

Statement of Case

On behalf of High Peak Borough Council (HPBC)

Relating to an appeal made by Derbyshire County Council

Description of development: 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.

Site Address: Former Glossopdale Community College Lower Site, Talbot Road, Glossop, Derbyshire, SK13 7DR

LPA Ref: HPK/2024/0481

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1. Introduction and background

Introduction

1.1. This statement of case has been prepared on behalf of High Peak Borough Council (the Council), in response to an appeal submitted by Derbyshire County Council (the appellant), against the refusal of planning permission of an application for outline planning permission, by notice 12 September 2025, following the resolution of the Council's Planning Development Control Committee on 08 September 2025.

1.2. In summary, the refusal was based on two reasons for refusal that are included in full in subsequent paragraphs.

1.3. The description of development is:

“Outline planning permission for the construction of 110 dwellings, with all matters reserved (except the principle points of access) including all associated ancillary works and engineering operations.”

1.4. It is understood that the appellant now wishes to amend the description of development and seek permission for up to 100 residential dwellings in order to demonstrate a reduced development impact. The Council confirm that this change does not in any way alter the reasons for refusal. Nevertheless, the Council note that this will have design and density implications that will still need to be addressed as part of the Inquiry. The Inspector will need to determine whether this reduction is appropriate in planning terms.

Site and situation

1.5. The site to which this appeal relates to the site which formerly formed part of the Glossopdale Community College. Up until 2018 the college was split across three sites which were then consolidated on a single site at Glossopdale School in nearby Hadfield. This site was then no longer required by the Community College. Prior notification permission (Ref: DET/2019/0008) to demolish the former college buildings on the site was granted by the Council in July 2020, following which the buildings on the site were removed and the ground made good.

1.6. The site is surrounded by residential land uses which primarily consist of two storey properties that are a range of detached, semi-detached and terraced dwellings. The site is adjacent to two conservation areas – Howard Park to the north and Norfolk Square to the south-east. Full details of the sites surroundings and situation is provided within the officer report to committee.

Planning history

- 1.7. Relevant site history for this site has already been set out within the officer report to committee and need not be repeated here. In summary the site has a long planning history as being used as an education site, until the site was closed and amalgamated with other uses.
- 1.8. The buildings we demolished in 2021 following the granting of a prior notification for the demolition. It is important to highlight the scope of that permission only sought the demolition of the buildings, a matter which is clearly identified within the method statement that was granted through the prior notification.
- 1.9. As a result the sites last known lawful use was for education purposes with ancillary parking, servicing, sport and recreational facilities. It is the view of the Council that only the land which was previously occupied by the former school buildings can be classed as previously developed land. Since the removal of the school buildings and hard surfacing the site has begun to regenerate.
- 1.10. The appellant's statement of case has set out a detailed planning history for the wider Glossopdale College site, including sites at Cemetery Road and Fauvel Road. The relevance to these sites to this appeal - from the Council's perspective - is limited.

The decision notice

- 1.11. The outline application was refused by the Development Control Committee. The decision notice was issued on 12 September 2026 and included two reasons. The full reasons for refusal is as follows:
 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).*

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).*

1.12. For clarity and in the avoidance of doubt, the officer report to committee recommended the first reasons for refusal (published a week prior to the committee), whilst the second reasons for refusal was only appended as part of an update sheet to the committee. The additional reason for refusal was added by officers on the basis that they had sought the removal of any reference to numbers of units the description of development in the run up to the committee based on concern over the capability of the site to deliver the suggested numbers in, but the applicant did not agree to this nor submit any further information to demonstrate that 110 (now sought to be 100 by the appellant) could be satisfactorily built within the site.

Unpacking the reason for refusal

1.13. *Reason for refusal 1 – Loss of playing fields:* The Council consider that the site still includes an area of playing fields / playing pitches, the justification for the loss of which has not been effectively demonstrated by the appellant. In fact, the appellant still contends that there are no ‘playing fields or pitches’ within the site as that use ceased when the school closed. The Council disagrees.

1.14. No evidence has been submitted to the Council that satisfied the following:

- i. That the site was surplus to requirements on the basis that the Council’s own evidence suggests that there is a shortfall of playing pitches within Glossop.
- ii. That if the playing fields were to be lost, that they would be replaced by equal or better provision elsewhere.

