

DELEGATED DECISION REPORT

HPK/2023/0459
Valid 01/11/2023

LAND TO THE SOUTH OF
DINTING ROAD AND WEST OF
DINTING LANE DINTING ROAD
HIGHER DINTING
GLOSSOP

CONSTRUCTION OF 3
DWELLINGS WITH ASSOCIATED
LANDSCAPING AND
ENGINEERING WORKS

(FULL - MINOR)

MAIN ISSUES

- Character and appearance of the area
- Amenity
- Highway Safety
- Ecology

DESCRIPTION OF SITE

The 0.19ha application site is a broadly triangular-shaped area of land and lies immediately to the west of Dinting Lane within the built up boundary area of Glossop. It slopes down from the northern to the southern boundary (Dinting Road to the railway line / operational land). Footpath FP140 is located south of the railway line. There are residential properties opposite the northern boundary of the site on Dinting Road. There is a well established hedgerow along the northern boundary of the site and an area of trees beyond the railway operational land to the southern boundary.

Previously, the site had been partly cleared of vegetation, including the southeast boundary to Dinting Lane and levelled to accommodate the temporary site buildings and road haul in relation to the construction of dwellings at the adjacent site to the southeast of Dinting Lane.

The following designations apply to the application site area: Aerodrome Safeguarding for Manchester Airport; Built-up Area Boundary and HPBC Radon Potential Area Class 1.

PROPOSAL

The revised scheme proposes a total of 3 large detached dwellings in lieu of the previously proposed 5 smaller detached dwellings. In these regards, a single house type is proposed comprising of a 2-storey, 4-bedroom, pitched roof dwelling with feature gable and integral garage. Each dwelling would benefit from an additional two parking spaces in addition to the integral garage space as well as private amenity space.

Site access would be gained from Dinting Lane via a private driveway running alongside the established frontage hedgerow to Dinting Road. A pair of detached dwellings are sited immediately to the southwest of the access drive when entering the site from Dinting Lane. The final dwelling is sited at the head of the access drive within the northwest corner of the site.

The proposed site plan indicates retaining walling to the perimeter of the dwelling plots. Furthermore, the proposed section (northeast to southwest) show a degree of cut and fill, with modest cutting shown to accommodate the access drive and more notable fill to provide a level plateau for dwellings.

Landscaping consists of both retained and proposed tree planting whilst the Dinting Road hedgerow is shown to be retained outside of the plots.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2021/0654 - Development of 9 new dwellings. WITHDRAWN.

HPK/2018/0015 - Retrospective application for temporary ground levelling works for site welfare facilities, parking and storage for the duration of the adjacent housing development. Approved 19th June 2026.

CONSULTATIONS

Publicity

Site Notice expiry date: 4th January 2024

Neighbour consultation period ends (revised): 23rd November 2023

Public Comments

Neither (2)

Apart from the obvious objection - more housing in an area where the infrastructure is missing, I would like more information on the bin collection area. Not only is this positioned on an extremely bad bend in the road, it looks like it blocks the gateway onto somebody's land. This neighbouring land does not belong to Northern Rail but is privately owned. I doubt anyone will be able to afford these properties from Glossop.

Disappointed. What happened to this 'Green and Pleasant land' Robert Langan MP has said that there should be no more building in Glossop until the infrastructure has improved e.g. roads. So this started out as more information needed on the bin collection point but in fact has ended up as an objection.

On first reading, this application appears to have been cobbled together from previous applications and, I suggest requires a proper read through and checking.

Whilst the suggestion is that this submission relates to 5 houses, the design and access statement clearly refers to three detached houses and four semi-detached houses. Three plus four did not and does not equal five.

If a supposed detailed and binding document has errors on this scale then the rest of it must also be suspect and, I would suggest, it should be rejected pending a thorough review and assurance of its complete accuracy.

The Design and Access statement for this site is incorrect. The DAS states 7 dwellings when the application is for 5 dwellings. The access is stated in the DAS as off both Dinting Lane and Dinting Road, whereas on the drawings it is stated as off Dinting Lane only.

Objection (2)

No detailed comments have been provided with the individual objections submitted.

Alliance Environmental Services (Waste)

22.11.23

Properties should be planned so bins can be stored within the property boundary and be moved to the presentation point without the need to go up or down steps or through the property. Garden gates need to be wide enough to accommodate a standard 240l wheeled bin.

Collection vehicles are unable to access unadopted highway unless an indemnity form has been completed by the developer. In instances where there is no indemnity for properties will have to present their bins at a point next to the nearest adopted highway.

All roads that are intended to be used for the purposes of waste collection must be suitable for a full size 32 tonne waste collection vehicle with a turning circle of 22.5m. It is advisable to design out the need for collection vehicles to reverse where possible. If reversing is unavoidable the following must be applied:

- waste collection vehicles should not reverse more than 12 meters
- the reverse should be straight and free from obstacles and visual obstructions.

County Place

18.05.23

We would only assess the site for education if it is 10 or more dwellings or has a site area of 0.5ha or above.

