



### DEVELOPMENT CONTROL COMMITTEE AGENDA

**Date:** Monday, 21 June 2021

**Time:** 1.30 pm

**Venue:** The Octagon, Pavilion Gardens, Buxton

You can view the agenda online by using a smart phone camera and scanning the code below:



11 June 2021

### PART 1

4. Update Sheet (**Pages 3 - 14**)

### MARK TRILLO

#### EXECUTIVE DIRECTOR AND MONITORING OFFICER

#### Membership of Development Control Committee

Councillor R McKeown (Chair)

Councillor A Barrow

Councillor C Farrell

Councillor G Oakley

Councillor P Roberts

Councillor J Todd

Councillor D Lomax (Vice-Chair)

Councillor L Dowson

Councillor I Huddleston

Councillor J Perkins

Councillor E Thrane

Councillor S Young

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21<sup>st</sup> JUNE 2021

HPBC DEVELOPMENT CONTROL COMMITTEE

UPDATE REPORT

HPK/2021/0020 – Ferney Bottom Farm, Grinlow Road, Harpur Hill

Applicant:

Comments summarised as follows:

- “1. Our ecologist has addressed all of the matters raised by DWT and it is they who have not yet substantiated their objection in light of this.
2. We have already supplied clarity in respect of the quantum of the red edged and blue edged site areas. It also states the site can be accessed from Ferney Bottom Farm itself and it cannot. Access will be solely via the stoned track to the North West of the existing substation.
3. para 2.7 states that the Ferney Bottom Local wildlife site was designated in 2019, I can find no evidence of this. It would seem that DWT were instrumental in the designation of this site and I therefore question their ability to act for the council as an independent consultant on this matter as there is clearly a conflict of interest and bias on this matter.
4. para 3.3 'a new access point would be formed north east and adjacent to the electricity sub station off the Harpur Hill Road'. It is not a new access point, it is an enhancement of an existing agricultural access point, next to the redundant electricity sub station, off Morland Way. So it is not new, and nowhere near Harpur Hill Road, Morland Way joins Grinlow Road.
5. para 3.5 states 'hours of operation are not given and are assumed to be 24/7'. The hours of operation are in fact 8am to 4pm Monday to Friday inclusive ...”.

Applicant’s Landscape Consultant

“Having read the refusal recommendation my comments are as follows;

*'....The proposed development would also result in 'less than substantial harm' to the setting of the Grade II Listed Grin Low Tower.'*

The way this has been written suggests they have interpreted 'less than substantial harm' as significant. My interpretation is that effects are not significant. I have not had chance to read through the heritage report, but if effects are indeed not significant then the heritage consultant should in my opinion reinforce this with a statement of clarification of some sort.

*'Furthermore, the applicant has not demonstrated that the identified harm to biodiversity as a result of the scheme could be adequately mitigated against.'*

The applicant has submitted an Ecology Report, the Biodiversity Net Gain calculation and the Soft Landscape Mitigation Strategy.

Regarding landscape...

*'The proposed scheme, however, for a large industrial building and yard within open countryside would result in significant landscape harm from a number of high sensitivity receptor points whereby proposed tree planting would be deemed as inappropriate mitigation within the Limestone Moorland landscape context.'*

Whilst the development is not within the defined development boundary of Harpur Hill, neither is the entirety of the Harpur Hill Employment Zone.

Firstly there is an impasse on 'significant landscape harm'. Under separate cover, I can detail our strategy for taking apart the landscape consultee's objections dated 250521, which would inform the process of taking the case to an independent higher authority- should you chose to pursue this avenue.

We would also suggest that the term 'open countryside' is questionable. As previously stated on many occasions the site lies within a landscape which has been heavily intervened by past and present industry and quarrying set within a moorland context. At the local scale the agricultural fields sit within an enclave between settlement, industry, quarried land and moorland- these fields are technically at odds with the prevailing local landscape character.

The site is far from being considered open countryside.

