

**HIGH PEAK BOROUGH COUNCIL  
DEVELOPMENT CONTROL COMMITTEE**

**Date 12<sup>th</sup> December 2022**

<b>Application No:</b>	HPK/2019/0200	
<b>Location</b>	Land at Dinting Road Glossop	
<b>Proposal</b>	Outline application for 65 houses with details of access	
<b>Applicant</b>	Messrs NJ Dignan & J Wood c/o Agent	
<b>Agent</b>	Nicole Roe, EDEN Planning	
<b>Parish/ward</b>	Dinting	<b>Date registered</b> 5 <sup>th</sup> June 2019
<b>If you have a question about this report please contact:</b> Tom Hiles tom.hiles@highpeak.gov.uk 01538 395400 extension 5430		

**1. SUMMARY OF RECOMMENDATION**

**Approve, subject to conditions and legal agreement**

**2. REASON FOR COMMITTEE DETERMINATION; PROCEDURAL MATTERS**

- 2.1 This application has been brought before the Development Control Committee due to the scale of the development and the public interest.
- 2.2 The application was brought to the Committee at the previous meeting on 7th November 2022, but was deferred to allow for members to undertake a site visit.

**3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The application site is a rectangular shaped plot of undeveloped land comprising a sloping field with small groups of trees and bushes, located to the south of Dinting Road in Glossop, positioned in a north-west position from the town centre. The site slopes down from the road towards the railway line.
- 3.2 The site is bounded at the north by Dinting Road (beyond which are open fields), at the south by the Glossop to Manchester railway line (beyond which is an industrial estate), to the east side by residential properties in Birchside Avenue and to the west by properties in Lower Dinting and a wooded area.
- 3.3 In planning policy terms, the site is
- Within the build-up area boundary for Glossop
  - Allocated within the Local Plan (policy H2) for housing development, as 'Dinting Road, Glossop'

- Within the Settled Valley Pastures landscape character area.
- 3.4 There is a public right of way (HP12/59/1) running across the site from the north-west corner (at Dinting Road) to the eastern boundary.
- 3.5 Outline permission for up to 65 houses, with access arrangements, was approved at committee in May 2016, subject to a section 106 agreement for the delivery of affordable housing and contributions towards education and off-site open space and play space. An application for the remaining reserved matters was submitted in 2017 but has not been determined, progress having stalled due to negotiations over viability of the scheme.

#### **4. DESCRIPTION OF THE PROPOSAL**

- 4.1 As with the previous permission, outline permission is sought for a residential scheme of 65 houses, of which 30% would be for affordable purposes, with all matters reserved apart from access. The application was received in May 2019.
- 4.2 It is understood that the application, essentially comprising a resubmission of the previous outline scheme, has been submitted due to a change of parties involved in the site from the previous reserved matters application.
- 4.3 Upon submission the application sought to demonstrate that the education contributions sought by DCC were not warranted, and that the contributions to parks and outdoor spaces would make the scheme unviable. The application was supported by an Education Impact Assessment Report to support the former point.
- 4.4 As noted in the consultation section below, the policy team at DCC have responded by providing a CIL justification statement which sets out their reasons for the requested contributions towards schools places and have noted that the requested contributions are based on up to date evidence and the assessment of the available capacity and already permitted development within the normal areas of the respective primary schools and secondary school in which the development sits.
- 4.5 Ultimately the requested contributions have been agreed in principle with the developer and an s106 agreement is now being prepared.
- 4.6 Determination of the application has been delayed into 2022 due to negotiation regarding the above matters.
- 4.7 The application indicates that the proposal is the same as the outline scheme previously granted approval. The affordable portion of the scheme would be secured through a section 106 agreement and would comprise 80% social rented units and 20% intermediate housing, (or as otherwise agreed), to be managed by a registered provider.
- 4.8 The application is supported by the following plans and documents:

- Location Plan
- Proposed Site Plan
- Existing and Proposed Site Sections
- Landscape Masterplan
- Topographical Survey
- Tree Constraints Plan
- Design and Access Statement
- Supporting Planning Statement
- Transport Statement
- Flood Risk and Drainage Assessment
- Extended Phase 1 Habitat Survey
- Tree Survey
- Landscape Appraisal
- Archaeological Desk Based Assessment

4.9 The application, all of the proposed plans and supporting documents can be viewed online using the following link:

<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=232270>

## 5. RELEVANT PLANNING HISTORY

**HPK/2015/0412** – Outline Planning Permission with all matters reserved (except access) for Residential Development of up to 65 Houses, together with Associated Access on Land to the South of Dinting Road. Approved, 27/05/2016

**HPK/2017/0171** - Approval of reserved matters for appearance, landscaping, layout and scale for residential development 65 dwellings, together with associated access on land to the South of Dinting Road, pursuant to outline planning permission (HPK/2015/0412). Undetermined.

