HPK/2019/0460 - Markovitz Builders Merchants Ltd

No updates

HPK/2019/0311 Hawkshead Mill, Hawkshead Road, Glossop

The applicant has submitted a series of revised plans as listed below;

102F - Plots 8-12 plans and elevations
110D Plots 28 - 30 plans and elevations
006 and 007 - External levels
032 - Car swept path analysis
Ambulance tracking for access road

These plans provide more information regarding retaining walls/levels, swept path analysis.

Officer Comment

The swept path for vehicles at the northern end of the private street shows vehicles utilising part of the road that falls outside of the red line. However, as the swept path for turning does not comprise physical development and utilises land within the blue line this is not an issue of concern. All other details are considered to be acceptable.

Housing Mix

High Peak local plan policy H3 seeks to provide a mix of housing that contributes to the promotion of a sustainable community, taking into account existing housing stocking the locality. The housing mix proposed as part of this development is shown below.

Overall scheme mix
2-bed @ 6units = 20%
3-bed @ 21units =70%
4-bed @ 10% = 10%

Market Units
14 no terraced dwellings
8 semi-detached dwellings
3 link-detached dwellings
4 detached dwellings

Affordable Housing
4 no 2 bed units, 2 semi-detached, 2 terraced (all 79.5sqm)

It is considered that the site provides for an appropriate mix of terrace, semi and detached units overall which responds to the character of Old Glossop. The scheme is weighted towards 3 bed units whereas the SHMA seeks to achieve 35% 2 bed with a greater provision of 2 bed units required. The number of 4 beds is however in line with SHMA recommendations (10%). All units meet the minimum Nationally Described Space Standards for the dwelling size as a whole although some of the single bedrooms are slightly below the minimum required size for a single bedroom.

Notwithstanding the above, the outline application consent did not secure specific house sizes or mix, and therefore the requirements of Policy H3 cannot be secured at reserved matters stage for market housing in any event.

Officers have not been able to secure formal comments from the Affordable housing officer. Therefore, if Members are minded to recommend the application for approval is it suggested that the recommendation be changed to the following:

9. RECOMMENDATIONS

A. It is recommended that authority be delegated to the Head of Development Services in consultation with the Chairman of the Committee, to approve the application subject to the Housing Officer raising no objection, and subject to the following conditions and conditions required by Derbyshire County Council Highway Authority;

**HPK/2019/0199 – Smalldale Quarry, Smalldale**

Environment Agency – No comments received at the time of writing.

Derbyshire Wildlife Trust – Confirm that they are satisfied with the wording of the condition dealing with the Landscape and Ecological Management Plan (LEMP) and that measures for the protection of reptiles can also be covered in this condition. DWT also recommend the following standard condition to deal with protection of jackdaws nesting on the quarry face:

*No removal of hedgerows, trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.*

**Officer comments:**

The Environment Agency has been consulted on the application but their comments were not available at the time of writing. It is therefore recommended that authority be delegated to the Operations Manager, in consultation with the Chairman of the
Committee, to approve the application, subject to the Environment Agency raising no objection.

It is also recommended that the above condition which deals with the protection of breeding birds be included in the decision.

**AMENDED RECOMMENDATION:**

It is recommended that authority be delegated to the Head of Development Services in consultation with the Chairman of the Committee, to approve the application subject to the Environment Agency raising no objections, subject to the additional condition recommended by Derbyshire Wildlife Trust relating to the protection of breeding birds, and the conditions as set out in the original report.

**HPK/2019/0474 – Samas Roneo**

**Further Representation from Registered Provider:**

A letter has been submitted by First Choice Homes Oldham (FCHO); the registered housing provider seeking to manage the 39 x affordable housing units on the wider Samas Roneo site. The full letter can be viewed on the Council’s website.

The letter confirms FCHO’s commitment to delivering affordable housing provision and that whilst this can be better achieved by locating all affordable plots within a group location on site, they can accept the preference of HPBC to see two clusters within the wider site.

