



### DEVELOPMENT CONTROL COMMITTEE AGENDA

**Date:** Monday, 4 October 2021

**Time:** 1.30 pm

**Venue:** Main Hall, Town Hall, Market Street, Chapel en le Frith

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



24 September 2021

### PART 1

4. Update Sheet (**Pages 3 - 8**)

### 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

This page is intentionally left blank

4<sup>th</sup> OCTOBER 2021

HPBC DEVELOPMENT CONTROL COMMITTEE

UPDATE SHEET

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

County Highways (01.10.21):

“The Highway Authority noted that Nursery drop off spaces have been added on plan 1240-CPP Rev B. These are acceptable and we don't have any issue on parking.

The Transport Assessment submitted in support of this application was thoroughly checked by my colleague in Transport Strategy including details of traffic generation (TRICS based), traffic distribution and traffic assignment and impact on the highway network. My colleague highlighted and may be this paragraph has importance in terms of traffic impact and capacity on the highway network, I am presenting for your information:

*Bearing in mind the nature of the revised proposals, discount retail, I suspect that in terms of the incremental increases in traffic through the downstream junctions, a significant proportion of the development (retail) traffic will 'already be on the network', consequently, relatively little discount retail traffic would be 'new', and therefore, its impacts upon the wider network will only be marginal. On that basis, I am minded to agree with transport consultant's conclusions.*

Other highway related conditions / informative already advised in our Highway's response”.

Applicant:

“The following provides further information in respect of your queries on the following matters:

- Solar panels on proposed foodstore;
- The delivery of the small units; and,
- Nursery Garden area.

**Solar panels on proposed foodstore**

As set out in our previous letter, the applicant has offered to deliver solar voltaic panels on the roof of the proposed Aldi store in order to generate green energy. Details of such proposals would typically be submitted and agreed through a relevant planning condition to allow for detailed design to be carried out and changes in technology/supplier between grant of planning permission and installation.

Nevertheless, it is expected that the number of panels, and type of panels, that could be delivered on the proposed foodstore would be similar to that provided at the Bakewell store, as a relatively recent example that has been delivered locally.

A photograph of the Bakewell example, along with aerial imagery of the store, is provided at Figure 1 enclosed with the letter to give a better idea on the likely scale and appearance of such panels. In addition to this, we have enclosed a copy of manufacturers details of solar panels that have been used elsewhere by Aldi. Whilst the final type and scale of panels that would be delivered on the store is to be finalised following further input from Aldi's supplier/contractor, hopefully this gives a better understanding of the type and amount of panels that could be provided on the store.

In terms of the likely energy generation of the solar voltaic panels; this would require a further, more detailed assessment given that such matters are entirely location specific (i.e. average daily amount of sunlight and roof orientation). In addition, such an assessment is not possible until the detailed design and supplier is confirmed. Such information would instead be provided through the submission and approval of a scheme through an appropriately worded condition.



Figure 1 – Aerial Image (above) Roof and Elevations (below) Aldi Bakewell



## **Delivery of the small units**

The following provides some further information regarding the delivery of the smaller units on the site in order provide officers and members further certainty regarding their delivery and end use as part of the proposed development.

As part of the deal agreed with Aldi, the developer (HDD) is obligated to prepare a level and serviced site to serve both the Aldi and the smaller units, and to also create the access into the site which benefits both elements. This obligation will run in the event that planning permission is secured and would be delivered at a cost in excess of £500,000. This is in addition to the significant investment and costs associated with the preparation and submission of the planning application itself.

The applicant has already confirmed that there is very strong demand for the smaller units / uses and therefore envisage the early delivery of these smaller units. Clearly, given the significant investment in the site, there is a financial incentive / need to deliver the smaller units on the site to capitalise on current demand and as a means of recovering the committed investment noted above. A failure to deliver these units would result in a significant financial disbenefit to the developer as a vacant part of the site would clearly fail to generate a return on the investment.

In order to ensure that the proposed smaller units come forward as currently proposed, a condition is already proposed to restrict the use of the smaller units and ensure that inappropriate uses such as business / industrial uses are not delivered on the site. The applicant is also willing to accept conditions that restrict the maximum unit size to be delivered to prevent the amalgamation of the retail parade into a single unit / use.

I hope the above provides sufficient comfort and additional information regarding the delivery of the development as a whole and the proposed smaller units.