County Archaeology

28.11.23

The proposal site lies to the west of a site investigated in 2017 which demonstrated the presence of a medieval/post-medieval trackway, possibly linking dispersed medieval settlements of High Dinting and lower Dinting and there is the slight possibility, given the previous groundworks on the site retrospectively approved under consent : HPK/2018/0015 that further remains associated with dispersed settlement at Dinting may be present.

The proposal site itself is very small at 0.18 Ha, and in line with previous recommendations regarding the adjacent site it is consistent that the archaeological interest is addressed through archaeological monitoring of development groundworks, in this case I would say the removal of the invasive species where said removal involves excavation, as well as the topsoil stripping and the groundworks associated with the creation of access and provision of internal roads. Should these works identify limited areas requiring additional work this should be subject to strip, map and investigate archaeological works if more significant remains are identified. This scheme of works however work can be secured by attaching a planning condition to any planning consent, under Para 205 of NPPF, the wording of which should read.

“No development shall take place until a written scheme of investigation (WSI) for archaeological work has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; and:

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the

condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.”

All works should be in accordance with a written scheme of investigation (WSI), pre-approved by this office in writing, before implementation. The WSI should be compiled by the archaeological organisation commissioned to undertake the works in the field and should be undertaken to recognised industry standards, in line with the appropriate levels and standards of field practice and recording. All archaeological works should be undertaken by a suitably experienced archaeological organisation with suitably and demonstrably experienced archaeologists undertaking works on the ground.

County Highways

16.12.24

Derbyshire County Council, the Highway Authority (HA) acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, note that on 29 November 2023, the HA's response to the above application concluded with the following questions:

‘To enable the County Council to fully assess the above application, can you please provide the following:

1. Vehicle turning for delivery/vehicles.
2. How will the refuse vehicle (park) undertaken its collection during?
3. It is unclear if the footway proposed under planning reference HPK/2021/0654 is still being provided under application HPK/2023/0459, so can you provide details including width and any tactile crossing location information.
4. The Retaining Wall shown on submitted drawing 'Proposed Block Plan 5 Units' is within 3.65m of the public highway and the County Council Design Guide states:

'All highway-related structures, whether to be adopted or not, shall be designed and constructed in accordance with current relevant Highways England standards, codes of practice and technical memoranda unless agreed otherwise. Design is normally subject to the technical approval procedure set out in CG 300 (formally known as BD 2/12) within DMRB and in the context of this design guide, the technical approval authority is the relevant LHA'....'The applicant is normally required to pay the additional design checking and inspection fees for any highway structure to be charged at 'actual' rates.' Therefore, information relating to the structure is required which will be passed onto the County Council Structures Team for assessment.'

In the intervening period a number of discussions have taken place to try and resolve the above highway issues, which has culminated in the recently submitted revised drawing (210-0051), so from a highways aspect the drawings are now considered acceptable in principle although it should be noted that in order to implement the scheme a separate construction approval process with the HA will need to be progressed – this scrutinises construction details and will be necessary in order for the HA to enter into a Section 278 Agreement for any access works.

As the site only proposes 5 [sic] dwellings, an adoption Agreement is not required and the road layout will remain private, so only the access off Dinting Lane will need to be formally approved by the HA as part of any Section 278 Agreements pursued for these works, but it is likely that minor amendments may be required to the proposals submitted and therefore no formal HA approval is given at this stage. The construction of the works will inevitably lead to

considerable disruption in the area which will affect a number of existing dwellings, so a construction management plan will therefore be an essential element, to be secured by condition.

Therefore, based on the analysis of the information submitted and a review of Local and National policy the HA concludes that there would not be an unacceptable impact on Highway Safety or a severe impact on congestion and it is considered that any remaining issues may be addressed by appropriate conditions appended to the consent issued for this development and on this basis recommend the following Conditions/Notes are appended to any consent granted:

Conditions:

1. Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

2. The Development hereby approved shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.

Reason: To promote sustainable travel and healthy communities.

3. The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawing 210-0051.

Reason: To ensure conformity with submitted details.

4. The Development hereby approved shall not commence until drawings of the highway improvements works comprising:

a) Access onto public Highway (Dinting Lane).

Have been submitted to and approved in writing by the Local Planning Authority; and the building shall not be occupied until those works have been constructed in accordance with the approved details.

Reason: To ensure the safe and free flow of traffic onto the highway.

5. No individual dwelling in the Development hereby approved shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.

Reason: To promote sustainable travel and healthy communities

Informative Notes:

Refer to public file for full response.

Derbyshire Wildlife Trust

11.12.25 (revised)

The new report updated 27/11/2025 and the latest metric (V6) confirm that the final losses at the site are -0.99 habitat units (59.72%) and -0.01 hedgerow units (1.73%). The reduction in habitat units lost is due to the retention of more trees. As such, 1.16 habitat units and 0.06 hedgerow units should be purchased from a habitat bank.

11.12.25

Thank you for sending us the latest landscaping plans. It's great to see the mature sycamore is now being retained, as advocated for in all our previous comments.

A net loss of -1.30 habitat units and -0.01 hedgerow units will still require offsetting through purchase of units from a habitat bank, to deliver some small level of gain. As the application is pre-mandatory, a Gain Plan is not required, therefore this offsetting should be secured via an appropriate mechanism.