1.15. *Reason for refusal 2 – Insufficient design justification:* The Council remain concerned that on the basis of the design material submitted with the application, there is insufficient evidence to demonstrate that a high quality, contextually responsive design solution can be brought forward on this site for 110 homes (now 100 as part of the appeal). There is insufficient details contained within the parameter plan to demonstrate:

- i. How the site can be developed to reflect the surrounding pattern or character of development as the concept plan is overly simplistic and generic
 - ii. to ensure that appropriate specific design parameters (either using conditions or as approved plans) can be placed on the scheme to secure good design.
- 1.16. It should be noted that the appellant has included a copy of the pre-application response from the Council as part of their submission (see appellants statement of case at Appendix Hb). This clearly indicates that these matters were identified early in the application process.

2. Relevant plans and policies

- 2.1. Both the officer's report to committee (within section 5) and the draft Statement of Common Ground (SoCG) set out a comprehensive list of relevant policies that affect the appeal proposal and as such there is no need to provide a full list again as part of this statement. However, the paragraphs below set out what are considered to be the principal policies related to the Council's reasons for refusal, and as referenced in this statement of case and in that of the appellant.
- 2.2. For clarity and in the avoidance of doubt, extracts from the policies have been provided that relate specifically to the reason for refusal. Full copies of the local policies have been provided as part of the Council's questionnaire.

Development plan – High Peak Local Plan (2016)

- 2.3. The high peak local Plan (HPLP) was adopted in April 2016 and forms the development plan for this area. As set out in the decision notice the following are the principal local plan policies cited within the Council's reasons for refusal and case. The short summaries highlight the key aspects of these policies (many which cut across both reasons for refusal) as they are relevant:

- i. S1: Sustainable Development Principles

New development should make a positive contribution towards the sustainability of communities and protecting and enhancing the environment. And mitigating the effects of climate change. The policy states this will be achieved through a series of matters included in a series of bullet points. Those that are most relevant include:

- *Meeting most development needs within or adjacent to existing communities*
- *Making efficient use of land by ensuring the density of proposals is appropriate (and informed by the surrounding built environment)*
- *Seeking to secure high quality, locally distinctive and inclusive design in all development that can be accessed and used by everyone including disabled people*
- *Seeking to secure developments that provide a high standard of amenity for all existing and future occupants of land and buildings, ensuring communities have healthy, safe and attractive living and working environments and the risks from potential hazards are minimised*

- *Maintaining and where possible enhancing accessibility to a good range of services and infrastructure, and ensuring existing infrastructure and services have the capacity to support development when required.*

ii. S5: Glossopdale Sub-area Strategy

This policy seeks to promote and maintain the distinct identity of the settlements in the Glossopdale Area. There are several matters raised within the policy to achieve this goal but this includes protecting and enhancing playing fields, meeting housing need by delivering development on of new housing on sustainable sites within built up areas, and supporting enhancing of key community services and infrastructure

iii. H1: Location of New Housing Development

This policy supports the redevelopment of sites within the built-up area boundary for new housing where they are suitable for that purpose, but in doing so the development must be consistent with other policies within the Local Plan.

iv. CF4: Open Space, Sport and Recreation Facilities

Clearly sets out that the loss of sports and recreation facilities will be resisted unless it can be demonstrated that alternative facilities of equal or better quality have been provided (in an equally accessible location), that the loss is associated with another sports provision that would deliver benefits, or that based on an assessment the facility is surplus to requirements.

v. EQ6: Design and Placemaking

Requires all developments to be well designed and of a high quality that respond positively to the environment and challenge climate change, whilst contributing to local distinctiveness and sense of place. A series of bullet points include the requirement to respect character, identity and context, contribute positively to the areas character, history and identity in terms of scale, height, layout, appearance, materials and relationship to surroundings, require developments to be easy to move through and promote a range of modes and requiring development to have well design, safe, attractive public and private spaces.

The National Planning Policy Framework (Dec 2024)

2.4. The reasons for refusal make specific reference to the National Planning Policy Framework (NPPF), with specific reference made to paragraph 104 which sets out guidance for the protection of open space, sports and recreational buildings and land from being built on. There are three possible exceptions (set out in full below) to this which include:

- a) An assessment has been undertaken which has clearly shown the open space and 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 quality and quantity in a suitable location; or;*
- c) The development is for an alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

The National Design Guide (2021)

2.5. The National Design Guide (NDG) is also an important material consideration in respect of Reason for Refusal 2 and is clearly tied to national policy through paragraph 134 of the NPPF. Much of the document sets out that good design is a product of a thorough and robust assessment of the site, its surroundings and the wider context. It clearly sets out how both context and character should drive forward appropriate design solutions.