These fields are highly susceptibility to change to the type of development proposed given the Morland Way highway infrastructure, which effectively annexes them from the open countryside to the north. There is also a semblance of ribbon development along Morland Way presenting an urban fringe character.

Clearly they have not taken into account our Soft Landscape Strategy given the statement 'proposed tree planting would be deemed as inappropriate mitigation'.

We have not specified trees for the purposes of mitigation.

We have been perfectly cognisant and respectful of the published landscape character area 'Limestone Moorland Plateau. For this reason we have proposed a sensitive mitigation strategy which works with local distinctiveness and incorporates scrubland and grassland mixes overlain sensitively contoured landform bunding and natural stone walling structures.

The LPA have chosen to ignore the mitigation strategy and our approach of working with local distinctiveness. In other words we have done everything they would normally expect to see for a responsive development.

In my opinion. there is unequivocally a concerted bias within the LPA, for the purposes of protecting Grin Low.

The refusal recommendation contains incorrect or misleading statements regarding all three areas stated for refusal, heritage, ecology and landscape”.

Historic England:

Awaited.

HPBC Conservation Officer:

“Having walked the footpath through Harpur Hill Industrial Estate it is important recognise the prominence of views back to the tower/Grinlow Hill, especially from the footpath just below the former railway line looking across the application site directly below (see photos). This dramatic vista is only possible in this open landscape gap between the Industrial Estate and Harpur Hill Village. Allowing the proposal would dramatically change this view, introducing a large shed in the foreground, removing this green wedge of land between adjoining developments and harming the landscape quality of this key vantage point of the hill and panoramic landscape beyond. The scale of the application building would also be vast in comparison with the traditional form of the farm buildings below the site.

The importance of this green wedge and significance of open countryside views from the tower environs is also clearly demonstrated in the photos taken from just below the tower looking back towards the application site. These views also demonstrate the visual severance of the application site from the wider Harpur Hill Industrial Estate because of the land form and its substantially lower position.

I maintain my view that this proposal will constitute less than substantial harm to the setting of Grinlow Tower”.

Refer to public file for photographs.

Buxton Mineral Water:

1. The FRA and Drainage Strategy referenced “FBFU-BSP-ZZ-XX-RP-C-001-P01\_Drainage\_Strategy” dated 22 Dec 2020 at Appendix 7 of the application does not reference that the site is located in Source Protection Zone 1 (SPZ1). In SPZ1 where infiltration SuDS are proposed for anything other than clean roof drainage, a hydrogeological risk assessment should be undertaken to ensure that the system does not pose an unacceptable risk to the source of supply. As part of the risk assessment, consideration should be given to the use of oil-water separators for surface run-off from parking areas together with a maintenance plan.
2. The FRA and Drainage Strategy referenced “FBFU-BSP-ZZ-XX-RP-C-001-P01\_Drainage\_Strategy” date 22 Dec 2020, it is proposed that the foul water will be discharged to cess pit or proprietary treatment plants. No assessment of the risk to groundwater quality from foul discharge is provided in the report. It is noted that the foul discharge is likely to be small, however the Environment Agency does not encourage the use of cesspits in SPZ1 due to the poor management and maintenance resulting in a risk of causing pollution and small sewage discharges require an Environmental Permit in SPZ1.

Based on the above we are not able to provide an informed comment until further information is provided in the risk posed to groundwater.

Derbyshire Wildlife Trust:

“We have received a letter from Haslam Ecology (10th June 2021) in response to our submission on the 8th June 2021. In their response Haslam Ecology refer to the late submission of new evidence from DWT. We would wish to point out that we only received full details of the Biodiversity Metric calculations undertaken as a fundamental part of this application on or around the 1st June 2021 and therefore our visit was made as soon as practicable after that date.