12.06.25

Thanks you for sending these documents across. The BNG calculations have been amended in line with our previous letter (DWTHPK712c / 8th May 2025) to include grassland enhancement in areas of POS only. A net loss of -1.30 habitat units and -0.01 hedgerow units will require offsetting through purchase of units from a habitat bank, to deliver some small level of gain. As the application is pre-mandatory, a Gain Plan is not required, therefore this offsetting should be secured via an appropriate mechanism.

08.05.25

We have received the response to our comments from Cheshire Planning Solutions Ltd and the ownership plan, which are both very helpful to inform this response

We are disappointed to see the loss of T2 purely to facilitate the development, when it appears in good health with a 40+ year life expectancy as previously stated. We would consider that it should have been a key feature to retain for this site. However, as it has been reflected in the metric calculations, there is little else for us add on this point and we will leave it to be considered by the LPA in the planning balance.

We appreciate the clarity provided on the existing grassland and have no more comments on this point.

We understand that it is the intention to offset any losses financially, presumably buying units from a Habitat Bank. Currently the figure of -0.92 habitat units is based on grassland enhancement within the curtilage of private dwellings. The metric should be amended to only include grassland enhancement in areas of POS, as per the ownership plan provided. This would then provide a final unit loss figure on which to base a unit purchase to deliver some level of gain. This should be secured via an appropriate mechanism.

With regards to conditions, wildlife enhancements are already detailed on the Landscape Plan and so should be secured via compliance condition. The following conditions are recommended:

Nesting Birds

No tree, scrub or hedgerow clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

Precautionary Working Methods

Site clearance shall be undertaken in a manner by which to safeguard hedgehogs and herptiles. All rubble piles and general debris that could be used for shelter shall be carefully cleared by hand to a location such as a skip, other container or raised pallets. This shall be undertaken prior to machinery entering site and avoiding the core hibernation period (November-February). Vegetation shall be strimmed initially to 150 mm above ground level to allow any individuals to escape or be moved. If a hedgehog or herptile is discovered during clearance, it shall be moved immediately and carefully with gloved hands to an area of shelter such as beneath adjacent hedgerow/bushes on the south-western boundary, unless able to move away freely. A short statement of compliance shall be submitted to the LPA upon completion of clearance works to discharge this condition.

Derbyshire Swift Conservation Trust

15.12.23:

As enhancement for breeding urban birds the Ecological Survey and Assessment (ERAP Ltd, ref: 2021-377, Feb 2022) recommends “the installation of 2 house sparrow terrace nest boxes at the proposed new housing” despite best-practice guidance stating that ecological enhancement for declining urban bird species should take the form of Swift bricks integrated into the façade.

Integrated nest bricks are preferable to external nest boxes as they become a permanent feature of the building, require zero maintenance, are aesthetically integrated with the design of the building, are less vulnerable to vandalism and have better thermal regulation with future climate change in mind.

Additionally, such bricks are considered a universal nest brick for urban bird species, including redlisted species such as Common Swift, House Sparrow, House Martin, and Starling.

<https://cieem.net/swift-bricks-the-universal-nest-brick-by-dick-newell/https://cieem.net/wp-content/uploads/2019/06/9.pdf>

Best-practice guidance has recently been made available with the publication of British Standard BS 42021:2022 “Integral Nest Boxes – selection & installation for new developments”:

<https://knowledge.bsigroup.com/products/integral-nest-boxes-selection-and-installation-for-newdevelopments-specification-1/standard>

One key element of this guidance is that all integral nest boxes should be Swift bricks, as these can be safely used by all small bird species including Swifts. Also, it sets out the numbers required as follows:

- "To provide new and enhanced opportunities for nesting, the number of integral nest boxes on new residential developments shall at least equal the number of dwellings, i.e. the ratio of integral nest boxes to dwellings is 1:1. "
 - "External nest boxes are additional to the installation of integral nest boxes on new developments and should not be included as part of the 1:1 ratio."
- British Standard BS 42021:2021 is available only by subscription but the key elements are summarized on the NHBS blog <https://www.nhbs.com/blog/universal-nest-bricks>.

The integration of universal nest bricks is also supported by the National House Building Council Foundation, the standard-setting body for new homes: Section 8.1 Nest sites for birds (page 42):

"Provision of integral nest sites for swifts is through hollow chambers fitted into the fabric of a building while in construction. Although targeting swifts they will also be used by house sparrows, tits and starlings so are considered a 'universal brick':

HPBC Aboricultural Officer

08.12.25

The hedge issue appears to be addressed so there's no further comments.

08.12.25 (revised)

We previously commented on this scheme on the 13th of November. In summary, the scheme was acceptable but required one tweak in terms of a species substitution for a tree in the Northwest corner. This is noted as a Crab Apple and the replacement was requested to be a Lime. This has been addressed by revision G (12/11/25) of the details.

As discussed, there are a couple of additional concerns that may be able to be overcome in a revision. The first is the tenure of the land on which the hedge to Dinting Lane stands. It is noted to be retained and appropriate conditions could help secure. However -and as discussed- if the hedge were to be outside of domestic curtilage and managed collectively, the hedge is more likely to be maintained holistically rather than piecemeal and is more likely to continue to afford the amenity and screening functions desired.