2.6. It goes on to set out seven components of good design – of which there is considerable overlap - which are summarised below from pages 6 and 7 of the document, although it is acknowledged that items i to iii are most relevant to this appeal:

- i. *Layout* – How routes and blocks of development are arranged to create streets, including broad distribution of heights, densities and grain.
- ii. *Form* – The three-dimensional appearance of the building, its bulk and mass, and its relationship with the use that it accommodates.
- iii. *Scale* – The height, width and length of a building, its overall size and its proportions.
- iv. *Appearance* – The visual impression a building makes within a location or space including architecture and external built form.
- v. *Landscape* – About space and land around buildings, how it protects amenity and links to the natural environment.

- vi. *Materials* – Choice affects how it functions and lasts over time, and how it relates to its surroundings.
- vii. *Detailing* – How individual components are put together and how a building's appearance is experienced.

Other material considerations

- 2.7. *High Peak Playing Pitch Strategy and Action Plan (January 2018)* – This document identifies current levels of provision within High Peak across public, education, voluntary and commercial sectors and to compare this with current and likely future levels of demand. It provides a strategic framework to ensure that provision of outdoor sports facilities meets the local needs of existing and future residents. The area analysis specific to Glossop is contained from page 55 onwards. The appeal site is specifically identified in a table on page 59. The document identifies a shortfall of playing fields within Glossopdale and provides specific information and requirements relating to disused sites (pages 30-32).
- 2.8. *Sports England Playing Fields Policy and Guidance (as updated Dec 2021)* – The guidance seeks to provide clarity and advice to external parties on how Sport England assesses planning applications effecting playing fields. It provides detail on how Sport England applies the playing field policy, how exceptions may be tested and how the policy fits with national government priorities.
- 2.9. *High Peak Design Guide SPD (February 2018)* – The SPD identifies the overarching principles in securing good design aligned to policy EQ6 of the Local Plan. It sets out to define the characteristics of buildings in the High Peak. It encourages good design that maximises accessibility, ensures sustainability and is sensitive to climate change.
- 2.10. *Residential Design Guide (SPD2) (December 2005)* - Provides a local contribution to the design agenda for creating a step change in the quality of new housing layout and design. Supplementing the Local Plan this guide will help to raise awareness of design issues in High Peak for new housing development and provide an important reference point for all those involved in new residential development.
- 2.11. *Developer contributions (SPD) (October 2023)* - Provides detailed guidance on the type and extent of developer contributions at HPBC may seek to secure from development. The document is intended to facilitate the developer contribution process between the Council and developers and provide transparency on the Council's approach. It sets out the most common types of developer contributions required.

Defining the key policy tests for this development

2.12. Having considered the policy context above, the officers report to committee and the response from the consultants it is considered that the following key policy tests are relevant.

- i. *For reason for refusal 1:* Firstly, whether the site comprises of playing fields for the purposes of assessing the acceptability of the sites redevelopment for housing when considered against the exceptions as set out within policy CF4 and NPPF paragraph 104 and then secondly, whether any of the exceptions have been met.
- ii. *For reasons for refusal 2:* Whether the site, on the basis of the limited evidence submitted alongside this outline planning permission can deliver up to 100 dwellings (as amended by the appeal) whilst setting the parameters to ensure that high design quality is maintained to allow compliance with policy EQ6 and NPPF paragraph 135.

3. The Councils case

- 3.1. The following paragraphs set out the Council's case with specific reference to the two reasons for refusal.

Reason for refusal one

- 3.2. In response to first reason for refusal, the officer report to committee (paragraph 7.28) to states:
- 3.3. *"...the proposed development scheme would lead to the loss of the whole of the playing field land exceeding c.2.6 hectares at the application site. The Council's High Peak Playing Pitch Strategy (PPS) confirms both playing field land and an old redgra surface exist at the site. It states any developments on the site should adhere to NPPF paragraph 74 [now paragraph 104] and local planning policy."*
- 3.4. The appellant was given the opportunity to respond to these concerns and a detailed response was submitted which suggested that the playing pitches were no longer in existence and had ceased to exist when the school closed, and reviewed by officers and Sport England. A detailed response was provided by Sport England (dated 20th June 2025) to support the officer's assessment which is summarised in the officer's report in paragraph 7.32. The officer concludes her assessment on this point by setting out in paragraph 7.38:

"Officers strongly agree with Sport England's position that whilst the school buildings, car parks and hard standing have been more recently removed, this does not relate to the playing field land, which continues to be in existence on the basis that it was included as part of the original planning permission for the former school development, regardless of not being in active use more recently. In addition, the Council's approved prior approval for demolition ref. DET/2019/0008 has not prejudiced this position, given the method of demolition and site restoration has been specific to the school buildings and hardstanding whilst the determination would not have been judged on matters of planning policy."