Following a field visit we made on the 4th June 2021 we wrote to the Council on the 8th June highlighting the fact that the original surveys had not recorded a significant number of plant species that are considered to be ‘indicative’ of better quality grassland and are used in the selection of grassland Local Wildlife Sites. This includes areas or parcels of the proposed development site that in our view should have been given a more detailed assessment by the applicant from the outset. Our letter clearly highlights the presence of these additional species whilst acknowledging that much of the development site is of lower value. In that respect for the most part we and Haslam Ecology are in agreement that most of the site should be assigned in the metric calculations to the ‘grassland – other neutral grassland’ habitat type. However, where the grassland still supports a more diverse or distinctive community we would argue that these areas should appear as a separate line in the metric calculations and that the condition should be higher than poor (we would say moderate).

In addition, we consider that the metric calculation has undervalued the grassland habitat by stating that it is of low strategic significance. The site is still a designated Local Wildlife Site and occurs within 50m of three and 120m of one other Local Wildlife Site. Local Wildlife Sites are a core component of strategic ecological networks<sup>1</sup>. We consider that the metric should be at least medium strategic significance for those areas of the site within the LWS.

<sup>1</sup> NPPF, Feb 2019 and Biodiversity 2020: a strategy for England’s wildlife and ecosystem services. Defra, 2011.

As we previously stated in our letter (8th June 2021) the mitigation and enhancement proposals are confusing and it is not clear exactly how and where some of the proposed measures are to be implemented and/or what the subsequent management would be for some of the grassland areas. Key unresolved issues in addition to those in bold above are as follows:

1. The Biodiversity Metric 2.0 calculation is not accompanied by a clear plan that shows where the habitat parcels used in the habitat baseline, habitat creation, habitat enhancement and site habitat succession are located.
2. The Biodiversity Metric calculation states that 1.29 ha of grassland will be enhanced, but as far as we can ascertain this figure is not supported by the soft

landscaping strategy plan (9309 SLS 01 Rev B). This plan appears to indicate enhancement of what we estimate to be around 0.93 ha.

3. The Biodiversity Metric 2.0 calculations include 1.29 ha of grassland to be created and 1.29 ha of grassland to be enhanced. We need clarification that this is correct and as stated under 1) above a clear map showing how the different habitats relate to each other.

4. The letter from Haslam Ecology (April 2021) that summarises the results of the biodiversity metric assessment states that 0.47 ha of grassland will be retained and enhanced. This appears to refer to retained grassland to the south of the proposed buildings (and above them). However, the soft landscaping plan (9309 SLS 01 Rev B) identifies that this area will be retained as semi-improved pasture and does not mention any enhancement or other intervention. Again clarification is sought as to the location of all retained grassland and the treatment of retained grassland.

5. The grassland enhancement proposals include land that is outside of the development boundary and is effectively off-site compensation. This should appear in the Biodiversity Metric under separate tabs namely the D1 Off-site habitat baseline and D3 Off-site habitat enhancement. We estimate that at least 0.25 ha of the enhancement proposals are off-site.

6. The area of land that is proposed for off-site enhancement is a small part of a larger field and there are no details of how this part of the field would be treated in terms of management after enhancement.

7. We do not accept that some of the enhancement proposals will result in an increase in biodiversity or off-set the impacts. For example, the 0.1815 ha of tussock grassland do not in our view constitute an enhancement as the proposed seed mix is dominated by coarse-leaved grasses and proposes the use of a seed mix which would introduce a range of species that are not found within the site (e.g. the grasses *Schedonorus arundinaceus*, *Schedonorus pratensis* and *Deschampsia cespitosa*).

8. As previously stated the details for other seed mixes as proposed on the soft landscaping strategy are also confusing. For example under Replacement Grassland Habitat Mix the proposal is to use a seed mix from Emorsgate (EG6) that is entirely composed of grasses. There is a reference stating 'mix to ecologists specification' but no further details. Clearly if the EG6 mix or something similar is used it cannot be termed an enhancement as it will contain no forbs. The revised PEA refers only briefly to using a slightly more diverse mix for re-seeding of the access field. Here again there is no mention of the precise treatment for other areas of grassland.