Also as discussed, the additional and re-located tree planting to the South West of plots 1 and 2 could unintentionally become an issue for incoming residents. The private amenity spaces are relatively small and the creation of a substantial grouping of trees on this boundary is likely to lead to shading issues and interruption of desired views.

With the exception of the Sorbus aria in the Southernmost corner of the site - which could be retained - it appears possible to distribute the trees intended for this location into other areas of the site. Gaps in the frontage hedgerow areas adjacent to the driveway and land to the West of plot 3 could be utilised. It is appreciated that the BNG assessment is likely to have included the quantum of planting indicated and therefore, redistribution of the planting is suggested rather than removal.

HPBC Environmental Health

19.01.24

The Environmental Health Department has no objection to the proposed development subject to the conditions set out below being applied to any permission granted.

CONDITIONS:

1. CL02 Contaminated Land (DCLG Condition) For Complex Applications

No development shall take place, with the exception of site investigation and remediation works until conditions 1a to 1d have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 1d has been complied with in relation to that contamination.

a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's "Land Contamination Risk Management" (LCRM) guidance.

b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1b, which is subject to the approval in writing of the Local Planning Authority.

e) Submission of a validation report

Following completion of measures identified in the approved remediation scheme a verification report must be prepared which is subject to the approval in writing of the Local Planning Authority in accordance with condition 1c.

2. NS04B - Noise insulation: Domestic

Prior to the occupation of any residential unit, noise mitigation consistent with (and no less protective) than that detailed within the approved noise report (PDA, "Environmental Noise & Vibration Assessment" (ref: J004216-6000-SI-03), dated August 2023) shall be implemented for that unit. Mitigation shall ensure that the following noise criteria are met.

- a) An internal noise level for habitable rooms during the day (0700-2300hrs) of 35dB(A)LAeq,16hrs
- b) An internal noise level for bedrooms during the night (2300-0700hrs) of 30dB(A)LAeq,8hrs and 45dB(A)LAmx
- c) Noise levels within external living areas such as balconies, terraces and gardens during the day (0700-2300hrs) of 55dB(A)LAeq,16hrs

An overheating mitigation strategy to provide an alternative method to removing heat from all plots other than relying on windows remaining open during the nighttime period will be required. The strategy document shall include a TM59 – fixed temperature test (completed at 'passed').

Prior to the occupation of any residential dwelling, the developer shall submit a validation statement confirming the noise mitigation measures installed that meet the above criteria, along with the overheating mitigation strategy, which shall be approved in writing by the LPA prior to the occupation of any residential unit.

3. CDD01B - CONSTRUCTION AND DEMOLITION – DUST

No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority

4. CDD02 - CONSTRUCTION & DEMOLITION: WASTE DISPOSAL

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. There shall be no fires lit on the site for purpose of disposing of demolition materials. Any open fires that arise shall be extinguished without delay.

5. NSD12 - BEST PRACTICAL MEANS

The best practicable means, as defined in Section 72 of the Control of Pollution Act 1974 to reduce noise and vibration from the site to a minimum, shall be employed at all times during construction.

6. NSD02B - Noise Construction: Piling 2

If piling is necessary, a written piling options assessment shall be submitted to the Local Planning Authority, to demonstrate noise and vibration mitigation measures consistent with best practical means.

The assessment shall consider Environment Agency guidance (*Environment Agency (2001), Piling and Penetrative Ground Improvements on Land Affected by Land Contamination NC/99/73*) where land contamination is suspected or proven. No piling shall take place until the piling options assessment has been approved.

No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays.

7. NS02A - CONSTRUCTION & DEMOLITION WORKS: TIME OF OPERATIONS

Unless prior permission has been obtained in writing from the Local Planning Authority, all noise-generating activities shall be restricted to the following times of operations.

- 07:30 - 18:00 hours (Monday to Friday);
- 08:30 - 14:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this condition, a noise-generating activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

04.12.24

The submitted noise impacted assessment may be accepted

- PDA, "Environmental Noise & Vibration Assessment" (ref: J004216-6000-SI-04), dated 1 October 2024

The proposed noise insulation condition (email date 19 Jan 2024) should be amended to make reference to this report.

18.05.23

With regards to the application below with the revised layout, there are no additional air quality objections.

The development includes a provision for cycle storage, EV charging points is a requirement under the Building Regulations and conditions have been recommended below in relation to dust management/ limits during construction.

Manchester Airport

Network Rail

03.03.26

Please see attached a response to the High Peak LPA from 2015. With regards to the above proposal Network Rail is objecting to the 5 dwellings in line with our previous objection.

High Peak's Local Plan hasn't been updated since the above application, so the reference to Policy CF6 is still relevant (but DS2 isn't as this is a separate site).

Network Rail would object to this proposal as any rights over the crossing will increase the risk. At present there is no risk as the crossing is locked out of use but not permanently closed.

Network Rail requires permanent closure of Dinting Lane Level Crossing.

