for refusal, the Council's evidence needs to be interrogated both as to (1) its inconsistency with the published evidence base; (2) the facts on the ground (which appear to have been ignored); (3) the Council's supply and delivery failings (which have been largely ignored); and (4) the Council's failings in applying relevant local plan policy. On the second reason for refusal, the Council's determination contains essentially no substantive reasoning. Thus, the only way to interrogate this issue will be through formal questioning.

4.4 Thirdly, the appeal is complex. The playing field matter is a complex and fundamental issue that is likely to remain in dispute. This requires consideration of technical sports and recreation evidence, as well as a detailed investigation of the planning history of the site and the other school sites which have formed part of the complex reorganisation of school provision in the area. Further, the Appellant will present technical landscape, urban design and masterplanning evidence on the second reason for refusal, including consideration of the Site's levels. Finally, there is additional complexity given the need to consider the Appellant's legal constraints, as the county council, and the way that the Site is an important part of its overall redevelopment of education provision in the area.

4.5 Fourthly, there is substantial local interest. This includes both a high level of local interest through representations, previous attempts by the Council to promote alternative plans development at the site and formal objection from Sport England.

4.6 Fifthly, is anticipated that the appeal will take more than two days to be heard, which exceeds the usual duration for an Informal Hearing. The Appellant considers that at least four and up to six days may be required, depending on the extent of agreement reached with the Local Planning Authority (LPA) in the Statement of Common Ground (including, for example, design matters).

4.7 Detailed legal submissions will also be required, including on a number of cases relating to paragraph 104 of the NPPF. For example, without limitation: ***R. (Stoke Mandeville Parish Council) v Buckinghamshire Council*** [2025] EWHC 1213 (Admin); ***W. E. Black Limited v First Secretary of State*** [2006] EWHC 1598 (Admin); ***R. (Loader) v Rother District Council*** [2016] EWCA Civ 795; ***TV Harrison CIC v Leeds City Council*** [2022] EWHC 1675 (Admin); ***R. (Bromell) v Reading Borough***

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Council [2018] EWHC 3529 (Admin); and ***Milwood Designer Homes Ltd v Secretary of State for Housing and Local Government*** [2021] EWHC 3464 (Admin).

4.8 Overall, the Appellant considers that a four-six-day Inquiry would be required, depending on the extent of evidence advanced by the LPA, the degree of public involvement, and allowing for a site visit.

Proof of Evidence

4.9 Subject to what the Council agrees, at this stage, it is anticipated that evidence will need to be presented as follows. If necessary, a sports consultant will be called.

Planning Policy & Sports Matters

Sarah Cox MRTPI, Partner at Carter Jonas LLP

Housing Land Supply

Richard Holliday MRTPI, Associate Partner at Carter Jonas LLP

Background to Site & DfE Funding

Allen Shepherd, Head of Estates at Derbyshire County Council

Urban Design

Charles Crawford, Director at LDA Design

4.10 The Appellant reserves the right to introduce additional witnesses as necessary to address any other issues that may be raised by the Local Planning Authority and/or any other parties

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5. Case For The Appellant

5.1 The application was submitted to the Local Planning Authority on 21st November 2024 and sought Outline Planning Permission for:

> *"Outline planning application for the construction of up to 110 dwellings, with all matters reserved (except principal points of access) including all associated ancillary works and engineering operations"*

5.2 The scheme was refused by the Local Planning Authority on 12th September 2025 after being referred to planning committee on 8th September 2025. The decision notice includes two reasons for refusal, summarised as follows:

1. Alleged loss of playing field land
2. Quantum of development

5.3 In overview, the Appellant's case is that planning permission should be granted for the following reasons.

1. The Site is well suited for redevelopment:
    a. The Site is predominantly brownfield land (previously developed land). The Site is in a poor condition which currently detracts from local amenity.
    b. There is no realistic prospect of the former educational use resuming or an alternative leisure use commencing.
    c. The Site is in a sustainable location within the settlement boundary of Glossop and is ideally positioned for future residential accommodation.
    d. The Council has no credible, realistic and viable proposal for the redevelopment of the Site for any other use. The only credible, realistic and viable proposal is the residential use of the Site. Happily, such residential use is directly aligned with need in the Council's area, given its dire, worsening and unending housing land supply shortfall.
2. Subject to the issue of playing field land (Reason for Refusal 1) there is no dispute that the proposed residential use of the Site is acceptable in principle. Nor could there be any such dispute: the redevelopment of land such as the Site is positively supported by national and local planning policy.
3. As to the issue of playing field land, the Council's position is in error for multiple reasons.
    a. The Site is not playing field land (applying the relevant definition in the Town and Country Planning (Development Management Procedure) (England) Order 1995 (the 'DMPO') for the purposes of either local or national planning policy.

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b. Even if the Site is (or was) playing field land for the purposes of local or national policy, its loss is acceptable.

c. First, the Site is clearly surplus to requirements for the purposes of paragraph 104(a) of the NPPF.

d. Secondly and in any event, the loss of the Site resulting from the proposed development has already been replaced by equivalent or better provision in terms of quantity and quality in a suitable location for the purposes of paragraph 104(b) of the NPPF.

e. Thirdly, even if the replacement to date is insufficient, further replacement provision is now proposed which is equivalent or better provision in terms of quantity and quality in a suitable location for the purposes of paragraph 104(b) of the NPPF.

f. Finally, even if there is non-compliance with paragraph 104 of the NPPF (which is not accepted), nevertheless it is a matter to which no material weight can be afforded given (amongst other matters) (1) the absence of any historic community sport use of the Site; (2) the full (and undisputed) replacement of the education-related sport use of the Site (with an improvement in quality and location); (3) the fact that the demolition of the Site was approved by the Council; (4) the passage of time since any education-related sport use of the Site; (5) the absence of any need for further education-related sport use of the Site; and (6) the absence of any realistic prospect of the education-related sport use of the Site resuming.

4. As to the issue of the quantum of development, the Council has not undertaken a detailed or accurate assessment of this matter. The officer's report contains a single paragraph of high-level discussion. In any event, bearing in mind that the Appellant only seeks outline planning permission (except for access) the proposed quantum of development is acceptable and can be readily delivered at the Site. In any event, as set out further below, the Appellant proposes a modest reduction in the quantum of development as part of this appeal in order to allay these concerns entirely.

5. It follows in terms of the planning balance:

a. The proposed development complies with the development plan, read as a whole. This remains the case even if there is some breach of policy in respect of the alleged loss of playing field land (which is not accepted) and/or in terms of the quantum of development (which, again, is not accepted). Accordingly, the proposed development benefits from the statutory presumption in section 38(6) of the Planning and Compulsory Purchase Act 2004.

b. Further and in any event, the proposed development is supported by a powerful package of other material considerations, in particular (and non-exhaustively):

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i. The proposed development benefits from the presumption in favour of redeveloping previously developed land in paragraph 125(c) of the NPPF.

ii. The proposed development benefits from the tilted balance in paragraph 11(d)(ii) of the NPPF. There is no dispute that paragraph 11(d)(i) is passed. As to 11(d)(ii), the benefits arising from the proposed development are very substantial, including (without limitation) (1) the reuse of previously developed land, (2) the provision of market housing at a time when the Council has a significant housing land supply shortfall, (3) the provision of a policy compliant quantum of affordable housing at a time when there is significant unmet local need, (4) significant ecological, amenity and biodiversity benefits arising from the remediation of the Site and (5) (subject to regulation 122 of the CIL Regulations) additional sports provision both for those in education and members of the local community. The harms arising from the proposed development are limited in all respects. Accordingly, having regard to paragraphs 66, 125 and 135 of the NPPF in particular, the adverse impacts do not significantly and demonstrably outweigh the benefits.

iii. The sale of the Site for redevelopment will enable the Appellant to pay back borrowed funds (used to forward fund the replacement provision as part of the reorganisation of education provision). The funds will be ring fenced for this purpose. This is a significant additional public benefit in its own right.

c. Accordingly, the other material considerations in this case support the grant of planning permission (even if there is conflict with the development plan, read as a whole).