**HPK/0003/7427** - Residential Development. Withdrawn 1999.

## 6. PLANNING POLICIES RELEVANT TO THE DECISION

### High Peak Local Plan 2016

Policy S1	Sustainable Development Principles
Policy S1a	Presumption in Favour of Sustainable Development
Policy S2	Settlement Hierarchy
Policy S3	Strategic Housing Development
Policy S5	Glossopdale Sub-area Strategy
Policy EQ1	Climate Change
Policy EQ2	Landscape Character
Policy EQ3	Rural Development

- Policy EQ5 Biodiversity
- Policy EQ6 Design and Place Making
- Policy EQ7 Built and Historic Environment
- Policy EQ8 Green Infrastructure
- Policy EQ9 Trees, Woodlands and hedgerows
- Policy EQ10 Pollution Control and Unstable Land
- Policy EQ11 Flood Risk Management
- Policy H1 Location of Housing Development
- Policy H2 Housing Allocations
- Policy H3 New Housing Development
- Policy H4 Affordable Housing
- Policy CF3 Local Infrastructure Provision
- Policy CF4 Open Space, Sports and Recreation Facilities
- Policy CF5 Provision and Retention of Local Community Services and Facilities
- Policy CF6 Accessibility and Transport
- Policy CF7 Planning Obligations and Community Infrastructure Levy

### **Supplementary Planning Documents**

High Peak Design Guide 2018

### **National Planning Policy Framework (2021)**

- Paragraph 11 The Presumption in Favour of Sustainable Development
- Section 4 Decision-making
- Section 5 Delivering a sufficient supply of homes
- Section 9 Promoting sustainable transport
- Section 12 Achieving well-designed places
- Section 14 Meeting the challenge of climate change, flooding and coastal change
- Section 15 Conserving and enhancing the natural environment
- Section 16 Conserving and enhancing the historic environment

## **7. CONSULTATIONS CARRIED OUT**

<b>Site notice</b>	Expiry date for comments: 2 <sup>nd</sup> August 2019
<b>Neighbour letters</b>	Expiry date for comments: 2 <sup>nd</sup> August 2019
<b>Press Notice</b>	Placed 20 <sup>th</sup> June 2019

### **Neighbours**

- 7.1 Neighbours were contacted to by way of written letters. 48 comments, all in objection to the application, were received from members of the public.
- 7.2 The following is a summary of the objections received:

#### Schools / infrastructure

- Not enough schools places, there is more schools capacity in New Mills and Chapel so houses should be built there
- Other public services are overstretched – dentists, medical also the local, newly built high school is already oversubscribed and further properties nearby have the potential to increase this problem.

#### Highways

- No safe access for bikes or pedestrians. There should be a larger safer pedestrian path that incorporates a cycle lane along Dinting Road. The road is used by children to walk to Glossopdale and St John's school and additional traffic will endanger them
- Roads can't take any more traffic, Glossop is already gridlocked
- Access to the site is dangerous
- Due to overgrown hedge rows and narrow paths Dinting Road has become dangerous to walk, cycle or park your vehicle on the road itself
- Transport Statement is from 2015 and doesn't reflect North Road development of 150 houses
- During earlier phases of this proposed development (HPK/2015/0412 and HPK/2017/0171), it was agreed that the link to Birchside Avenue would be Pedestrian and Cycleway only and NOT an Emergency Access link. This was discussed at length during the public consultation meeting on 23rd Nov 2016. It was made clear that the residents do not want an Emergency Access Link and the Highways Agency had explicitly stated in their report that one would not be required for an estate of this size. However, the latest submission (HPK/2019/0200) has inconsistently re-introduced an Emergency Access Link to Birchside Avenue.

#### Trees/Ecology

- Large chunk of category B hedgerow will need to be removed to form site access
- Glossop green spaces are important and the loss of habitat affects local wildlife. Especially birds of prey who rely upon these areas for their rodent populations
- It is an offence to disturb bats and there are bats on the site
- As the data has been re-submitted from 2015 it is unlikely to reflect the current wildlife population on the site.

#### Principle / Housing issues

- Housing being built is not affordable
- No benefit to people from the local area, houses go to people moving in

- No need for more houses in current market

### Design

- The layout of roads within the submission should be such that people take priority and not vehicles.