Dinting Lane Level Crossing is currently fenced off, however it is not closed and there has been no removal of any public or private user rights. Network Rail understands that there is an existing bridleway marked over the level crossing. The level crossing has had vehicular access but only one lane / single file, as well as pedestrian access. Network Rail secured the level crossing with 6ft high palisade fencing on one side and 6ft high heras fencing on the other side as a result of recent trespass issues. Recently, Network Rail has been made aware that minors have been seen to trespass along the track bed at this location and this resulted in British Transport Police being summoned. It is noted that there are existing dwellings to the north of the railway line and that there are schools catchment areas to the south of the railway line. Therefore Dinting Lane level crossing is part of the desire line for schools in the area.

Network Rail is concerned that with the increased residency from the dwellings (including this proposal) that the developer and the future residents / the developer will wish to use Dinting Lane Level Crossing for access for cycling, walking, dog walking or horse riding as well as pedestrian and vehicular users. Network Rail is tasked by the Office of Road and Rail Regulation to reduce the risk at level crossings, and any increase in the type and volume of user at Dinting Lane Level Crossing will increase the risk at this site. This is not acceptable to Network Rail.

Refer to public file for full response.

United Utilities

The application validation checklist confirms that the consultation has not been triggered with United Utilities as the development would not fall into the relevant threshold.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S1 Sustainable Development Principles
S1a Presumption in Favour of Sustainable Development
S2 Settlement Hierarchy
S5 Glossopdale Strategy
EQ5 Biodiversity
EQ6 Design and Place Making
EQ9 Trees, woodlands & Hedgerows
EQ10 Pollution Control and Unstable Land
H1 Location of Housing Development
H3 New Housing Development
CF6 Accessibility and Transport
Appendix 1 Parking Guidance

National Planning Policy Framework

National Planning Policy Guidance

Supplementary Planning Documents (SPDs)

- Residential Design Guide SPD (2005)
- High Peak Design Guide SPD (2018)

OFFICER COMMENTS

Section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990 requires the Local Planning Authority to determine planning applications in accordance with the development plan, unless there are material considerations which 'indicate otherwise'. Section 70(2) provides that in determining applications the Adopted Local Planning Authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations". The Development Plan for the borough consists of the Adopted High Peak Local Plan dated April 2016.

Achieving sustainable development sits at the heart of the NPPF. Paragraph 8 of the NPPF outlines that achieving sustainable development requires the consideration of three overarching and mutually dependant objectives being: economic, social and environmental where they are to be applied to local circumstances of character, need and opportunity of each area. These objectives are interdependent and should be pursued in mutually supportive ways and comprise;

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of the present and future generations; and by fostering well designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well being; and,
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making the effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

NPPF paragraph 11 (as amended) for decision taking states:

"Plans and decisions should apply a presumption in favour of sustainable development. ...

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹.

The Ministry for Housing, Communities and Local Government (MHCLG) published its revised [National Planning Policy Framework \(NPPF\)](#) on the 12th December 2024.

In delivering a sufficient supply to homes, the standard method (first introduced in 2018) identifies the minimum number of homes that a local planning authority should plan for in its area. The standard method as now updated in the practical guidance published on 12 December 2024 [13] (“the Standard Method”) and is the delivery mechanism to enable the Government to deliver on the envisioned 1,500,000[14] new homes during its parliament.

Importantly, the Standard Method in Planning Practice Guidance is no longer an advisory starting point, but mandatory [15]. As explained in the PPG, it uses “a formula that incorporates a baseline of local housing stock which is then adjusted upwards to reflect local affordability pressures to identify the minimum number of homes expected to be planned for” [16].

The 2023 Housing delivery Test showed delivery against the prevailing standard method figures of 153% meaning the buffer to be applied to the assessment is 5%. As High Peak’s adopted plan is more than 5 years old, supply is assessed against the new Standard Method figure at 553 dwellings per annum.

The Council’s Local Plan’s Team have calculated the new 5-year housing land supply figures for the High Peak borough at 2.85 years.

Principle of Development

LP Policy S1 ‘Sustainable Development Principles states that :“The Borough Council will expect that all new development makes a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing, the environment; and mitigating the process of climate change, within the Plan Area.

LP Policy S2 ‘Settlement Hierarchy’ promotes a sustainable pattern of development by focusing development to the market towns and larger villages with limited development in the smaller villages and a more restrictive approach to development in countryside and Green Belt.

Area based LP Policy S6 ‘Glossopdale Sub-area Strategy’ (2) ‘Providing for the housing needs of the community by planning for sustainable housing and mixed-use developments’ will achieve this by:

- Allocating a range of suitable, deliverable housing sites sufficient to meet the requirements of the Glossopdale sub-area, including the delivery of appropriate levels of affordable housing
- Supporting the development of new housing on sustainable sites within the built-up area boundary

LP Policy H1 ‘Location of New Housing Development’ states that: “The Council will ensure provision is made for housing taking into account all other policies in this Local Plan by:

- Supporting the development of specific sites through new site allocations in the Local Plan or a Neighbourhood Plan
- Promoting the effective reuse of land by encouraging housing development including redevelopment, infill, conversion of existing dwellings and the change of use of existing buildings to housing, on all sites suitable for that purpose
- Supporting housing development on unallocated sites within defined built up area boundaries of the towns and larger villages

- Encouraging the inclusion of housing in mixed use schemes where housing can be accommodated in an acceptable manner without compromising other planning objectives
- Supporting development identified through a Community Right to Build Order
- Supporting self build housing schemes”.