5.4 The Appellant's case in relation to these reasons for refusal is set out in detail below.

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6. REFUSAL REASON ONE

6.1 The LPA's first reason for refusal is based on the perceived loss of playing field land. The reason for refusal states:

> *"1. The proposed development would involve the loss of playing field land, which is not associated with an alternative facility of equal or better quality to deliver benefits to clearly outweigh its loss and neither has an assessment been undertaken to demonstrate that the playing field land is surplus to requirements. In particular, insufficient information has been submitted with the proposal to clearly demonstrate how the development would accord with policy exception 4 of Sport England's Playing Fields Policy in relation to the provision of specific details of the replacement playing field. Accordingly, the proposal would not accord with policies S1, S5, H1 and CF4 of the Adopted Local Plan, the exceptions of Sport England's Playing Fields Policy or paragraph 104 of the National Planning Policy Framework (NPPF)."*

6.2 This appeal is supported by the following documents which address the first reason for refusal:

- Agronomy Report (STRI Group) (**Appendix J)**

6.3 The appellant also makes the following points in response to the LPA's first reason for refusal.

NPPF paragraph 104 is not engaged

6.4 The historic use of the Site was not as dedicated sports or recreational use, but as ancillary sport and play areas associated with the delivery of educational provision on site. Even when the site was in use, it was used solely by the school and did not include external third-party or community access or use of the site. The primary use of the Site has always been for education, not sport or recreation.

6.5 Paragraph 104 of the NPPF states that "*existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless:*

> *a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
>
> *b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
>
> *c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."*

6.6 NPPF Paragraph 104 refers to existing open space, sports and recreational buildings and land, including playing fields. The glossary to the NPPF defined 'playing field' by reference to the DMPO.

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6.7 The Appellant's position is that it is doubtful whether there was ever a playing field at the Site, applying the relevant definition in the DMPO, when the Site was operational. However, even if there was a playing field when the Site was operational, the Site has ceased to contain any playing fields, any playing field land or any other land to which paragraph 104 of the NPPF applies. In short there is no **existing** land of the type referred to in paragraph 104 of the NPPF.

6.8 The Appellant's position is supported by ***R. (Stoke Mandeville Parish Council) v Buckinghamshire Council*** [2025] EWHC 1213 (Admin) and ***W. E. Black Limited v First Secretary of State*** [2006] EWHC 1598 (Admin), both of which confirm that changes to the land can result in the loss of '*existing* […] *playing fields'* for the purposes of paragraph 104 of the NPPF.

6.9 In the context of the above, in relation to whether the Site constitutes existing playing fields, we note the following relevant matters:

- S77 consent granted by the SoS for Derbyshire County Council to dispose of the playing field land associated with the site (decision dated 8th October 2015).
- All buildings and associated sports provision demolished following that consent and in accordance with planning consent, i.e. on a lawful basis following the Council's prior approval. The Site is now bare brownfield land.
- There has been no use of the site since pupils relocated in 2018. As such, the site has been disused for in excess of seven years.
- DMPO 2015 sets out that Sport England are no longer a statutory consultee once playing field land has not been used for five or more years. Sport England has confirmed they are not a statutory consultee.
- Crucially, and since the LPA's refusal of outline planning permission, an assessment has now been undertaken (see STRI Agronomy Report at **Appendix J**) which confirms that the Site is not capable of functioning for sports use and the reinstatement of the site to provide sports facilities is unrealistic and unviable.

6.10 In this context, we consider that the appeal site does not meet the definition set out at Paragraph 104 having regard to the following factors.

Factor 1: Not in Current Use

6.11 The site is not currently used for sports or recreational purposes. This is not a temporary situation, but a long-standing position resulting from the closure, relocation, and demolition of the school.

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Factor 2: Incapable of Use Due to Its Condition

6.12 The physical condition of the site is such that it is incapable of being used for playing field purposes without significant works of development, for which planning permission does not exist.

6.13 The site does not contain any properly marked out pitches, appropriate surfacing, or ancillary facilities, such as changing rooms, necessary to support formal or informal sports or recreational use. Photographs of the site, taken on 15th January 2026 are provided as **Appendix K** and show the current condition of the site.

6.14 The appeal is supported by an Agronomy Report (**Appendix J**) which provides an assessment of the appeal site with regards to sports and agronomy matters, as discussed in more detail below.

6.15 As detailed within the Agronomy Report, it would not be a simple process to bring the site into use as playing fields and there are several constraints which would not enable the provision or use of formal pitches on grass areas, including:

- Gradient
- Site Area
- Topography
- Orientation

6.16 The agronomy report outlines that the existing site is of an overall poor quality for the provision of natural grass playing fields that would be suitable for formal pitch sports. The topography of the existing grassed areas adjacent to the redgra area would be prohibitive to their usage for formal pitch sports and athletics.

6.17 A desktop review of topographic survey data indicates that gradients of the natural grass areas are well in exceedance of the gradient guidelines set out by Sport England in their Natural Turf for Sport (2025). On survey drawings provided by others, the presence of subsurface culvert was also indicated to be running east to west underneath the existing natural grass areas and redgra pitch. The existing redgra pitch was also observed to be in a very poor condition, with 90-95% of surface cover comprising of various mosses and small shrubs. In addition, redgra surfacing is no longer recommended for the provision of pitch sports in the UK, when compared to modern 3G Artificial Grass Pitches (AGPs).

6.18 Ground conditions on site were poor throughout, with widespread, severe surface deviations and instances of ponding and standing water observed on the existing grassed areas. Hand-excavated trial pits and laboratory testing confirmed the presence of a poor-quality clay loam topsoil with a high fine particle content (68%), which would be conducive to a high water-holding capacity. The topsoil was underlain with an impervious, stiff clay subsoil that likely facilitates the holding of water within the overall soil profile. The existing grassed areas are in a very poor agronomic condition, with numerous

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undesirable species identified across the site and significantly low levels of nutrients making it a poor option for playing field development.

6.19 It is advised that any works to try to bring the site into a usable and safe condition for playing fields would be extensive and likely cost prohibitive. Extensive and significant excavation, removal of material, importation of suitable material and earthworks / shaping would vastly inflate the cost of providing any usable natural grass playing fields.

6.20 The existing condition of the site is such that sports pitches or playing areas do not exist and have not done so since the demolition of the school, which is discussed further below. We do not consider that the site is physically capable of performing a sports or recreational function at present and should not be described as 'existing' playing field land.

Factor 3: Duration of Time Since Last Use

6.21 The use of the site ceased in September 2018 when the three former Glossopdale schools were rationalised into one site at the replacement Glossopdale School site in Hadfield. From that point on, the site has been closed and secured to prevent unauthorised access.

6.22 Any ancillary sports use ceased at that time, some seven years ago. The time since the site last functioned as a school, with ancillary sports and play facilities, is considerable and it is considered that it should not be treated as existing provision.