The letter goes on to state that FCHO would be happy to provide 1 x bedroom apartments, and that FCHO have previously worked on other sites within the High Peak (Charlestown Road) that includes 2 x bedroom homes at just over 62m2.

**Officer Comment:**

The commitment to affordable housing delivery in accordance with the Council’s requirement for the layout of affordable housing to be split up in to 2 x main clusters is welcomed. The affordable housing provision at Charlestown Road referred to by FCHO relates to the conversion of an existing building for heritage reasons, and thus commanded a slightly different approach to space standards. However, in terms of new build houses, Officers will always insist on meeting national space standards.

Notwithstanding the above, the applicant has submitted revised plans which show an increase in space from 2B3P, to 2B4P, thus addressing concerns raised by Officers.

In response to the recommendation, the applicant has provided the following details:

**Affordable House Types and Layout**
In response to comments from the Strategic Housing Officer, the applicant has submitted the following revised plans:

- 1011-A200 Rev A  Site Location Plan
- 1011-A202 Rev J  Proposed Site Plan
- 1011-A210 Rev A  Affordable Housing Type 2B4P
- 1011-A213 Rev A  Ground Floor Plan Apartment Block
- 1011-A214 Rev A  First and Second Floor Plan Apartment Block
- 1011-A215 Rev A  Apartment Elevation Plans
- 1011-A217 Rev C  Boundary Treatment Plan
- 1011-A218 Rev C  Materials Plan
- 1011-A219 Rev C  Refuse Strategy Plan
- 1011-A220 Rev C  Proposed Affordable Housing Plan
- 1011-A221 Rev C  Street Scene 1 of 2
- 1011-A222 Rev A  Street Scene 2 of 2
- 1011-A224  House Type F 4B7P

**Officer Comment:**

The original submission sought to provide all 39 x affordable housing units across the 3 x phases of development in a concentrated location on the eastern part of the wider Samas Roneo development.

The overall affordable housing contribution as originally proposed was made up of:

- 3no. 1 x bedroom apartments
- 6no. 2 x bedroom apartments;
- 10no. 2 x bedroom 3 person dwellings
- 10no. 3 x bedroom 5 person dwellings
- 10no. 4 x bedroom 7 person dwellings

Concerns were raised by the Strategic Housing Officer with regards to three main areas:

a) the concentration of all affordable housing units in one location
b) the provision of 2 bedroom 3 person dwellings when 2 bedroom 4 person dwellings have already been secured within the previous two phases
c) the provision of 2 x bedroom apartments

Whilst the revised plans submitted address concerns relating to the layout and space within the 2 bedroom affordable house type, which now makes provision for 2 bedroom 4 person dwellings in line with the provision secured in the previous two phases. The revised plans show the replacement of the 2 x bedroom apartments that were not favoured by the Council to large 1 x bedroom apartments. This revision is considered to address point c) above.

As set out within the report, Officers do not support the concentration of all affordable house types in one location, as it conflicts with the aim of creating inclusive and sustainable communities as set out under Policy H3 of the High Peak Local Plan and effectively creates a two tiered ‘us and them’ community.
The latest set of revised plans show 8 x affordable units located within the Phase 1 application site; 4 x affordable units located within the Phase 2 part of the site; and the remainder located within Phase 3. The affordable housing phasing and delivery will be secured under a Deed of Variation to the existing S106 Agreements which will treat the wider site as one development.

In light of these amendments, Officers would recommend that the third reason for refusal contained within the report has been adequately addressed.

Ecology

An updated Ecological Impact Assessment has been received in response to the holding objection received by Derbyshire Wildlife Trust.

The trust have responded confirming that it addresses their concerns and would be happy to view any finalised landscaping drawings once these are available for the application.

With regards to conditions, it is suggested that a suitably worded condition be attached to secure the recommendations and mitigation measures within the EciA report (i.e. timings of vegetation removal to avoid nesting bird season and to secure bio enhancement in line with the nett gain requirements of the NPPF)

In light of these amendments, Officers would recommend that the first reason for refusal relating to potential ecological impacts contained within the report has been adequately addressed.