In these regards, the scheme proposes housing development for a total of 3 dwellings on an unallocated site within the defined built up area boundary of Glossop to accord with LP Policy H1 ‘Location of New Housing Development’.

Housing Mix & Type

LP Policy S1 sets out the sustainable development principles for the area and includes that new development should provide for a mix of types and tenures of quality homes. LP Policy S5 ‘Glossopdale Sub Area Strategy’ also seeks to provide for the housing needs of the community by allocating a range of suitable, deliverable housing sites sufficient to meet the requirements of the Glossopdale sub-area, including the delivery of appropriate levels of affordable housing.

NPPF paragraph 61 states: “To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community”.

In detail, LP Policy H3 ‘New Housing Development’ requires all new residential development to address the housing needs of local people by:

- a) “Providing a range of market and affordable housing types and sizes that can reasonably meet the requirements and future needs of a wide range of household types including for the elderly and people with specialist housing needs, based on evidence from the Strategic Housing Market Assessment or successor documents.
- b) Providing a mix of housing that contributes positively to the promotion of a sustainable and inclusive community taking into account the characteristics of the existing housing stock in the surrounding locality.
- c) Supporting dwellings designed to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space Standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations”.

The Council’s Housing and Economic Land Needs Assessment (HELNA) dated September 2022 was commissioned to inform the review of the Local Plan. Accordingly, the HELNA is deemed to be a “successor document” to the Strategic Housing Market Assessment 2014 (SHMA) as referenced in LP Policy H3 and should therefore be considered when determining the scheme. The HELNA provides an updated analysis of the housing mix required across the Borough as well as providing a more detailed assessment of the recommended housing mix across each of the Local Plan sub-areas. This includes the Glossopdale area within which the application site is located.

Consequently, developments should seek to bring the housing stock in the vicinity of and closer to the HELNA recommended mix. This allows for the characteristics of the housing stock in the locality to be considered. The recommendations from the 2022 HELNA in relation to the mix of social housing for both High Peak as a whole, as well as Glossopdale are outlined below

alongside the proposed housing mix from the scheme and existing housing stock in the St. Johns ward.

Recommendations with a market adjustment are also provided. This results in a 15% reduction in the number of smaller (1-2 bed) dwellings and a commensurate increase in the number of 3- and 4-bedroom properties to reflect “the very pronounced socio-economic shock precipitated by the pandemic and the strong (and what appears to be a permanent) shift towards homeworking and the need for larger properties to accommodate this” (HELNA, para 12.34).

The HELNA evidence in relation to the Glossopdale sub-area in terms of market and social housing provision is detailed in the table below:

	1-bed	2-bed	3-bed	4-bed	5+ bed
2022 HELNA HPBC	10%	37%	41%	9%	3%
2022 HELNA HPBC (market adjustment)	8%	32%	44%	13%	3%
2022 HELNA Glossopdale Area	7%	31%	46%	9%	1%
2022 HELNA Glossopdale Area (market adjustment)	6%	39%	49%	12%	1%
% of existing housing stock in the Dinting ward	4.8%	21.0%	39.7%	34.6%	-
Scheme Units	0	0	0	3	-
%				100%	-

Clearly, the four-bedroomed dwellings provided by the proposal would not closely align with the HELNAs recommended percentages for Glossopdale (with market adjustment). In these regards, the scheme would not seek to rebalance the housing stock in relation to the oversupply of four-bedroomed properties within the Dinting ward with regard to the data contained within the table above.

In addition, parts c) and e) of LP Policy H3 require all new residential development to contribute positively to the promotion of an inclusive community by supporting dwellings designed to provide flexible accommodation capable of future adaption by seeking to achieve adequate internal space for the number of internal occupants in accordance with the NDSS (National Described Space Standards) and to be delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations. This requirement is further endorsed by the evidence in the HELNA which recommends 50% of new housing should meet these accessibility standards.

The scheme would broadly meet with accessibility standards as set out in the Optional Requirement M4(2) of Part M of the Building Regulations as per the assessment submitted by the applicant on the 25th June 2026.

Statutory Guidance in the form of ‘Technical Housing Standards – nationally described space standards’ (NDSS) sets out minimum gross internal floor area standards, amongst other more internal detailed property requirements. The proposed house type would meet overall NDSS minimum property sizes as well as compliance with other criteria within the prescribed technical housing standard.

The scheme would modestly add to the provision of the oversupply of four-bedroomed properties within the Dinting ward to create some conflict with the relevant provisions of LP Policies SS1, S5 and H3 as well as the NPPF whereby developments should both reasonably meet and contribute towards the wider housing need across the Glossopdale area.

Affordable Housing

LP Policy H3 'New Housing Development' criteria a) requires proposals to meet the LPs requirements for the provision of affordable housing as set out in LP Policy H4 'Affordable Housing' below.