9. The target habitat for any enhancement of the grasslands needs to reflect the species that we now know to be present at the site as well as the grassland vegetation communities present locally. Due to the proximity of this site to the Peak District National Park and to grassland SSSIs and a host of Local Wildlife Sites and Local Nature Reserves present in this area we advise that, if the development were to receive planning permission, the seed should be of local provenance and applied either as green hay or broadcast as seeds.

10. As previously queried the Biodiversity metric has identified the creation of 0.18 ha heathland and scrub habitat and refers to 0.18 ha of woodland and forest in the metric under 'habitat succession'. According to the metric, the 0.18 ha of woodland will provide 11.92 biodiversity units over a 30-year period. This habitat is not mentioned in the response to our earlier comments from Haslam Ecology 25th April 2021 and it would be good to clarify whether the area of scrub and the area of woodland are different or represent different stages of habitat development on the same area of land. Furthermore we do not consider that what is proposed at present would constitute woodland habitat as it is dominated by shrub species planted in 13 separate blocks. The only tree included in the structural planting is Sorbus aucuparia. Elsewhere there are a few scattered trees, but not in sufficient number to constitute a wood.

11. As previously stated we consider that the presence of areas that support more diverse grassland have not been identified at the outset (and the recent survey by Haslam Ecology Ltd has acknowledged the presence of additional species) and as a result the development has not applied the mitigation hierarchy to first and foremost avoid and reduce impacts on these areas of species rich grassland. With a different design there could be scope to retain these areas and to reduce any impacts on them.

12. Further details of how retained and enhanced grassland will be sympathetically managed.

## Conclusions

**We do not consider that the information currently submitted provides sufficient clarity to understand the full impact of the development on the Local Wildlife Site and the grassland habitats and the proposed mitigation and enhancements. There are numerous issues and problems with the Biodiversity Metric calculations and the soft landscaping proposals. We also note that the habitat gain primarily relates to 0.18 ha of woodland, which is firstly not the habitat that is being lost to the development and secondly has not been clearly mapped on any of the plans. At present the soft landscaping plan shows small blocks of shrub planting which in our view do not constitute woodland. We therefore consider that there remains a significant risk that the development will result in a net loss for biodiversity at the site.**

We would be happy to review our comments and the objections that we have raised if the points above are fully and effectively addressed”.

HPBC Regeneration Officer (revised):

Amended (based on 70 full-time retained jobs plus 30 full-time proposed jobs):

“Further to the clarification from Avanti, I have updated the economic statement to reflect the fact that there are 30 new positions and 70 safeguarded. While the company may grow further, at the present this additional growth is not calculated so I have only used the immediate figures which are quantifiable.



I still consider this to be a very strong application and from the economic and regeneration perspective, this is one that we are fully endorsing”.

“Avanti Conveyors was established in 1988 in Furness Vale and has grown to its current employment base of 70 full time workers and supplies to over 30 countries world-wide. They manufacture their machinery range of conveyor systems, specialising in the corrugated packaging industry, and their products include market-leading software and hardware solutions which is innovation led in High Peak. This is an important growth sector within the UK, seeing 12% growth, and this site will support investment in a growth industry in our district.

Avanti are an important supply chain business to a number of local companies including powder coaters, bearing suppliers etc, spending around £4million PA in the local economy. Contracts with some of their suppliers such as Bevan Powder Coating, represent as much as 70% of their work.