6.23 There has never been any community (non-educational) sport or recreational use of the Site.

Factor 4: Lawful Removal from Sporting Use

6.24 Any sports use ceased at the time of the school's reorganisation, with the consolidation of the three school sites, and the subsequent demolition and removal of outdoor hardsurfaced sport and play areas, which was carried out in accordance with the LPA's granting of Prior Approval for demolition at the appeal site.

6.25 The Prior Approval (ref. DET/2019/0008) (provided as Appendix **G**) granted the demolition and clearance of the school buildings, associated car parks and hard landscaped areas. This included sports facilities which consisted of hardsurfaces, for example, the redgra surface and tarmac courts.

6.26 The Prior Approval granted the demolition and clearance works, with the approved demolition methodology setting out the site remediation measures which consisted of '*type 6F2 hard-core made up of crushed masonry for the existing demolition'*. The Prior Approval did not include a planning condition requiring the retention or reprovision of grass surfaces, for example, to form sport or recreation facilities.

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6.27 That permission has been lawfully implemented and the sports provision lawfully removed accordingly.

Factor 5: No Prospect of Re-Use

6.28 It is also considered that there is no realistic prospect of the land being brought into sports or recreational use. Any such previous use was associated with and ancillary to the education use of the site. As outlined above, the education use ended upon the rationalisation and merging of the three school sites into one, the LPA granted Prior Approval for the demolition of the buildings and hard landscaped areas and the site's remediation, which did not include topsoil and reseeding, and the current condition of the site does not support its use for sports or recreation.

6.29 Furthermore, it is noteworthy that the Secretary of State for Education has formally consented to the disposal of this land under Section 77 of the School Standards and Framework Act 1998, which requires the consent of the Secretary of State for the disposal of land comprising school playing fields.

6.30 As noted at paragraphs 5.32 to 5.34 of the Planning Statement, an application for disposal of the land was made by Derbyshire County Council to the Secretary of State. The SoS decision (provided as **Appendix F)** states that:

> *"The school operates from 3 sites all of which are in poor condition and the school is to be consolidated onto the main Hadfield Site due to a significant reduction in the numbers of pupils on roll. The capital receipt raised from the sale of the redundant Talbot Road and Talbot House sites will fund the school's redevelopment to include the provision of a 4 court sports hall, activity studio and changing facilities. Externally there will be new and improved hard court multi-use games areas provided."*

6.31 The decision allows the appellant to dispose of the site subject to the capital receipt being used to fund the school's redevelopment, including the provision of sports facilities. The appellant is therefore obliged, as per the Secretary of State's decision, to use the capital arising from the sale of this site to fund the replacement school.

6.32 The replacement school has been built and occupied for several years, and the appellant must dispose of the Site firstly to comply with the Secretary of State's decision and secondly to raise funds to repay the cost of the replacement school. The Appellant, as a county council, is also under an obligation to secure best value when disposing of its assets and to this end, a residential development helps achieve best value.

6.33 Considering the funding position with regard to the replacement school and the Secretary of State's decision under Section 77, there is no prospect of the site being brought into use for sports. The physical state of the Site also prevents this without significant and prohibitively expensive investment, as detailed above.

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6.34 The Site remains vacant and the agronomy report confirms that the site, including the redgra surface, cannot viably be brought into use. The topography, grounds conditions, and other constraints, together with the level of remedial works required and associated costs, clearly limit the prospect of the site ever offering any benefit to community sport.

6.35 The fall-back position in this case if the proposed development does not go ahead is that the site would remain derelict. Given that this position is not desirable, it should be given significant weight.

6.36 For these reasons, it is considered that there is no realistic prospect of the site being brought into use for sport or recreation use in future.

Factor 6: No Playing Pitches

6.37 As set out in the preceding paragraphs, the site does not contain marked or usable playing pitches or sports facilities. In practical and physical terms, therefore, there is no playing pitch on site.

6.38 We note that the High Peak Playing Pitch Strategy and Action Plan (2018) identifies the appeal site as follows:

Table 7: Extract from High Peak Playing Pitch Strategy and Action Plan (2018)

Site ID	Site	Sport	Management	Current status	Recommended actions
-	Glossopdale Community College (Talbot Road)	-	School	Site to close in 2017/2018. Does not have any formal playing pitches but it does have playing field land and an old redgra surface.	Ensure any developments on the site adhere to NPPF 74 and local planning policy.

Source: High Peak Playing Pitch Strategy and Action Plan (2018)

6.39 Importantly therefore, the Council's own Playing Pitch Strategy identifies that the site "*does not have any formal playing pitches…".*

6.40 The High Peak Playing Pitch Strategy Assessment Report (2017) makes reference to the site, stating that:

> *"existing playing field land at the Talbot Road site will no longer be utilised once all students have moved to the Hadfield site. The site does not contain any dedicated playing pitches, but does contain a poor quality redgra surface in addition to generic grass playing field."*

6.41 If the council's own assessment of the site found that it did not contain a playing pitch, then the site should not have been classified as playing field land, with the definition of playing field land reliant on the presence of a playing pitch. RfR1 is directly contrary to the Council's own evidence base.

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6.42 When the site was in education use, the sports areas comprised primarily of hardsurfaced areas, either tarmac courts or redgra surface, with grassed areas limited in value and usability due to steep embankments or sloping land, as visible in historic aerial photographs. Whilst some limited and ancillary sports activities could be supported, the quality of the external areas was poor, as evidenced in the Council's Playing Pitch Strategy, photographs of the site, and evidence from staff at Glossopdale School.

6.43 The former layout of the site (prior to the school closure) shows that the use of the grassed areas was limited to ad-hoc school use. No formal pitches were marked out, and the majority of the grass could not be used for sport. This point has been confirmed recently by PE staff who operated from the Site prior to moving to the new Glossopdale College (Hadfield) site.

6.44 This lack of functionality means that a large proportion of the grass areas fell outside of the policy relating to playing fields. Specifically, they meet the definition set out in Sport England Playing Field Exception 3 (E3) and consequently should be discounted.

6.45 The accompanying Agronomy Survey (**Appendix J**) provide further information on the absence of playing pitches at the site.

6.46 In any event, as noted above, the LPA approved the demolition of the buildings and hard landscaped areas, which included the tarmac courts and redgra surface. That being the case, the LPA approved the removal of what is alleged to be playing pitch and the approved site remediation comprised of laying hardcore on site, rather than replacing with a grass playing pitch, for example.

6.47 It is therefore contended that no playing pitch exists on site and this view is explored in more detail within the accompanying reports.

Summary

6.48 For all of the above reasons, it is considered that paragraph 104 of the NPPF is not engaged and the proposals do not involve the loss of existing playing field land.

NPPF Paragraph 104(a) and (b) are satisfied in any event

6.49 Turning to sections (a) and (b) of NPPF paragraph 104, and without prejudice to the matters noted above, the Appellant's case is that paragraph 104(a) and (b) are satisfied in any event.

Paragraph 104(a) – Surplus to Requirements

6.50 If, contrary to the comments made above, paragraph 104 is found to be engaged, the proposal would nevertheless comply with paragraph 104(a).

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6.51 The land is surplus to requirements having regard to:

- Its physical condition and incapability for use
- Its specific former educational use, which ended in 2018
- The provision of appropriate sports facilities at the replacement school

6.52 The Site historically served only an ancillary function to the former educational use. It did not serve as a standalone or independent sports facility and was not open or accessible to the public, community groups, or any other third parties. Its use was therefore intrinsically linked to the educational use of the Site.