## **Nursery Garden Area**

Further clarification has been requested on the amount of outdoor space to be delivered for the proposed nursery. Whilst the final area / amount of outdoor space to be delivered will depend and respond to the end occupiers requirement, the outdoor space will extend beyond the hardstanding areas illustrated on the proposed site plan and include some of the grassed / landscape areas adjacent to the internal access road.

To provide further information on this, enclosed with this letter is an illustrative plan which shows how the nursery garden could be provided. This would provide an outdoor space of 322m<sup>2</sup> across a mix of hardstanding and landscaped / grassed area. The level of outdoor space that can be provided for children is undoubtedly a consideration in parents / guardians choosing which nursery their child attends and as such it is important that an appropriate level of provision is delivered to ensure a successful business. As such it is in the commercial interests of the operator to deliver a sufficient amount of outdoor space to ensure a high quality of childcare and attract custom.

It is considered that the proposed outdoor areas will deliver a sufficient amount of outdoor space to serve the needs of any potential end operator for the nursery. The applicants; HDD, have delivered in excess of 20 children's day nurseries and as such have significant experience in delivering suitable buildings and sites that meet operator's needs".

*Nursery Garden Area (demarcated)*



**Case Officer:**

On highway matters when considering development proposals, paragraph 111 of the National Planning Policy Framework 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 would be severe”.***

County Highways have subsequently raised no objections to the scheme subject to recommended conditions as stated within their consultation response with impacts upon the wider network considered to be only be marginal.

The solar panels proposed to the Aldi Store roof are acceptable in principle subject to the submission and approval of a scheme through an appropriately worded planning condition as per the Addendum Report.

Similarly, a further planning condition to agree the approval of a scheme including area, landscaping and boundary treatment through an appropriately worded condition is also recommended.

**NO CHANGE TO RECOMMENDATION.**

## **HPK/2021/0145 – Forge Works, Chinley**

### **Applicant:**

The remaining number of affordable dwellings to be delivered on the site under the terms of the Section 106 Agreement is 15 rather than 12 dwellings.

HPK/2018/0143 lies on land outside of the red line boundary associated with the original outline planning permission for the Forge Works site ref. HPK/2012/0323 and therefore does form part of the consideration for the current Section 106A application.

### **Case Officer:**

Report commentary agreed.

The applicant has provided evidence from the Planning Inspector that the appeal for the earlier refused s106 variation has been validated, however, a suitable Inspector is not yet available for the appeal start letter to be issued.

**NO CHANGE TO RECOMMENDATION.**

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

Further to the updated committee report for this application which was previously considered at the September 2021 planning committee meeting, the highways officer has been consulted on the committee's suggestion for the parking space to be made wider and has advised as follows:

*I note from Nick Knowles's earlier highway consultation response, in connection with this application, that he mentioned the depth of set-back was limited and would not fully accommodate a parked vehicle. However, the set-back did seem to follow the line of the boundary wall in front of the neighbouring properties - No 20, 18 (and beyond), where vehicles are already parked (and vehicles can pass).*

*Whilst I can appreciate the wall being set-back further could potentially fully accommodate a vehicle clear of the carriageway, given the constraints of the site frontage and neighbouring third party land the manoeuvring to and from the space may be more difficult and the visibility to emerge from the space would be compromised further (a vehicle parked fully off the carriageway - in an increased depth of space - would be obscured by the neighbouring third party land).*

*Thank you for the photo, which does show that the surfacing is now flush, however, I would point out that no drainage measures appear to have been installed to prevent surface water from the plot flowing onto the public highway (as raised in the initial consultation response) and I also note the works (again) do not appear to be in accordance with the submitted planning application drawings in terms of the pedestrian access arrangements or at the southern end of the frontage, where the*

*wall perpendicular to the carriageway was also proposed to be set-back (behind the black wheely bin in your photo). This would certainly facilitate easier access to the space if this wall was set-back). I assume you will be seeking these changes to be rectified if planning consent is issued.*

**Case Officer:**

Highways Comments are noted.

On the basis of this advice it is considered that increasing the depth of the parking space would not result in an improvement in terms of highways safety, and the officer recommendation remains that the amended plans previously considered should be approved. Issues of surface water drainage will be addressed by the proposed use of permeable tarmac as indicated on the amended plans.

**NO CHANGE TO RECOMMENDATION.**

**HPK/2021/0387 – Lowfoot Farm, Redgap Lane, Fairfield – Variation of Condition 2 relating to HPK/2020/0388**

No updates