The growth of the Avanti has for a number of years been constrained by their existing site and the Regeneration team have been working with them to identify potential sites to support business retention, and job growth within the district. There are no available built units which could accommodate their needs – the largest available 1,1447sqm (15,500sqft) less than their needs and is based in Glossop which maybe difficult for existing staff members to travel to, due to lack of public transport availability from Furness vale area. The largest available unit in Buxton/Central high peak is 603sqm –more than 3,616sqm (38,900sqft) less than their needs. The company have correctly identified that the only solution if they wish to remain in the local area is to build a new purpose build

There is currently a very limited supply of employment sites in Buxton or central High Peak and even sites allocated in the local plan are not being either actively pursued by owners or are available to purchase by local businesses. There is no available site which could accommodate a building of this size within the Buxton or central High Peak area at this time. They have therefore identified a site, adjacent to an existing industrial area at Harpur Hill. The length of time it has taken to identify this option and the lack of alternatives, means that it is reasonable to accept that if this application were refused, the company would have to relocate outside of the district to accommodate growth. The pressure on sites is not limited to High Peak, and many of the existing industrial sites close to the A6 in Stockport are also fully occupied – so it highly likely that a relocation from High Peak would result in redundancies of the vast majority of the existing 70 employees or the distance may make it unviable for them, as well as loss of trade to supply chain businesses.

The application will create new employment floorspace of 4,219sqm (45,412sqft) of which approximately 10% will be for upper floor offices. The project will generate an additional 30 jobs immediately upon completion. The scale of the job growth is realistic and there is the potential for further job growth in future years based on increased trade generated by the new premises.

High Peak Borough Council has adopted in 2017, a matrix to quantify multiplier outcomes from job generation and employment projects based on re-spend in the

local economy and new business rates income. The matrix is based on ONS household income/disposable income data with analysis on local spend (retail spend analysis evidence base from Local Plan). Research identified that minimum wage local employees spend an additional £1,394 per annum close their employee base and higher wage earners and managers would generate up to £11,045 additional spend. Based on a ratio of 90/10 and this scheme will therefore generate an additional £70,773 per annum for local shops and traders and safeguard a further £165,137 which could be lost if the business relocated.

In addition, based on existing rateable values for industrial properties with offices in Harpur Hill, the new building will have an estimated rateable value of approximately £161,587 - which would generate business rates income of £82,441 per annum a proportion of which will be retained by Derbyshire County Council and High Peak Borough Council to support services for the community.

High Peak is currently experiencing a significant increase in worklessness and underemployment due to the impact of Covid-19 and changing economic circumstances. The claimant count now stands at 4.0% (2,310 people) May 2021 which is not only a significant rise over the last 12 months from 1.8% (1,045) but also represents the highest claimant unemployment the district has seen since the winter of 1995/1996 – higher than the depression of 2008-2012. (ONS). The opportunity to create 30 well paid permanent jobs would be very welcomed and the potential loss of 70 if the company were to be relocated would be a significant blow to the local economy.

High Peak Borough Council has adopted an Employment and Skills charter for applicants creating more than 20 new positions. At present, the company has not submitted a voluntary statement in this regard, so we would ask that Avanti Conveyors be encouraged to do so on a voluntary basis. This would only require them as a minimum agree to advertise all vacancies via jobcentre plus, alongside any other methods they may choose. However, it should also be noted that Jobcentre plus can also pay for pre-recruitment training and screening and have links with Buxton & Leek college who deliver a range of training and can access grant funding for skills and apprenticeship recruitment. We would therefore encourage more engagement with these partners if they are not already in contact. There are also some new apprenticeship grants which the company would be eligible to access to support employment of young people, subject to this application being approved.

In summary:

- 30 new jobs
- 70 jobs safeguarded
- Multiplier value to local economy from employee spend worth £235,910
- Safeguarding of £4m annual spend to supply chain to local area – with potential for growth
- £82,441 annual increase in rates (percentage retained by HPBC)
- Temporary jobs, multiplier spend and business generated by construction (unmeasured)

While appreciating the planning balance that must be taken into consideration, from an economic perspective alone, taking into consideration the job growth, the significant risk of redundancies if not approved, the significant increase in business rates and multiplier benefits to the local area and the impact on the local business supply chain – as well as the fact that this new site would be clustered adjacent to an existing well established industrial estate –means that we are fully supportive of this application and would firmly recommend approval”.