6.53 The former court areas primarily functioned as playgrounds for school pupils. In sporting terms, they were poor quality and played a very limited role. This functionality for pupils has been replaced by the new high-quality facility at the replacement Glossopdale College (Hadfield).

6.54 It is already accepted that the MUGA areas have been adequately replaced and that the replacement MUGA provision equated to equivalent or better facilities.

6.55 Since the school relocated to the Hadfield site, where new and improved sports facilities have been provided to meet all education related sporting needs, and the remaining buildings and hard surfaced areas at the appeal site have been demolished in accordance with relevant planning permission, any previously available ancillary sports facilities at the appeal site are surplus to requirements. Further, relying on ***TV Harrison CIC v Leeds City Council*** [2022] EWHC 1675 (Admin), the Appellant will explain that the poor quality of the Site demonstrates that it is surplus in any event.

6.56 The proposals would not affect the provision or availability of playing field land in the area as the Site did not previously serve the public or any community groups, and the only use was by students at the former school, whose needs are now fully met by the replacement school's sports facilities.

6.57 As such, the site does not contribute to the supply of playing field land in the local area and its redevelopment would not result in any loss of publicly accessible sports provision, nor would it affect education-related sports provision.

Paragraph 104(b) – Replacement Provision based on earlier re-provision

6.58 In addition, the proposal is considered to comply with paragraph 104(b).

6.59 The loss of the sports provision at the site was associated with a coordinated plan to consolidate of three school sites into one replacement Glossopdale School in Hadfield, with sports and recreation provision re-provided and improved.

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6.60 The provision at the replacement school site delivers better quality facilities, in a suitable and accessible location. The sports provision at the appeal site (as existed when in use for education) were found to be substandard and not fit for purpose.

6.61 We understand that the school's use of the outdoor sport and play areas was limited due to the physical condition. The replacement school site provides improved quality, functionality, and all year-round availability by virtue of the 3G pitch and appropriate drainage on the grass playing fields.

6.62 In reality, the only sports facility that might be said to be lost at Talbot Road is the former redgra area, which was a poor-quality facility with limited functionality (although this is not accepted for the reasons already given). The Agronomy Report reiterates this point. All activity that previously took place on the redgra now takes place on the AGP 3G pitch and playing fields at the replacement school (Hadfield).

6.63 In terms of indoor sport and recreation provision, there has been significant improvement with the replacement school. A larger fit-for-purpose 4-court sports hall and separate fitness studio have been provided at the new site, meaning the functionality of the indoor sports space has been increased significantly. There is clear replacement in both quantitative and qualitative terms, from the previous smaller old indoor hall.

6.64 It is clear therefore that from a curricular perspective, the relocation has offered a significant improvement in the sports facilities that are available to pupils and all activity at the appeal Site has relocated to the site of the replacement Glossopdale College (Hadfield) Site.

6.65 **Table 8** summarises the benefits delivered as part of the school's consolidation.

Table 8: Summary of sports provision

Sports Facility at Appeal Site	Historical Curricular position	Opportunities at New School Site
1 x redgra (92m x 53m)	• Built on plateau • Poor quality • All school sporting activity took place on this facility – football / athletics • No community use	• All use from redgra located to 3G AGP at new school site – this accommodates football and other pitch sports • 3G AGP is high quality facility - new surface provided in 2018 with support of Football Foundation
Multi Use Games Area	• Poor quality • Located in 2 banks (2 and 4 tennis court size) • Limited curricular use only – tennis / netball • No community use	• All use from courts relocated to new high-quality courts at new school site • New MUGA meets with Sport England technical quality standards
Grassed area	• Poor quality	• The ad hoc usage that was accommodated on the grassed area has been relocated to the

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	• Sloping significantly towards western and southern site boundaries • Not usable space for formal sport due to topography • Accommodated ad hoc athletics / skills • No community use	playing field land at the new school site • New pitch land complied with Sport England standards
Activity Hall	• 3 court activity hall used for indoor sport • Poor quality	• All usage relocated to new 4 court sports hall at new school site • New hall meets with Sport England specifications and standards.

6.66 Notably, the sport facilities provided at Glossopdale College (Hadfield) exceed the BB103 requirements, which emphasises the high-quality sporting environment that has been provided for pupils.

6.67 In addition to the benefits that have been delivered for pupils, the redesign of the new college site has also resulted in a significant increase in the facilities that are available to the community, with community use previously not provided at the appeal site.

6.68 The design of the new college incorporates separate community entrances to facilitate daytime and evening access. All new community facilities, 3G pitch, sports hall, fitness suite and dance studio are managed under 'The Place Community Hub'. This in itself represents a significant uplift for community sport and recreation provision in Glossop.

6.69 In 2023, the Appellant undertook further works to improve the quality of the playing fields by installing land drainage, as evidenced in supporting documents provided as **Appendix L**. The quality of the playing fields has been improved and, with the installation of drainage, allows the fields to be used year-round. The availability, useability, and location of the sports provision is entirely appropriate as it supports the educational function as was previously the case.

6.70 As part of the school's consolidation, the Cemetery Road site was leased by the County Council to Glossop North End (Glossop Juniors FC) on a 35-year lease to provide a community asset. This lease provided eligibility for larger-scale external investment and, consequently, significant qualitative improvements have now been delivered on this site.

6.71 The facilities now include a full-size floodlit 3G pitch, with high quality grass pitches and changing provision.

6.72 Overall, this represents an impressive package of sport and recreation improvements for Glossop. It represents a significant uplift in both curriculum and community sport and recreation provision, facilitated by the consolidation of the school sites. This satisfied paragraph 104(b) of the NPPF in respect of the alleged "loss" of the Site.

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6.73 The information provided so far demonstrates that there is no harm caused by the loss of the land at Talbot Road in that:

- All curricular use has been relocated to the replacement Glossopdale School (Hadfield site)
- The site offered very limited function for sport and was never available for community use

6.74 It is clear that the investment and resulting improvements that have already taken place have brought significant benefit to the community of Glossop.

6.75 ***R. (Bromell) v Reading Borough Council*** [2018] EWHC 3529 (Admin) at [28] establishes that for the purposes of paragraph 104 of the NPPF:

> *'Whether or not the provision is equivalent or better must be judged in terms of both quantity and quality. The word "and" simply makes clear that both quality and quantity are relevant parameters in judging whether provision is "equivalent or better".* ***So the overall requirement is that the open space land lost must be made up for, and whether or not that requirement is met is a matter of planning judgment, having regard to both the quantity of what is to be provided and the quality, but allowing (in an appropriate case) for one to be set off against the other****.'*

6.76 The above judgment therefore confirms that the balance of quantitative and qualitative improvements is what is important i.e. the overall package.

6.77 This principle has been reflected in recent appeal decisions, including APP/C4235/W/24/3349825 (Gatley Golf Club, Styal Road, Gatley Cheadle) and APP/W4325/W/23/3329105 (Birkenhead School, Noctorum Field, Wirral), which clarifies that quantitative and qualitative aspects are potentially interchangeable as a matter of planning judgement.

6.78 It is also noteworthy that the 2026 draft NPPF (still out for consultation) also reflects the ***Bromell*** judgment. The proposed NPPF paragraph 104 (HC7) refers explicitly to 'equivalent or better provision in terms of quantity and / or quality.'