Highway Safety

The response from DCC Highways dated 9\textsuperscript{th} January required a number of minor revisions to the internal layout and individual plots within this phase of development. Since the publication of the report, further plans have been submitted to address the reason for refusal relating to these concerns.

The Council are yet to receive comments from the Highways Authority in connection with these revised plans.

Summary

Following the submission of amended and updated plans, Officers would now consider that the reasons for refusal as set out in the agenda have now been overcome. Therefore it is proposed that planning permission be granted and the following amendment made to the recommendation:

**AMENDED RECOMMENDATION:**

It is recommended that authority be delegated to the Head of Development Services in consultation with the Chairman of the Committee, to approve the application subject to the Highway Authority raising no objections, the additional conditions
recommended by Derbyshire Wildlife Trust and the final conditions to be agreed with the Head of Development Services and the Chairman of the Committee.

**HPK/2019/0530 – Woods Mill, Milltown, Glossop**

Since the publication of the agenda, further comments have been made by representatives of Unit A, who raise the following comments:

1. The car parking serving Unit A would be entirely inaccessible as they are located behind the fence from the Lidl side, the path between the extended building and the spaces is far too narrow for vehicles to get through.

2. The fence should not in any way interfere with the use of Unit A now or in the future. We welcome the suggestion of a condition to ensure that the fence is removed once building works resume at Unit A and would like to be consulted on this.

3. It is not clear how the proposed gate will operate and be controlled, again this should not interfere with the use or proposed redevelopment of Unit A.

4. The fence and gate are on land owned by the owners of Unit A.

In response to the above matters, the applicant has responded with the following points:

1. The hoarding is proposed to be erected along the boundary between the two ownerships and to be in place during the Lidl construction phase. The hoarding is proposed so that Lidl has a safe and secure site during the construction phase, we cannot have an open, unsecure site or require construction operatives to be exposed to Bulldog’s derelict site. Once the Lidl store is open, we are quite happy for the hoarding to be removed, provided that Bulldog’s owners provide an alternative boundary treatment to address potential health and safety issues with their derelict site. Alternatively, the hoarding can be retained during the Bulldog construction phase.

2. In terms of access to their parking spaces, there are, of course, no existing parking spaces – Bulldog needs to build them, and Lidl will not prevent this from being undertaken. The access gate through the hoarding can be secured by a padlock, with a key/code being made available from Lidl’s construction site manager.

The applicant has also submitted a plan which shows a comparison between the approved and proposed levels across the car park, pursuant to the Environment Agency’s comments.

Environment Agency – In respect of the additional details, no objection and no further comments to make.

**Officer Comments:**

The comments by the representative of Unit A area noted. From the response provided by the applicant, it would appear that the proposed hoarding is to be
positioned on the common boundary between both parties. In any event formal notice has been served on the neighbouring landowner, as part of this planning application and therefore any dispute between the parties would now be a civil matter. Whilst the hoarding will screen Unit A, a set of gates are proposed, which will allow access into the site.

The report sets out the response of the Environment Agency (EA), whereby a query was raised about the change of ground levels and its impact on the flood plain. The EA suggested that a revised flood risk assessment may be needed. Since this time the applicant has provided detailed plans which show the changes between the approved and proposed levels across the car park. The EA in reviewing the submitted details now confirm that they raise no objection to the development proposals. Accordingly, a revised flood risk assessment is no longer needed. Therefore it is proposed that the recommendation be amended to:

**AMENDED RECOMMENDATION:**

A. That approval be GRANTED subject to:

a. A Deed of Variation to the Existing Section 106 Agreement attached to planning consent HPK/2017/0518.

b. Repetition of the same conditions attached to consent HPK/2017/0518 and compliance with any conditions agreed by a discharge of condition application.

c. Amendment to conditions 2, 15, 27, 28, 32 and 37 of planning consent HPK/2017/0518 to reference the amended plans and wording.

d. Conditions to secure the hoarding.