- 3.5. The Council will lead evidence:
- i. That the sports and recreational facilities at the appeal site should be classed as playing fields (whether formal or otherwise), despite their ancillary link to a school, which is no longer on the site.
 - ii. That notwithstanding the movement of the school to another site and the lack of maintenance and management of these assets since 2018 this remains the lawful uses of the land.

- iii. That despite arguments put forward by the applicant, there is a prospect of bringing these playing /sports fields back into use and they cannot be considered 'lost' or 'removed'.
 - iv. That these playing fields can make a valid contribution to meeting the wider needs of the community and are important to safeguarding sports / playing field provision within Glossop.
 - v. That the works and improvements to other playing fields and sports facilities as part of the Glossopdale School or other sites in Glossop do not amount to an equivalent or better provision to outweigh the loss of these fields as they were focused on meeting other needs.
 - vi. That there remains an unmet need for the playing fields and playing pitches within Glossop, and that the playing pitches on this site effectively contributes to the existing supply.
- 3.6. The Council will also provide evidence that the appeal cases submitted by the appellant in their statement of case to justify that the site is not a playing field, nor should be considered as such are not relevant to the determination of this appeal. The Council are not aware that any evidence, beyond the simple closure of the school, has been put forward to justify that the site is surplus to requirements as required by policy CF4.
- 3.7. The playing fields at the former Glossopdale School remain as a lawful planning use. They were not lost simply because of the school relocation, have not be abandoned or considered to be beyond reuse, nor have they been replaced by new or improved facilities elsewhere. More widely the need to provide additional playing fields and pitches mean that the loss of these playing fields runs counter policy.
- 3.8. As a result the Council contends that the playing fields on the appeal site are not considered to be surplus to requirements, nor have they been replaced by equivalent or better provision . As a result, the development of much of the southern portion of the site is unacceptable in principle as it conflicts policy CF4 of the local Plan and paragraph 104 of the NPPF.

Reason for refusal two

- 3.9. In response to the second reason for refusal the officer cites several concerns raised by consultees over matters that may affect the detailed design of this scheme due to the lack of information, including but not limited to:

- i. Difficulty in assessing the likely impacts of the scheme from a heritage perspective from the conservation officer in paragraph 7.68
 - ii. Concern over the poor level of information provided on the impact of trees from the arboricultural officer in paragraph 7.55
 - iii. Paragraph 7.55 the officer report to committee also raised some concerns over the lack of information on site levels.
- 3.10. The impact of the first reason for refusal is also relevant at this stage given that the playing fields account for a considerable proportion of this site. Should they require to be retained there will of course be an impact on the design and developable area as set out in the parameters plan. Without this being resolved, it is unclear what the developable area would be and a representative upper limit of dwellings could be achieved.
- 3.11. Paragraphs 7.53 to 7.55 of the officer report to committee consider the submitted parameters plan, the associated concept plan and the indicative site sections (latterly submitted). A review of these paragraphs and the material submitted makes it clear that the parameters plan would effectively simply establish a development area alongside peripheral green infrastructure locations, access points and an easement for a drainage pipeline.
- 3.12. In order to provide greater information a concept plan was provided by the appellant. The officer considered the concept plan as part of Paragraph 7.58 report to committee stated:
- “The indicative layout plan, however, does not clearly demonstrate that up to 110 dwellings can comfortably be accommodated on the site, whilst accommodating design and amenity standards, together with infrastructure and landscaping requirements. Notwithstanding this lack of detail, the proposed indicative housing density of approximately 33 dwellings per hectare is broadly considered appropriate to the local area.”*
- 3.13. On this basis, the applicant was invited, by officers to remove any numerical reference to address these concerns and allow for these matters to be effectively ‘tested’ at reserved matters stage. This was declined. As a result the officer provided an update to the committee which states:
- “the applicant wishes to retain the planning description for the scheme seeking up to 110 dwellings rather than remove the specific reference to the quantum of development as advised by officers. Accordingly, an additional reason for refusal is proposed”*
- 3.14. The Council will lead evidence that:

- i. The appeal site includes a range of constraints all which have been highlighted by consultees as being of concern to the final design solution (see officer report) for this site despite having no objection in principle.
- ii. That the information provided alongside the application in terms of the design and access statement, concept plan and site sections is generic and lacks a detailed appreciation of the site and its context.
- iii. That the design parameters submitted are limited in nature and do not include specific details (inter alia details regarding routes, scale, green infrastructure as detailed in the planning practice guidance) that demonstrate that the site could be developed for 100 units (as amended from the original 110) or so that this that could be effectively conditioned.
- iv. That this lack of detail means that there is little or no evidence to demonstrate that any scheme that came forward at reserved matters would be able to meet both local design policies as well as government guidance.
- v. That as a result, the Council have little or no confidence that up to 110 dwellings (or as now proposed to be amended to 100 dwellings) can be appropriately delivered as part of this planning application, noting that this should not simply be a numerical calculation.
- vi. That there has been insufficient rationale, information or justification provided by the appellant as to why the changes to the parameters plan and the reduction in units from 110 to 100 could result in an improved design solution.

3.15. When considering this against paragraph 135 of the Framework, and the guidance within the National Design Guide (as required by paragraph 134) the Council is not satisfied that an appropriate design solution could be brought forward for this site for the number of units sought. It is therefore considered that the application cannot be considered to be high quality design.

Other planning balance matters

3.16. *Five-year land supply:* It is not disputed that the Council are unable to demonstrate a five-year supply of housing (see statement of common ground) and the 'tilted balance' is therefore engaged in favour of new residential development in line with paragraph 11 of the Framework). However, this must be balanced against the any adverse impacts of doing so based on the policies in the Framework as set out in paragraph 11d ii.

3.17. The Council will demonstrate conflict with both paragraph 104 and 135 of the Framework, and as such consider that the adverse impact of the loss of playing fields and the concerns over the design solution significantly and demonstrably outweigh the provision of new homes meaning that the balance is not in favour of this appeal scheme as the appeal schemes shortcomings are considered to go to the heart of delivering sustainable, healthy communities.

4. Response to the appellant's statement of case

Whether the appeal site includes a playing field

- 4.1. It is clear that the starting point for reason for refusal 1 revolves around the status of the land as being a playing field. As noted, the Council, and Sport England both contend that this is the case, however, in paragraph 5.3.3 (pg 22) of the appellant's statement of case they advance a number of points. The first of these is that the land does not meet the definition of a 'playing field land' as defined by the Town and Country Planning (Development Management Procedure) Order 2015 (DMPO).
- 4.2. For clarity the DMPO defines a playing field as: *"the whole or part of a site which encompasses at least one playing pitch"* and goes on to define a playing pitch as *"a delineated area which together with any run off area is of 0.2 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo."*
- 4.3. The Council contends that the land to the south of the appeal site is clearly a playing pitch and will advance evidence to support that position. Nevertheless, it is evident that the site is sufficiently large enough, has in the past been used and managed to accommodate an appropriate range of sports and the former redgra surface was laid out and delineated for a range of sports.
- 4.4. As a result it is clear to the Council, as was set out in the pre-application advice, and within the Playing Pitch strategy, that there is a requirement to manage any development proposals on this land in accordance with paragraph 104 of the NPPF. The Council notes that the appellant has included extracts from the playing fields strategy in table 7 which clearly indicates the requirement to apply an exception test.

The status of the appeal site in the Playing Pitch Strategy

- 4.5. Paragraph 6.38 -6.40 of the appellant's statement of case includes and extract describing the site, from which the appellant advances that the site does not include any dedicated playing pitches. It is important to note that the very presence of this site, and any discussion around it, within the playing pitches strategy means that it was, at that time classed as a playing pitch.
- 4.6. The references that the appellant relies on in presenting their case is simply a commentary on the 'current status' (as per the column heading) of the playing fields - in other words a statement of their condition at the time of the report was written.

It does not suggest that these pitches were never present. In that respect, the Council is content that there is no conflict with their own evidence base.