6.79 An PINS decision relating to the Former Friends School Field, Mount Pleasant Road, Saffron Walden (S62A/2025/0107) provides further guidance on the interpretation of paragraph 104 and the requirement for mitigation to meet exception criteria within this paragraph. Specifically, it states the following:

- NPPF policy should not be interpreted as containing an open-ended safeguarding provision. There must come a point at which it is no longer realistic or viable to seek to preserve the historic use of land in this way (i.e. the restriction does not continue in perpetuity) (decision letter paragraph 47)

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- The history of the provision and its quality, and what would be needed to bring the site back up to standard, are relevant considerations (decision letter, paragraph. 43 and 44)

6.80 It provides clear guidance that the former usage, access, current quality and disuse impacts on the requirements, with a proportional approach expected.

6.81 As explained, the above package of replacement land and improvements that have **already** been provided by the Appellant satisfies paragraph 104(b) of the NPPF, even if there is a "loss" of the Site by its redevelopment now.

Paragraph 104(b) – Replacement Provision proposed in this appeal

6.82 Notwithstanding the foregoing arguments, the Appellant has prepared a package of enhancement measures, which are set out below and included without prejudice to the matters noted above.

6.83 This package has been produced on a proportionate basis and has been created using the recommendations of the Council's Playing Pitch Strategy and updated local consultation. It also takes into account the requirements of the S77 order for the Talbot Road site.

6.84 The Council's Playing Pitch Strategy (January 2018) represents the most up to date evidence base available. Sport England guidance suggests that the average lifespan of a PPS is 3 – 5 years and, as a consequence, this document is significantly out of date. This affects the weight given to the information within this document and its relevance to the priorities today.

6.85 In the Glossop area, this strategy suggests that there are some shortfalls in provision in the Glossop area, particularly in youth football, rugby union and 3G pitches. It notes that there is adequate supply of cricket, hockey and tennis provision. The strategy goes on to note that these shortfalls should be addressed through a variety of means, including:

- Investment into qualitative improvements
- Enhancing maintenance procedures
- Securing access to sites that either do not offer access, or offer access on an unsecured basis. Maximising community use of school sites.

6.86 The PPS concludes that:

> *'Although there are identified shortfalls of match equivalent sessions, most current and future demand is currently being met and most shortfalls can be addressed via quality improvements and/or improved access to sites that presently are used minimally or currently unavailable. Adding to the current stock, particularly in the short term, is therefore not recommended as a priority, except in the case of 3G pitches and non-turf cricket wickets where there is a discrete*

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need, or there is a site-specific opportunity to deliver substantial sports benefits from the project to meet a specific local requirement.'

6.87 It is clear that at the time of the PPS therefore, outside of the provision of new 3G AGP and non turf cricket wickets, that enhancement of the existing infrastructure was the key priority. Importantly, the land at the appeal site was not included in any calculations relating to playing field provision, as it was unavailable for community use (and largely usable). It was therefore not contributing to the community sport infrastructure that is discussed in the PPS.

6.88 The age of the PPS however means that it is not necessarily reflective of the position as it is today. Discussions with the College (*through Leanne Pace, Business and Community Manager at Glossopdale College*) have identified changes since the PPS and new priorities for Glossop. In summary:

- There are numerous playing field sites in the town including West Drive, Charleen Park, Newshaw Lane, Pyegrove, and Melandra Castle. Pitches are however not maintained to a quality that mean they can be playable all year round and allied to the weather in Glossop, this makes it difficult to play throughout the season. There is a perception that quality is a significantly greater issue than quantity (and evidently, the poor quality of pitches impacts directly on the quantity of pitches that are required to sustain demand)
- Alongside the issue of pitch quality there has also been an increase in supply since the 2018 PPS, most notably through the creation of a new club site for Glossop JFC at Cemetery Road, on land leased to Glossop North End by Derbyshire County Council. This development includes a new 3G AGP as well as grass pitches
- Additional pitches are secured for community use. The pitches at Glossopdale Community College were not available for use at the time of the PPS (which was prior to the school redevelopment)
- Virtually all junior football now takes place at Central Venues, further reducing demands for grass pitches but putting the focus further on quality of pitches for older age groups as opposed to quantity of provision to cater for teams in a variety of age groups
- There remain pressures on the existing pitches for rugby union.

6.89 This suggests therefore that outside of rugby union, quality issues are potentially even more critical than they were in 2017.

6.90 Importantly, the issues of quality experienced across Glossop are mirrored at the new college site, where the pitches require further work to make them able to sustain regular (higher intensity) usage. Although drainage works on the playing field land were a part of the College redevelopment programme further work is necessary now to improve the quality of the pitches. They are now of limited quality.

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6.91 As a consequence of their current quality, the college has experienced limited demand from community football clubs and the pitches are largely unused. Whilst Glossop Rugby Club have expressed a strong interest in using the pitches at the school site, the pitches are not able to sustain the level of use that they require, and there is no rugby pitch or posts currently available. This community request for usage therefore cannot be accommodated.

6.92 A recent assessment (PitchPower, **Appendix M**) undertaken independently by the FA confirms that the pitches are of poor quality. This quality directly impacts on the potential capacity for the pitches to accommodate both school and curricular use.

6.93 The enhancement package proposed, which provides additionality to the benefits that have already been delivered in terms of the curriculum at the new school, therefore seeks to respond to the articulated changes in the supply and demand picture locally and the opportunity to add further value (for both school pupils and the community) at Glossopdale College. It is deemed to be proportionate, given the length of time that facilities at the appeal site have not been used, the fact that the curricular requirements have already been re-provided and the lack of previous community use.

6.94 The key components of the proposed mitigation are as follows:

- Implementation of the PitchPower recommendations relating to the top field at Glossopdale School (Hadfield)
- Improved drainage of main field and incorporation of a rugby pitch and posts for use as an overflow pitch by Glossop Rugby Club
- Replacement of dilapidated tennis courts with modern MUGA at Fauvel Road

6.95 We emphasise that the above enhancement package **supplements** the improvements that have already taken place as part of the school consolidation works which are as follows:

- Creation of a new sports hall and fitness suite
- Creation of a new MUGA at the Hadfield site
- Replacement of playing fields at the Hadfield site with new playing fields
- Further investment into drainage works at the Hadfield site
- Lease of land at Cemetery Road to community sports club (Glossop North End, lease 35 years), enabling external funding to secure grass pitch works and new floodlit 3G AGP
- Provision of secured community access to sports facilities at the new Glossopdale Community College site

6.96 It follows that this is a further basis on which paragraph 104(b) of the NPPF is met.

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No Harm to Sports and Recreational Provision

6.97 Irrespective of the policy considerations above, the proposal is not considered to result in any material harm to sports or recreation provision.

6.98 In particular, its prior curriculum use associated with the former school ceased upon the consolidation at the replacement Glossopdale School site, wherein adequate sports facilities exist for curriculum purposes. This loss has already occurred, irrespective of the proposed development.

6.99 There will be no displacement of community sports or use, as the site was only ever used by the school as ancillary to the education function, and in fact the Glossopdale School sports facilities allow community use which is considered to be a betterment, and there is no realistic prospect of future sports use at the appeal site.

6.100 These matters are material to the planning balance and weigh in favour of the proposal.

Sport England Position

6.101 The Council has placed weight on Sport England's policy position and, whilst this may be a material planning consideration, Sport England has confirmed within their consultation response that they are not a statutory consultee in this case. As such, the weight given to their objection in any decision must be assessed against its consistency with the NPPF.