LP Policy H4 states all new residential development should meet the requirements of local people by providing affordable housing within the overall provision of new residential development for sites above 25 units whereby the requirement is 30%.

Of note, LP Policy H4 is deemed to be out of date by the local plan review for development management purposes given national planning policy updates in relation to affordable housing. This includes confirmation that the provision of affordable housing should not be sought for residential development which are not major developments.

The proposal for a total of 3 dwellings is not considered to be a major development and in any case would not trigger the policy requirement to secure affordable housing provision in relation to LP Policy H4 'Affordable Housing'.

Design and Layout

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 ...".

NPPF paragraph 187 states: "Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan) ...".

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".

The proposed revised layout seeks to partially facilitate an outward facing development towards Dinting Road. Importantly, the frontage hedge to Dinting Road would be retained and be separated from dwellings via the internal driveway and buffer strip. The scale and appearance detached of the two-storey property with gable feature would assimilate with residential development within the locality. Notwithstanding this, the proposed house type lacks the vertical emphasis and contemporary nature of dwellings within the adjacent new build residential estate to the southeast within which it would be viewed. The rendered front gable, however, would assist in breaking up the property façade whilst securing chimneys would eliminate an uninteresting roofscape. In addition, section drawings illustrate that scheme dwellings are set down from Dinting Road whereby built form would be further softened by the retention of the frontage hedgerow to limit any adverse harm to the street scene. Furthermore, proposed planning conditions would

secure suitable facing materials, chimneys, retaining walling and boundary treatment to ensure the scheme respects the character and appearance of the area.

LP (Local Plan) Policy EQ9 states that: “The Council will protect existing trees, woodlands and hedgerows, in particular, ancient woodland, veteran trees and ancient or species-rich hedgerows from loss or deterioration. This will be achieved by:

- Requiring that existing woodlands, healthy, mature trees and hedgerows are retained and integrated within a proposed development unless the need for, and benefits of, the development clearly outweigh their loss
- Requiring new developments where appropriate to provide tree planting and soft landscaping, including where possible the replacement of any trees that are removed at a ratio of 2:1
- Resisting development that would directly or indirectly damage existing ancient woodland, veteran trees and ancient or species-rich hedgerows”.

Paragraph 136 of the NPPF states: “Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined⁵², that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users”. Footnote 52 states: “Unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate”.

The revised landscaping scheme ‘Landscape Proposals’ drawing ref. 6804.03 Rev H has secured both appropriate retention as well as replacement tree planting. In addition, the hedge to Dinting Lane would be retained and importantly lie outside of the domestic curtilage to each plot. The implementation of the landscaping scheme and suitable Landscape Ecology Management Plan would be secured via planning conditions.

Consequently, the scheme’s layout, scale, appearance and landscaping would accord with LP Plan EQ6 ‘Design and Place Making’ as well as the NPPF.

Amenity

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.

The Council’s adopted SPD on ‘Residential Design’ states the distance between habitable room windows should be 21.0m and for every change in level of 0.5m, there should be an increase in distance between opposing properties by 1.0m. Although the guidance within the SPD allows for variation in distances to accommodate particular site circumstances.

The interrelationship between plots both for future occupiers and opposing neighbours on Dinting Road to the northeast is considered to be acceptable both in respect of intervening privacy distances and levels.

The newly constructed dwelling to the east of the site has no side windows facing the development so no privacy issues or overshadowing issues arise, especially given the separation provided by the intervening lane..

Consequently, the scheme would provide for a good standard of amenity site wide to accord with LP Plan EQ6 'Design and Place Making' and the NPPF.

Highway Safety

LP Policy CF6 'Accessibility and Transport' seeks to ensure new development can be safely accessed in a sustainable manner and minimise the need to travel, particularly by unsustainable modes.

NPPF paragraph 115 states: "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users;
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code⁴⁸; and
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach".

In addition, NPPF paragraph 116 states: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

Local Plan (LP) Appendix 1 Parking Guidance advises the following standards for the scheme:

- Four bed - 3 car parking spaces and 1 cycle space

The layout provides for two frontage parking spaces per dwelling whilst the integral garage would provide for a further car parking space and cycle storage.

Following the appraisal of the proposed site plan drawing ref. 005 Rev I (now Rev K), the Local Highway Authority conclude that there would not be an unacceptable impact on highway safety or a severe impact on congestion subject to the imposition of appropriate planning conditions as detailed in the consultation section above.

Notwithstanding the above and in view of Alliance Environmental Services comments above, the imposition of a bin storage and collection planning condition would be considered appropriate in such circumstances.

Nature Conservation

LP Policy EQ5 'Nature Conservation' states that the biodiversity and geological resources of the Plan Area and its surroundings will be conserved and where possible enhanced by ensuring that development proposals will not result in significant harm to biodiversity or geodiversity interests. The policy then goes on to identify how this will be achieved, specifying several criteria. The wording of Policy EQ5 requires development proposals to conserve biodiversity by ensuring no significant harm to these interests. There would be no requirement under the policy to achieve an overall biodiversity net gain, albeit the supporting text does seek this where possible.