Wider school finances

- 4.7. The appellant has cited their specific requirements to repay loans and other financial arrangements (para 6.31-6.33 of their statement of case) as the basis for this appeal. The planning practice guidance (para 21b-011-20140612) is very clear when it states that *“it would not be appropriate to make a decision based on potential for the development to raise money for a local authority or government body.”* It is clear that local financial considerations will only be material to a consideration as to whether this would help make the development acceptable in planning terms. This is a fine balance and a matter for the decision maker.
- 4.8. Whilst matters of viability are considered as an appropriate material consideration, the applicant, in this case, has not advanced such a case. The need to ensure sustainable education provision in the Borough is accepted by the Council, however the Council disagrees that the financial underpinning of this matter this should not be afforded is anything other than limited weight in the planning balance.

Revised parameters plan and overall, number of units

- 4.9. The appellant in their statement of case have identified that they have undertaken ‘*further design work*’ (7.17 of the appellant’s statement of case), although what this is, is not evident. There is no real justification or background provided for this as part of the statement of case, or indeed how these changes have resulted in addressing core issue of lack of information or evidence that what is now proposed to be 100 units can be provided on this site.
- 4.10. The Council notes that the appellant has submitted a new parameters plan (Ref: 10592-LDA-XX-XX-DG-UD-3001-P01) in support of their appeal. They have identified within paragraph 7.3 of their statement of case the changes that are proposed by this plan. Paragraph 7.3 also identifies the appellant’s intention to reduce the upper limit of residential dwellings from a total of 110 to 100 although there is no indication of this on the plan. This change would need to be reflected in the description of development.
- 4.11. The Council have examined the above based on the Wheatcroft principles and conclude that the amended parameters do not amount to a substantially different scheme from that which was reported to the planning committee in the original determination. The scheme remains a major residential development seeking principle access from Talbot Road, and opportunities have been provided, through

the appeals process, for third parties to make representations to the decision maker (i.e the inspector).

- 4.12. The Council do note however, that an additional pedestrian and cycle entrance has been proposed from Talbot Lane (to the north-east) and whilst this in and of itself does not change the above conclusions, the appellant has not mentioned this or set out why this has been included within their submission.

Other applications cited in support of the design approach

- 4.13. The Council contends that neither of the two examples of cases cited in paragraph 7.22 of the appellants statement of case are relevant to this application and cannot be used as effective 'yardsticks' for determining the appropriate level of information that should accompany a major planning application at the outline stage. The Council advances the following points:

- i. In both cases the schemes promoted were much smaller – both classifying as minor developments – where the material that is to be submitted and the complexity of a planning application is very different to a large 100+ major housing scheme.
- ii. It is noted that in both schemes the level of illustrative or indicative layout was far more detailed than that provided with this application, showing house types, plots, parking and access arrangements as well as the illustrative landscape treatments.
- iii. Application HPK/2024/0496 has not yet been determined by the case officer, and whilst the application has clearly met validation requirements it is unclear whether the information provided is considered to have clearly demonstrated the scheme has an appropriate design.
- iv. Application HPK/2025/0427 whilst approved, is for a permission in principle. This is, as the appellant will be aware, an entirely different route to obtaining planning permission with the legislation limiting both the scope of any assessment or the information required.

5. Conclusions

- 5.1. This statement of case has been prepared by the High peak Borough Council (HPBC) in support of their refusal of the appeal scheme at the former Glossopdale College, Talbot Road, Glossop, SK13 7DR.
- 5.2. The Council's case can be summarised as follows on reason for refusal 1:
 - i. That there remains insufficient evidence to demonstrate that the playing fields associated with the former school are either surplus to requirement or have been replaced by better quality provision elsewhere.
 - ii. The applicant's assertions that the playing field uses has ceased, that it would be impractical or difficult to bring them back to use and that improvements at other sites justify the loss of these playing fields is insufficiently robust.
- 5.3. The Council's case can be summarised as follows on reason for refusal 2:
 - i. That the application does not include sufficient detail to determine with confidence that a scheme of 110 or 100 dwellings can be delivered on this site to meet the requirements for high quality contextually responsive design.
 - ii. That the appellant seeks to justify this on the basis of a simple parameters plan with an outline application and does not provide sufficient material on which to justify a design approach.
- 5.4. As noted, it is therefore considered that the appeal scheme fails to meet the requirements of local plan policies CF4 and EQ6 as well as paragraphs 104 and 135 of the NPPF. Whilst the Council acknowledge that there is a need for housing within the Borough it is not considered that conflict with these in principle matters can be overcome.
- 5.5. As a result, it is respectfully requested that the Inspector dismiss this appeal in line with the decision of the Development Control Committee and the officer recommendation.