6.102 Sport England guidance should not impose a more onerous test than is otherwise set out within paragraph 104 of the NPPF, nor should its own guidance seek to protect land that does not meet the relevant definition of existing playing field land.

6.103 Where there is conflict between local policies, Sport England guidance, and national policies and legislation, it must be national policy and legislation that prevails.

6.104 As detailed above, and without prejudice to the matters noted above, the Appellant's case is that paragraph 104(a) and (b) are satisfied in any event.

6.105 As such, is considered that refusal is not justified when assessed against the NPPF.

Conclusion

6.106 The appeal site is not considered to constitute existing playing field land for the purposes of paragraph 104 of the NPPF. Even if it were, the proposal complies with paragraph 104 (a) and (b) and would result in no harm to sports provision by virtue of the sports provision available at the replacement school site.

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6.107 With regard to Local Plan Policies S1, S5, H1 and CF4, the Appellant does not accept that all of the cited policies are relevant to the provision of sports facilities and the matters at hand. However, in any event, the proposed development is in compliance with those policies.

6.108 As such, we consider the reason for refusal to be unfounded.

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7. REFUSAL REASON TWO

7.1 The LPA's second reason for refusal relates to the proposed quantum of development. The reason for refusal states:

> *"2. Insufficient information has been provided with the application to demonstrate how it can achieve both high quality design and acceptable amenity standards at the detailed reserved matters stage with regard to the quantum of development seeking up to 110 dwellings. Accordingly, the proposal would not constitute a sustainable form of development contrary to policies S1, S5, H1, H2 and EQ6 of the Adopted Local Plan, the High Peak Design Guidance 2018 and Residential Guidance 2005 Supplementary Planning Documents (SPDs) as well as the National Planning Policy Framework (NPPF)."*

7.2 This appeal is supported by the following documents in response to the second reason for refusal:

- Parameter Plan (prepared by LDA Design) (**Appendix N**)
- NDA Comparison Plan (prepared by LDA Design) (**Appendix O**) – Note: This plan is not for approval.

7.3 It is important to note that this Parameter Plan proposes minor changes to the proposed development, specifically:

- Minor increase in the net developable area from 3 to 3.03 ha;
- Slight redistribution of the net developable area (principally, the net developable area moves slightly closer to main vehicular entrance and slightly away from the western boundary); and
- Minor reduction in the number of dwellings proposed from 110 to 100 dwellings.

7.4 The overall effect of these amendments is to reduce the proposed development.

7.5 The purpose of these amendments is to give additional confidence in the ability of the Site to accommodate the proposed development (and notwithstanding the Appellant's confidence in the original parameters).

7.6 The Appellant submits that these minor amendments are acceptable. The approach to such amendments was explained in ***R. (Holborn Studios) v Hackney LBC*** [2017] EWHC 2823 (Admin); [2018] P.T.S.R. 997. There are two limitations on amendments.

7.7 **Limitation 1 – the substantive limitation**. Whether the permission would be for a development that would be substantially or significantly different in its context from that which the application envisaged, such that the amended development is not in substance what was applied for in the application.

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7.8 **Limitation 2** – **the procedural limitation**. Whether the rights of third parties would be sidestepped. In particular, is reconsultation required as a matter of fairness? If so, has reconsultation been undertaken?

7.9 The proposed amendment to the parameters plan and number of dwellings is acceptable by reference to both limitations.

7.10 First, the development is essentially the same as that which was applied for in the Application. The substantive changes are minor in extent and nature, as explained above, and on no view are they substantial or significant. This is particular the case because the overall effect is to reduce the proposed development, not to increase it.

7.11 Secondly, given the development is in substance the same, no rights of third parties have been sidestepped. Reconsultation is not necessary. Notwithstanding this position, the Appellant will voluntarily undertake reconsultation on those notified of the Application in advance of the inquiry.

7.12 The appellant also makes the following points in response to the LPA's second reason for refusal.

7.13 The outline planning application included an appropriate suite of supporting plans and technical reports, with the level of detail typical of an outline planning application with all matters reserved.

7.14 It is noteworthy that reviews by technical consultees has not resulted in any objections to the development, for example, with regard to highways, drainage, geo-environmental, air quality, heritage, or biodiversity.

7.15 The proposals are therefore considered to be technically sound with respect to material planning considerations.

7.16 Notwithstanding this, further design work has been conducted in response to this reason for refusal.

7.17 The appellant's position is that this reason for refusal is unsubstantiated and the LPA has not undertaken a detailed or accurate assessment of this matter. As noted below, the Officer's Report contains a single paragraph of high-level discussion which is not anchored to planning policies and is not reflective of the nature of the application, which seeks outline planning permission only, with detail to be addressed at reserved matters stage.

Planning Policy Position

7.18 The reason for refusal detailed within the Decision Notice refers to five Local Plan policies: S1, S5, H1, H2, and EQ6. However, the relevant section of the Officer's Committee Report specifies only two of these policies: S1 and EQ6, and the reference to the additional policies is therefore not substantiated by any commentary contained within the Officer's Report and it is therefore unclear on what basis the proposals are considered to conflict with Policies S5, H1, and H2.

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7.19 The Officer's Committee Report (**Appendix B)** identifies Policy S1 at Paragraph 7.41:

> *"LP Policy S1 'Sustainable Development Principles' also requires development to consider "the distinct Peak District character, landscape, townscape, roles and setting of different areas and settlements in the High Peak" whilst "protecting and enhancing the natural and historic environment of the High Peak and its surrounding areas including the Peak District National Park …"."*

7.20 Paragraphs 7.47 and 7.48 reference Policy EQ6:

> *"In addition, LP Policy EQ6 'Design and Place Making' requires all development to be well designed and of a high quality that responds positively to both its environment and the challenge of climate change, whilst also contributing to local distinctiveness and sense of place. Furthermore, it stipulates that "public and private spaces are well-designed, safe, attractive, complement the built form and provide for the retention of significant landscape features such as mature trees".*
>
> *For amenity matters, LP Policy EQ6 'Design and Place Making' stipulates that development should achieve a satisfactory relationship to adjacent development and should not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing or other adverse impacts on local character and amenity. Similarly NPPF para 135(f) requires a high standard of amenity for existing and future users."*

7.21 The Officer's Report identifies that the development would not harm or be detrimental to the character of the local and wider landscape of the setting of a settlement, as noted at Paragraph 7.57 which states:

> *"Overall, the proposed residential development of the application site would not harm or be detrimental to the character of the local and wider landscape or the setting of a settlement in the terms of LP Policy EQ2 'Landscape Character'."*

7.22 It is noted that paragraph 7.55 identifies a lack of overall detail regarding proposed levels information. However, we note that the LPA generally takes a relaxed approach to matters of topography and levels, as seen in the following planning permissions, where similar levels of information were accepted by the LPA in respect of full planning applications, and it is therefore considered that the level of information contained within this application (as subject to this appeal) was entirely appropriate for an outline planning application:

- HPK/2024/0496 – Land off Brown Edge Close, Buxton (Full Planning Application – 5 dwellings) (**Appendix P**)
- HPK/2025/0427 – Land to the South of The Heath, Glossop (Permission in Principle – 1-9 dwellings) (**Appendix Q**)

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7.23 In any event, the Appellant will explain through its evidence that the proposed levels can be achieved in order to deliver the proposed development.

7.24 At paragraphs 7.58 and 7.59 of the Officer's Committee Report, there is commentary regarding the alleged design and amenity concerns, however, this is not substantiated against relevant planning policies, and it is unclear where the perceived conflict arises.

