



DEVELOPMENT CONTROL COMMITTEE AGENDA

Date: Monday, 13 September 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:



3 September 2021

PART 1

4. Update Sheet (**Pages 3 - 6**)

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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13th SEPTEMBER 2021

HPBC DEVELOPMENT CONTROL COMMITTEE

UPDATE SHEET

HPK/2021/0145 – Foxlow Farm Local Centre, Ashbourne Road, Buxton

Additional Representation (1):

Additional comments have been submitted on behalf of Waitrose summarised as follows:

“By adopting a figure of 429 sq.m as the limit for convenience goods sales in the existing Aldi unit, i.e. 51% of the net sales area, it is of Waitrose’s view that this broadly equal floorspace split between comparison and convenience goods floorspace has the potential for the site to be attractive to a broader range of potential end-users, rather than just the ‘mixed goods retailers’ which were the basis of the applicant’s scenario test, which may have implications for the trade draw from, and therefore trading viability of, the Waitrose store in Buxton town centre”.

requesting:

“(1) In the event planning permission is granted, the legal agreement makes reference to the correct amount of floorspace which can be used for the sale of convenience goods from the existing Aldi Station Road unit (i.e. 340 sq.m net, on the basis the overall sales area of the unit is 850 sq.m net), to avoid the existing unit potentially being commercially attractive to a wider range of end-users than the ‘mixed goods’ retailers which were considered by the applicants’ scenario test.

(2) For the avoidance of doubt, the legal agreements should reference to both the proportion of sales area of the existing Aldi store to be used for the sale of convenience goods (i.e. 40%) as well as the correct amount of floorspace, expressed in terms of net sq.m (i.e. 340 sq.m net)”.

Applicant:

Commentary has been submitted to the queries raised in Officer Report summarised as follows:

Green Roof: the request for consideration of green roof technology has been commented upon by County Strategic Planning to mitigate the impact of the Ancient Monument rather than County Archaeology. Applicant’s heritage statement considers that the Local Centre scheme would be seen in the context of the residential development of 395 dwellings, which for the majority would be closer to the monument than the Local Centre scheme would be. The scale of the food store would not be more harmful than the quantum of uses permitted, particularly in relation to the business use and could still provide a significant roof area on the application site. As such, the request for inclusion of green roof technologies is unnecessary and not supported by the evidence and consultation responses

received. In addition, it would place further pressure on the viability of the scheme and make the delivery of the local centre more challenging.

Design: The scheme has been the subject to extensive pre-application discussions with officers to ensure that it is appropriate within this edge of centre location. Car parking has been minimised below maximum standards and enhanced by soft and hard landscaping proposals. Local Plan Policy DS20 does not restrict the total amount of non-town floorspace to be delivered as part of the any local centre and therefore a development of a greater density than the proposed development would still accord with the site allocation. Furthermore, the outline consent is still likely to have a significant area of hardstanding and parking, particularly if the proposed business floorspace were to be delivered which would require significant areas for staff parking, servicing and external storage yards.

Drystone Walling (southwest boundary): a drystone wall along the boundary to the south of the access road would be detrimental to the overall design and permeability of the scheme with reference to site levels, soft landscaping and pedestrian access points.

Nursery Acoustic Fence: the 2.0m height requirement would not take into account the set down position of the nursery c.1.5m below street level with gabion walling to the car parking area achieving a degree of noise attenuation. On character and appearance matters, any required acoustic fencing above the gabion wall would be further screened by the scheme's internal landscaping and the boundary wall at street level.

Consultees:

Severn Trent Water:

Awaited.

Council's Independent Retail Consultant

The Council's Independent Retail Consultant has been asked to comment upon Waitrose's further additional comments.

In response, it is stated that these comments refer to the net floorspace figure quoted in Table 6 of the applicant Retail Impact Assessment of 850.0sqm. However, the net sales area of the Station Rd store given in the applicant's more recent Table 7(s) of their sensitivity analysis is 1,074sqm and 40% of which equates to 429.0sqm. Whereby Note 1 of the table confirms Aldi as the source for this figure and therefore there would be no reason to question its accuracy. Recommending that it would be safer to ensure the condition / obligation is worded so as to specify 429sqm floorspace as the upper allowable limit, as this is the quantum of space tested by the applicant. If you apply a percentage wording restriction this may be dependent on other factors and could change.

Case Officer:

The outline planning permission secured a quantum of development below the 2500sqm DS20 policy threshold within a 2.0ha frontage site to meet with the policy tests including securing a substantial landscaped buffer along the Ashbourne Road frontage and critically allowing sufficient space within the site for a layout and design reflecting the limestone peak character, including adequate soft / hard landscaped areas also applicable to the mitigation of the Ancient Monument for any future reserved matters submission coming forward. Noting also that any detailed scheme would need to comply with the other relevant policies of the plan, not just retail policy and any business use would not necessarily be acceptable as a single block footprint.

To a degree, some of these policy principles have been compromised by the more intensive scheme sought within a smaller site area and on balance has been accepted owing to the social and economic benefits as discussed within the report. Conditions have been recommended to further agree materials, boundary (including retaining walls) and landscaping for the scheme to ensure that the scheme mitigates such harm to the best of its ability.

No change to recommendation.

HPK/2021/0023 CJK Packaging, Chinley - warehouse extension

Public comments

A query has been received from a member of the public regarding the publication and public notification of the applicant's Very Special Circumstances case, which was published the Council's website on 25th August. The enquirer has been advised that it was not considered necessary to directly notify any members of the public regarding this supporting document as it relates to a technical planning policy matter and does not relate to a change to the nature or the scale of the proposed development.

No change to recommendation.

HPK/2021/0315 CJK Packaging, Chinley - Advertising Consent for Two Company Logo Signs on Front Company Building.

No updates. No change to recommendation.

HPK/2021/0055 – 22 Bowden Lane Chapel - Removal of existing front boundary wall and new boundary wall and associated landscaping

No updates. No change to recommendation.

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