Conditions

- 5.6. As required, should the Inspector be minded to allow the appeal a series of suggested conditions and a commentary on their providence is provided at appendix 1.

Appendix 1 – Suggested conditions

- 5.8. Notwithstanding that the Council still consider that this appeal should be dismissed, there is a requirement to set out possible conditions if the Inspector considers that the application should be allowed. Many of these have been requested or suggested by the technical consultees.
- 5.9. In some cases, the suggestions have exceed the scope of an outline planning permission and as such where this is the case that is indicated. In other cases, the impact of these matters on layout and overall design of the scheme means that many of the conditions should be discharged by way of an integrated approach at a further reserved matters stage.

Standard conditions

- 5.10. The five conditions outlined below are those that are required to ensure that proper planning process is achieved, and that the approved plans, principles and parameters are tied to any future reserved matters scheme.

- i. *The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.*

Reason: In the interests of proper planning and to comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

- ii. *Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.*

Reason: In the interests of proper planning and to comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

- iii. *No development shall take place until, plans and particulars of the appearance, landscaping, layout and scale of the building to be erected and the landscaping of the site (hereinafter called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority, and the development must be carried out in accordance with those details.*

Reason: In the interests of proper planning as outline in the DMPO (2015)

- iv. *Any subsequent reserved matters application shall be delivered in accordance with the Revised Parameters Plan ref: 10592-LDA-XX-XX-DG-UD-3001-P01 (prepared by LDA Design dated 4 March 2026)*

Reason: In the interests of proper planning and for the avoidance of doubt.

- 5.11. *Any subsequent reserved matters application shall be developed to reflect the the constraints, principles and parameters for the site as set out within Chapters 4, 5 and 6 of the Design and Access Statement for land off Talbot Road (prepared by Carter Jonas dated November 2024)*

Reason: In order to ensure that the scheme can deliver high-design quality in accordance with policy EQ6 of the Local Plan and the guidance within the National Design Guide.

Tree conditions

- 5.12. The Council's arboricultural officer has recommended several conditions in relation to the protection of trees in a response dated 3 June 2025. Some of these conditions are specifically matters of detail that it would be inappropriate to include as part of an outline planning permission (tree rooting and tree management), but the first is included as it can be provided alongside the reserved matters application:

- i. *As part of any reserved matters application associated within the development hereby approved a suitable scheme (Arboricultural Method Statement) for the protection of existing trees and hedgerows shall be submitted and its installation on site has been approved in writing by the Local Planning Authority.*

All protection measures must fully detail each phase of the development process taking into account demolition/site clearance works, all construction works and hard and soft landscaping works. Details shall include the following:

Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with the most recent version of BS5837, with tree works proposals. All trees must be plotted on a site plan (at a minimum scale of 1:200), clearly and accurately depicting trunk locations, root protection areas and canopy spreads.

- *A plan** detailing all trees and hedgerows planned for retention and removal.*
- *A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998.*
- *Timing and phasing of works.*
- *Site specific demolition and hard surface removal specifications*

- *Site specific construction specifications (e.g. in connection with foundations, bridging, waterfeatures, surfacing)*
- *Access arrangements and car parking*
- *Level changes*
- *Landscaping proposals*
- *A Tree protection plan** in accordance with BS5837* detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent & temporary hard surfaces.*
- *Soil remediation plans, where unauthorised access has damaged root protection areas in the construction exclusion zones.*

All tree protection methods detailed in the approved Arboricultural Method Statement shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

Reason: To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of the local environment, air quality and adapting to and mitigating climate change in accordance with policies EQ1, EQ2, EQ5 and EQ9 of the Local Plan.

Environmental protection conditions

5.13. The Council's Environmental Protection Team have recommended the following three conditions in their response dated 28 August 2025 [Note: these had been drafted as pre-commencement conditions so are changed to require submissions alongside the reserved matters application]:

- No door or window opening into any room of the dwelling(s) shall be situated within 5 metres of the kerbside of Talbot Road.*

Reason: In order to safeguard the amenities of the occupiers of the proposed dwellings in respect of atmospheric pollution in compliance with policy EQ10 of the Local Plan.

- Development shall not commence, excluding demolition, until a low-emissions strategy for mitigating the air-quality impacts of the development is submitted to and approved in writing by the LPA. All works that form part of the approved scheme shall be completed before occupation of the development unless*

otherwise agreed in writing by the LPA. The measures in the agreed scheme shall be maintained throughout the life of the development.