7.25 The indicative housing density is accepted as appropriate, and it would be for a reserved matters application to identify an appropriate layout which responds to design and amenity standards.

7.26 The Officer's request to remove the maximum quantum of development from the description of development (i.e. 'up to 110') was made after publication of the Committee Report and was resisted by the applicant on the basis that it would introduce a lack clarity and remove an element of certainty and control for the LPA at reserved matters stage.

7.27 On the basis of the above, and with regard to Local Plan Policies S1, S5, H1, H2 and EQ6, the Appellant does not accept that all of the cited policies are relevant to the proposed development and matters at hand. However, in any event, the proposed development is in compliance with those policies.

Housing Mix

7.28 Housing mix is not a matter for approval now. Nevertheless, it is addressed to give comfort to the decision maker.

7.29 The Parameter Plan prepared by LDA Design is informed by an indicative site layout which would deliver approximately 100 dwellings. The indicative housing mix is set out within Table 9 below, which includes the Council's HELNA housing mix recommendations alongside the housing mix of the indicative scheme submitted with the outline planning application and also the revised indicative scheme presented with this appeal.

7.30 The Officer's Committee Report advises that "*developments should seek to bring the housing stock in the vicinity of and closer to the HELNA recommended mix*…" and follows that "*to bring the housing stock closer to the HELNA recommendations, a greater proportion of 1-, 2- and 3-bedroom homes are required*."

7.31 The Officer's Committee Report concludes on housing mix by confirming that a suitable housing mix could be achieved at reserved matter stage, stating that:

> "*a suitable housing mix, together Part M4 (2) compliance could be achieved at the reserved matters stage subject to an appropriately worded planning condition applied to the outline consent given these matters are reserved for future consideration*."

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7.32 Table 9 below provides a comparison of the housing mix of the indicative schemes submitted with the outline planning application and with the appeal submission, against the HELNA recommended housing mix. The indicative housing mix seeks to bring the existing Dinting Ward mix closer to the HELNA recommendations. While the final indicative housing mix will be confirmed through subsequent evidence, the current indicative mix is expected to be broadly in line with the figures presented below.

Table 9: Comparison of Indicative Housing Mix against HELNA recommendations

	1-bed	2-bed	3-bed	4 bed or more
2014 SHMA	10%	45%	35%	10%
2022 HELNA High Peak	10%	37%	41%	12%
2022 HELNA High Peak (with market adjustment)	8%	32%	44%	16%
2022 HELNA Glossop	7%	37%	46%	10%
2022 HELNA Glossop (with market adjustment)	6%	31%	49%	13%
% of existing housing stock in Dinting Ward (2021 Census)	5%	21%	40%	34%
Indicative Scheme submitted with Outline Planning Application	**8 dwellings (8%)**	**32 dwellings (31%)**	**43 dwellings (41%)**	**21 dwellings (21%)**
Indicative Scheme submitted with appeal	**6 dwellings (6%)**	**Approx. 44% +/- 3**	**Approx. 44% +/- 3**	**6 dwellings (6%)**

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8. HOUSING NEED & SUPPLY

Five Year Housing Land Supply

8.1 The Council's latest five-year housing land supply statement (dated March 2025) provides an assessment of housing supply against a base date of 1st April 2023, almost three years ago.

8.2 According to this statement, as of 1st April 2023, High Peak had a deliverable housing land supply of just 1,653 dwellings, which is equivalent to a 2.85-year supply.

8.3 Under paragraph 78 and footnote 39 of the 2024 Framework, the five-year supply must be measured against local housing need using the standard method set out in the Planning Practice Guidance (PPG). The Council's calculation applies the updated standard method figure of 553 dwellings per annum (dpa) plus 5% buffer, in line with the 2024 Framework, which equates to a total need for 581 dpa and, as such, as 2.85-year supply.

8.4 The previous 5YHLS position published in November 2023 stood at 6.4 years, based on an annual housing requirement of 258dpa.

8.5 The Officer's Committee Report acknowledges that the Local Plan is more than five years old and that the standard method derived housing figure is applicable (paragraph 7.7), and goes on to confirm the lack of demonstrable five-year housing supply (paragraph 7.8).

8.6 The LPA's Planning Policy Team provided a consultation response, dated 6th March 2025, and provided to Carter Jonas on 27th March 2025 by the Planning Officer (provided as **Appendix R**). We note that this consultation response does not appear on the Council's public access system and the Officer's Committee Report makes no reference to the Planning Policy comments, nor are they summarised alongside other consultee comments. The Committee Report does, however, reference our response to those comments at paragraph 3.5 of the Officer's Report, where it references the applicant's submission of: "*Applicant Response to Planning Policy Comments dated 19th May 2025*" (provided as **Appendix S**).

8.7 The LPA's Planning Policy response confirms the housing land supply equates to 2.85 years and that the tilted balance therefore applies.

Housing Delivery Test & Authority Monitoring Report

8.8 Whilst the Government has not yet published the Housing Delivery Test Results for 2024 and 2025, we note that in December 2025, the Council published an updated Authority Monitoring Report (2024-2025) (the 'AMR'), which was subsequently updated in January 2026 (to include a section titled 'Self Build Register').

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8.9 The release of the 2025 AMR provides a breakdown of annual housing delivery for each year from 2011/2012 to 2024/2025.

Table 10: Annual Housing Completions 2011-2025 (HPBC Authority Monitoring Report 2024-2025)

Year	High Peak Completions (outside Peak District National Park) (net)	High Peak Completions (within Peak District National Park) (net)
2011/12	102	14
2012/13	207	7
2013/14	36	1
2014/15	100	9
2015/16	160	1
2016/17	330	2
2017/18	498	4
2018/19	380	6
2019/20	305	3
2020/21	249	0
2021/22	387	2
2022/23	426	0
2023/24	268	0
2024/25	198	4
Total	**3,646**	**53**

8.10 The AMR indicates a clear reduction in housing completions over the most recent two-year period when compared with levels recorded in earlier monitoring years.

8.11 The data paints a clear picture of under delivery against current housing targets. It shows that at no point since the monitoring period began in 2011-2012 has High Peak achieved an annual housing delivery equivalent to their current housing target of 553 dpa (plus 5% buffer). The peak delivery in that period was 2017-2018, shortly after the adoption of the Local Plan.

8.12 Looking at the net completion figures for the last three years, housing delivery against the standard method target is estimated as follows:

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Table 11: Net completion figures for the last three years

Year	Total Completions	Percentage of Standard Method Housing Target
2022/23	426	73%
2023/24	268	46%
2024/25	202	34%
Total	**896**	**51%**

8.13 Based on the figures provided within the AMR 2025 and compared against the standard method requirement of 581 dpa (553 plus 5% buffer), the delivery rate has decreased from 73% in 2022/23 to just 34% in 2024/25. Over the last three-year period, this equates to the delivery of only 51% of the necessary housing target across High Peak.

8.14 Table 10 of the AMR 2025 provides a breakdown of delivery across each of the Local Plan Sub-Areas. For Glossopdale, the figures are even more bleak, as illustrated in the table below, which is derived from data included in Table 10 of the AMR.

Table 12: Extract of Table 10 of the AMR

Year	Glossopdale	Central	Buxton	Total
2022/23	115	90	221	426
2023/24	21	84	163	268
2024/25	7	106	85	198
Total	**143**	**280**	**469**	**892**
Distribution (%)	**16%**	**31%**	**53%**	

8.15 Local Plan Policy S3 states that the Glossopdale sub-area should deliver between 27-35% of the Borough total, the central sub-area should deliver between 30-33%, and the Buxton sub-area should deliver 32-43%.