#### HPBC Case Officer:

##### *Access:*

At para 2.1, the report correctly reads: “*The site is located to the southeast of Ferney Bottom Farm and accessed from Morland Road via Grinlow Road. This is either from Ferney Bottom Farm itself or the stoned track to the northeast of the existing substation*”.

At para 3.3 “*A new access point would be formed northeast and adjacent to the electricity substation off the Harpur Hill Road*” should read as Grinlow Road instead of Harpur Hill Road and is a correction of the officer report.

##### *Planning History:*

The following planning history is relevant to the planning application:

HPK/2018/0575 - Retrospective application for the reopening of a gateway to an agricultural holding and stoning up of same to form hardstanding area for farm machinery. Attachment of double stock gates to provide a stock proof barrier. Approved 04/03/2019.

The c.29.0 metre access point would replace the reopening of an agricultural gateway approved by planning permission ref. HPK/2018/0575.

##### *Employment:*

Out of the 70 jobs to be retained, Avanti employ 28 offsite installation and software engineers. For the proposed 30 jobs created, 15 of these would also be off-site workers totalling 43 offsite workers. As a consequence, it cannot be assumed that the offsite workers are or would all be locally based within the Borough. Any staff working for the company but not residing the Borough would therefore negatively impact on the multiplier value to the local economy.

##### *Buxton Mineral Water:*

The Council is required to ensure that the source protection zone is safeguarded as per Adopted Local Plan Policy S7. The Lead Local Flood Authority’s revised response as set out in the main report raises no objection to the scheme subject to a detailed surface water drainage scheme and management regime to be agreed and secured by planning condition should Members be minded to approve the scheme. In light of Buxton Mineral Water’s comments, however, further conditions are

recommended to secure both a hydrogeological assessment (to demonstrate that there will be no contamination to source water) and a scheme for maintenance of the cesspit or foul water disposal system in this highly sensitive area.

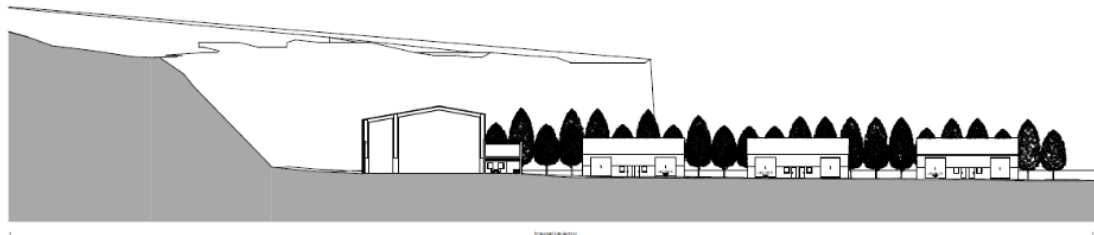
**HPK/2019/0349 – Land to the north of St Charles Hall, Woolley Bridge Road, Hadfield**

**No updates**

**HPK/2020/0541 - Smalldale Quarry, Smalldale Road, Smalldale**

As indicated in the officer report, a cross section plan and elevations to demonstrate the relationship between the height of the larger building A and its relationship to the quarry face have now been received. These are shown below (the front elevation and north side elevations of building A are shown) and are available on the planning webpage for the application at:

<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=244590>





**Officer comments:**

The additional drawings illustrate that the larger proposed building would be seen against the much taller quarry wall. It is considered that this confirms the assessment in landscape terms noted in the report, that the setting for the proposed development would result in limited visibility and the buildings would not be prominent, owing to the surrounding topography.

**NO CHANGE TO THE RECOMMENDATION AS STATED IN THE REPORT.**

**HPK/2021/0206 -182 Market Street, Chapel-en-le-Frith**

**No updates**

**HPK/2021/0065 – 36 Post Street Hadfield**

**No updates**

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