Reason: In order to safeguard the amenities of the occupiers of the proposed dwellings in respect of atmospheric pollution in compliance with policy EQ10 of the Local Plan.

- iii. *As part of any reserved matters application for the development hereby permitted a Construction and Environmental Management Plan for that phase of the site has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-*

I. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 hours Mondays to Fridays, and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;

II. the method and duration of any pile driving operations (including expected starting date and completion date);

III. pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;

IV. the arrangements for prior notification to the occupiers of potentially affected properties;

V. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;

VI. a scheme to minimise dust emissions arising from construction activities on the site, which should include all the dust mitigation measures in the air quality assessment (Ref: VAL-24-0073 – Air Quality Assessment Talbot Road, Glossop Derbyshire County Council July 2025) submitted in support of the above application

VII. a scheme for recycling/disposal of waste resulting from the construction works;

VIII. the parking of vehicles of site operatives and visitors;

IX. the loading and unloading of plant and materials;

X. the storage of plant and materials used in constructing the development;

XI. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works,

XII. any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment,

XIII. details of any generator/s to be used on site. They should be sufficiently attenuated so that any noise generated shall be inaudible inside any nearby noise sensitive premise,

XIV. during construction/demolition phases amplified music and/or radios shall not be audible beyond the site boundary.

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason: To protect the amenity of local residents and that of the surrounding area from unreasonable disturbance and ensure that the development does not result in adverse effects as set out in Policy EQ 10.

Local highways conditions

5.14. Two conditions have been recommended by the Local Highways Authority in an email dated 27 August 2025:

- i. *The development hereby approved shall not be occupied until the cycle and pedestrian accesses to Talbot Road and North Road have been laid and constructed in accordance with the submitted drawings 415.0065105.00001 – D101 and D102.*

Reason: In the interest of highway safety.

- ii. *The Residential Travel Plan hereby approved, shall be implemented and monitored in accordance with the regime contained within the Plan. In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to and from the site. The Plan thereafter shall be implemented and updated in agreement with the Local Planning Authority and thereafter implemented as amended.*

Reason: To reduce vehicle movements and promote sustainable access.

Lead Local Flood Authority (LLFA) conditions

5.15. The Lead Local Flood Authority in correspondence dated 28 August 2025 have recommended four conditions [Note: these had been drafted as pre-commencement conditions so are changed to require submissions alongside the reserved matters application]:

- i. *“As part of any reserved matters application until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:*
 - a. *Adept. (Aug) 2025. Drainage Strategy & Flood Risk Assessment, Talbot Road, Glossop. 00.23181-ACE-ZZ-ZZ-RP-C-0001 Rev P5. including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team*
 - b. *And DEFRA's Non-statutory technical standards for sustainable drainage systems(March 2015), have been submitted to and approved in writing by the local planning Authority.*

Reason: To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided to the Local Planning Authority, in advance of full planning consent being granted.

- ii. *“As part of any reserved matters application detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 56 Reference ID: 7-056-20220825 of the planning practice guidance. and to obtain a full understanding of the spring within the site and any associated mitigation requirements.”*

Reason: To ensure that surface water from the development is directed towards the most appropriate waterbody in terms of flood risk and practicality by utilising the highest possible priority destination on the hierarchy of drainage options. The assessment should demonstrate with appropriate evidence that surface water runoff is discharged as high up as reasonably practicable in the following hierarchy:

- i. into the ground (infiltration);
- ii. to a surface water body;
- iii. to a surface water sewer, highway drain, or another drainage system;
- iv. to a combined sewer.

And to ensure that development will be safe from flood risk including from groundwater and natural springs.

- iii. *“As part of any reserved matters application, the applicant shall submit for approval to the LPA details indicating how additional surface water run-off from*

the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the LPA, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.”

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development.

- iv. *“As part of any reserved matters application an assessment is undertaken of the existing culverted watercourse identified to be the point of surface water discharge to determine its condition, capacity and connectivity demonstrating no increase in flood risk up or downstream.”*

Reason: To ensure the culverted watercourse has the capacity to accept flows from the new development and that it is connected to an existing, functioning, drainage network that can accept flows for the lifetime of the development.

Wildlife Trust conditions

- 5.16. The Derbyshire Wildlife Trust has suggested conditions that that they would recommend being imposed on any planning permission. having reviewed these they are specifically related to matters of detail, and it is considered that these would typically relate to a reserved matters application.