8.16 The figures show that for the Glossopdale sub-area, over the last three years delivery has dropped from 115 dpa in 2022/23 to just 7 dpa in 2024/25. Over the three-year period, delivery in this sub-area has been 16% compared with a target of 27-35%.

8.17 With regard to affordable housing completions, the AMR finds that the last three-years have seen the following levels of affordable housing delivery:

- 2022-23 – 108 affordable dwellings

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- 2023-24 – 49 affordable dwellings
- 2024-25 – 54 affordable dwellings

8.18 It is clear that there has been an under-delivery in recent years, which is expected to continue when measured against the annual housing requirement, and the five-year housing land supply is expected to worsen, as is the Housing Delivery Test Result.

8.19 The current Local Plan is out of date, the LPA is significantly behind its own timescales for preparation of a new Local Plan and, as such, there does not appear to be any realistic prospect that the council will be able to achieve its housing delivery targets in the near future.

8.20 That being the case, the urgent and significant need for new housing should weigh heavily in favour of the development. Put simply, the proposed development is the most appropriate type of site that the Council should be delivering to meet its supply shortfall: it is PDL, within a settlement boundary and sustainably located, without any undue adverse impacts on local amenity.

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9. PLANNING BALANCE AND CONCLUSION

9.1 This Statement of Case supports an appeal against the refusal of outline planning permission for residential development of land for up to 110 dwellings.

9.2 The starting point for the determination of any application or appeal is provided by Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states that a proposal must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

9.3 The High Peak Local Plan was adopted in 2016, and it is therefore significantly more than five years old. As directed by the NPPF, the tilted balance provided under paragraph 11d is applicable.

9.4 The LPA's Planning Policy consultation response to the application confirms this point, advising that the tilted balance applies and that the NPPF 2024 shifted the threshold for refusing applications under paragraph 11d(i) from providing a 'clear reason' to requiring a 'strong reason'.

9.5 Further to the Planning Policy consultation response, paragraph 11d(ii) requires the granting of permission unless "*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits*", having particular regard to the key policies noted.

9.6 The LPA's Planning Policy response concludes with regard to the principle of development that:

> "*As the proposed site is within the Glossop development boundary and the Council cannot demonstrate a 5-year housing land supply, the tilted balance applies so the general principle of housing development on this site is acceptable from a policy point of view. However, in reaching a decision, the leisure centre and playing fields issues detailed above should be investigated and assessed by the case officer*."

9.7 The 'Principle of Development' section of the Officer's Report sets out a list of relevant policies but does not provide a conclusion as to whether the proposal complies with those policies. It does however advise that the site would be sustainably located within the built settlement and would make a significant contribution towards housing delivery.

9.8 At paragraph 7.39, the Officer's Report concludes the 'Open Space, Sports and Recreation Facilities' section, stating that:

> "*Consequently, there would be clear conflict with LP Policies S1, S5, H1 and CF4, which amongst other things seek the protection of open space, sports and recreation facilities, which include playing field land*."

9.9 The alleged 'clear conflict' with policies S1, S5, H1 and CF4, is not substantiated by any commentary contained with the preceding paragraphs of the Officer's Report (i.e. paragraphs 7.18 to 7.38).

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9.10 Policies S1 and H1 are not referenced within this section of the report and so the alleged 'clear conflict' is not substantiated, and it is unclear from a reading of these policies how either would be applicable in this case.

9.11 Policy S5 aims to promote sustainable growth whilst '*promoting and maintaining the distinct identity of the settlements which make up Glossopdale by…protecting and enhancing sites designated for environmental value…'*. The site is not designated for any of the purposes listed in Policy S5. Furthermore, the Officer's Report does not allege that the development would adversely affect the 'distinct identity of the settlement'.

9.12 The appellant therefore considers that the policy is not relevant in this situation and, in any event, there is no identified harm based on the content of the policy, and overall compliance with the remaining parts of this policy. It is also noteworthy that consultees did not raise issues with regard to environmental, landscape, heritage, and other matters relevant to this policy consideration.

9.13 Policy CF4 (Open Space, Sports and Recreation Facilities) seeks to "*protect, maintain and where possible enhance existing open spaces, sport and recreational buildings and land including playing fields in order to ensure their continued contribution to the health and well being of local communities*."

9.14 As detailed in the preceding sections of this statement, the Appellant does not consider that the site constitutes playing field land, and there is no realistic prospect of it being brought into use for such purposes. In any event, and without prejudice to that position, the proposal complies with NPPF paragraph 104(a) and (b).

9.15 There are no policies in the Framework that protect areas or assets of particular importance which provide a strong reason for refusing the development proposed. Applying the tilted balance, the proposed development would result in significant benefits and any alleged adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

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10. DOCUMENTATION

10.1 A set of Core Documents will be agreed with the Local Planning Authority in advance of the Public Inquiry.

10.2 In addition to the application documents and consultation responses, it is anticipated that the following documents will be referred to:

National Documents

- National Planning Policy Framework (2024)
- National Planning Policy Guidance
- National Design Guide
- Environment Act / Biodiversity Net Gain

Local Documents

- High Peak Local Plan (adopted 2016)

Supplementary Planning Documents:

- High Peak Playing Pitch Strategy and Action Plan (January 2018) - An updated Open Space Study and Playing Pitch Assessment was undertaken in 2017.
- Glossop Design and Place Making Strategy
- Residential Design SPD (2005)
- High Peak Design Guide SPD (2018)
- Developer Contributions SPD – The Council adopted a Developer Contributions SPD on 25 October 2023.
- Five-Year Housing Land Supply Interim Position Statement (March 2025)
- Annual Monitoring Report

Case Law and Appeal Decisions

10.3 The Appellant will refer to relevant case law where appropriate.

Classification L2 - Business Data

11. PLANNING CONDITIONS AND OBLIGATIONS

11.1 A list of planning conditions and obligations will be provided prior to the inquiry.

Classification L2 - Business Data

12. APPENDICES

Appendix A – LPA Decision Notice

Appendix B – LPA Committee Report

Appendix C – Full list of plans and documents submitted with the Outline Planning Application

Appendix D – Full list of plans and documents submitted with the Appeal

Appendix E – Outline Planning Application Location Plan

Appendix F – Secretary of State Section 77 Decision

Appendix G – Prior Approval for demolition and clearance of application site (LPA Ref: DET/2019/0008)

Appendix H – Pre-application submission and letter of response from HPBC

Appendix I – Call for Sites submission

Appendix J – STRI Agronomy Report

Appendix K – Photographs of the site

Appendix L – Evidence of land drainage installation at Hadfield

Appendix M – PitchPower Assessment

Appendix N – LDA Design Parameter Plan

Appendix O – LDA NDA Comparison Plan

Appendix P – HPK/2024/0496 – Land off Brown Edge Close, Buxton (Full Planning Application – 5 dwellings)

Appendix Q – HPK/2025/0427 – Land to the South of The Heath, Glossop (Permission in Principle – 1-9 dwellings)

Appendix R – LPA Planning Policy Team Consultation Response (dated 6th March 2025 & provided to CJ on 27th March 2025 by the Planning Officer)

Appendix S – Applicant Response to Planning Policy Comments dated 19th May 2025

Classification L2 - Business Data

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