- a) The NPPF 'Habitats and biodiversity' section at paragraph 192 states: "To protect and enhance biodiversity and geodiversity, plans should: Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁶⁸ wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation⁶⁹
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity".

For decision taking, the NPPF at paragraph 193 states the following principles should be applied including:

- a) "if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; ...
- b) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate".

Biodiversity Net Gain (BNG) in England is now mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). The National Planning Policy Guidance (NPPG) states that it is an approach to development which "makes sure that habitats for wildlife are left in a measurably better state than they were before the development". In these regards, developers must deliver a BNG of 10% and this "means a development will result in more or better quality natural habitat than there was before development".

The application was submitted in 2023 and before the legislation came into force in February 2024 placing a legal requirement on all non-exempt developments to secure 10% Biodiversity Net Gain (BNG). Nevertheless, the NPPF states plans should "identify and pursue opportunities for securing measurable net gains for biodiversity" and is a material consideration in these regards.

Derbyshire Wildlife Trust (DWT) have commented in detail to both the submitted and revised planning application as will be discussed below.

The latest Biodiversity Net Gain (BNG) report dated the 27th November 2025 and BNG Metric (V6) both confirm that the final losses at the site are -0.99 habitat units (59.72%) and -0.01 hedgerow units (1.73%). The reduction in habitat units lost is due to the retention of more trees. As such, 1.16 habitat units and 0.06 hedgerow units should be purchased from a habitat bank as advised by Derbyshire Wildlife Trust and would be secured via a planning condition, as would wildlife enhancements which are detailed on the Landscape Plan. Further planning conditions are recommended in relation to protection of nesting birds and hedgehogs.

Subject to the imposition of suitable worded planning conditions, the scheme would accord with LP Policy EQ5 'Nature Conservation' as well as the NPPF by ensuring that development proposals would not result in significant harm to biodiversity or geodiversity interests whilst securing measurable net gains for biodiversity.

Pollution and Unstable Land

LP Policy EQ10 'Pollution and Unstable Land' seeks to protect people and the environment from unsafe and polluted environments, requiring mitigation if necessary. In addition, 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 paragraph 135(f) requires a high standard of amenity for existing and future users.

NPPF 'Conserving and enhancing the natural environment' section paragraph 187(e) of the NPPF states "new and existing development should not contribute to, or be put at an unacceptable risk from, or be adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability".

NPPF 'Ground conditions and pollution' section paragraph 196 states: "Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

In addition, NPPF paragraph 198 requires: "Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life⁷²;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation".

The Council's Environmental Health Department has no objection to the scheme subject to the imposition of planning conditions in relation to contamination, together with noise mitigation in relation to the adjacent railway line to the southwest site boundary.

Accordingly, the scheme is deemed to be acceptable to accord with LP Policy EQ10 'Pollution and Unstable Land' and the NPPF subject to the imposition of suitably worded planning conditions.

Other Matters

As stated above, Network Rail have objected to the scheme proposal as any rights over the level crossing would increase the risk in respect of the further use of the level crossing. At present, Network Rail consider there is no risk as the crossing is locked out of use, but not permanently closed. Officers consider, however, that this matter relates to a pre-existing problem and whilst the addition of new houses may increase the risk, the crossing has already been deemed as dangerous by Network Rail. The site can be accessed from Dinting Road to the and does not require access via the crossing to the south North (and this would be the more obvious access

route even if the crossing were open). In these circumstances, officers consider the request to be unreasonable in relation to the proposal for 3 dwellings whereby the risk would be viewed so significantly as to justify a contribution towards resolving the issue. Particularly given that the level crossing (if it were open) could be used by any person coming from any of the many numerous houses up at Dinting and given the fact that the development is not reliant on access over the crossing.

CONCLUSION / PLANNING BALANCE

As there is conflict with the development plan, there is a requirement to consider the proposal against the provisions of paragraph 11d) of the NPPF.

NPPF paragraph 11 (as amended) for decision taking states:

“Plans and decisions should apply a presumption in favour of sustainable development. ...

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹”.

The scheme would modestly add to the provision of the oversupply of four-bedroomed properties within the Dinting ward to create some conflict with the relevant provisions of LP Policies SS1, S5 and H3 as well as the NPPF whereby developments should both reasonably meet and contribute towards the wider housing need across the Glossopdale area

There would be economic and social benefits in terms of jobs created during construction and the additional local expenditure generated. These benefits may not be targeted specifically at Glossop, rather they would be more broadly spread across the Borough. Nonetheless, the boost to the local population would likely enhance the towns attractiveness as a location for investment in shops and services, in turn enhancing the long-term sustainability and vitality of Glossop. These benefits would accrue from any residential development and therefore should be afforded moderate weight in the planning balance.

When considered particularly against the significant weight to be afforded to the delivery of open market housing moderated by the scale of the proposal, the adverse impacts identified would not significantly and demonstrably outweigh the above benefits when assessed against the policies in the NPPF taken as a whole.

The harm identified, however, is considered to be outweighed by the benefits of the scheme, including the delivery of housing to meet an identified shortfall in the Councils housing land supply position and planning approval of the scheme is recommended.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Rachael Simpkin
Recommendation Date: 25/06/2026

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council