### Amenity

- 15 Birchside Avenue - our property (adjoining the outlined proposed area) has had an extension. This extension now has numerous windows including one raised patio window to the rear. I believe the houses to the rear of my property will affect the privacy of my family and the privacy of the new residents. I would be able to see into all rear windows with ease and most definitely into the gardens of both properties to the rear and the neighbouring house

### Drainage

We farm the land opposite on Dinting road there is a culvert running across our land into the proposed site this takes all the water from Hill Top road. There is no mention of the culvert in any of the plans so we assume it would be cut off this would lead to flooding of our farm land as the water would have nowhere to go. On this basis planning permission should be refused as there is no drainage plan for this water and it would affect our ability to farm.

### Other matters

The crime rate in this area seems to be on the rise.

### **Additional comments November 2022**

- 7.3 Following deferral at the November 2022 meeting, five additional comments from members of the public have been received, all of which relate to anticipated changes to housing target requirements in the planning provisions of the pending Levelling Up and Regeneration Bill.

## Statutory and specialist consultees

### HPBC Planning Policy (02.07.2019)

- *The site is allocated in the adopted High Peak Local Plan and lies within the Glossop Built-up Area Boundary. It has previously had the benefit of planning permission.*
- *The High Peak Local Plan is considered to be up-to-date. A five year supply of deliverable housing sites can be demonstrated and the Housing Delivery Test has been passed.*
- *In-line with the NPPF (Feb 2019) development proposals that accord with an up-to-date development plan should be approved without delay.*
- *A S106 agreement should consider the provision of affordable housing, open space and outdoor sports provision, education, highways and any other planning obligations in line with adopted Policy CF7.*
- *Consideration should also be given to condition the housing mix at this stage. Below is the ward based census data with a calculation of the percentages of dwellings for Dinting ward and the property size and type recommended by the SHMA. The application should bring the housing stock closer to the SHMA recommendations.*

2011 census merged ward	All categories: Number of bedrooms	1-bed	2-bed	3-bed	4-bed	5 or more bed
E36002147 : Dinting	756	41	136	279	235	65
	100%	5.42	17.99	36.90	31.08	8.60

SHMA recommendations	Property type and size
1-bed	10%
2-bed	45%
3-bed	35%
4-bed	10%
Semi-detached House	30%
Detached House	25%
Terraced House	15%
Flat / Maisonette	10%
Bedsit / Studio / Room Only	0%
Bungalow / Elderly Housing	20%
Caravan or temporary structure	0%

**Further comments on housing mix (2022):**

	1-bed	2-bed	3-bed	4-bed	5 or more bed
2014 SHMA	10%	45%	35%	10%	n/a
Market - HELNA Glossop	7%	37%	46%	9%	1%
Market - HELNA Glossop (with market adjustment)	6%	31%	49%	12%	1%
Social - HELNA Glossop	41%	36%	22%	1%	0%
Social - HELNA Glossop (with market adjustment)	35%	31%	28%	7%	0%
% of existing housing stock in Dinting ward	5%	18%	37%	31%	9%
Indicative application mix (market and social)	9%	42%	42%	8%	0%

**Further comments regarding Levelling Up and Regeneration Bill (01.12.22)**

*The Levelling Up and Regeneration Bill does not provide grounds for refusing the application. The Bill is still passing through Parliament and is subject to change.*

*Planning law is clear that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, the 2016 Local Plan is the development plan. The site is allocated for housing development and so the principle has been agreed. In relation to housing numbers, the Council recently declared the Local Plan housing requirement (350 homes per year) as out of date. This does not mean that no housing is required. Instead, we have reverted to using the Government's standard method for calculating housing needs as mandated by the National Planning Policy Framework. Unlike some part of the country, particularly in the south, the Government's approach actually provides us with a lower housing requirement (260 homes per year). If we were to reject this approach now (and we have no grounds to), the number would have to revert back to the higher Local Plan requirement.*

*We will need to reflect on the potential changes in approach for assessing housing*



*needs that come forward through the eventual Levelling Up and Regeneration Act and associated updates to national policy as the Council progresses work on a new Local Plan. Subject to member approval, we intend to commence early engagement on the Local Plan in January 2023 which will provide the community with an opportunity to highlight key issues and challenges that they feel the Local Plan should address as well as to suggest sites either for development or protection and environmental enhancement.*

**HPBC Housing Officer**

*Applicant is proposing policy compliant contribution of 30% with an 80% rented 20% shared ownership split. This will need to be secured via S106 agreement.*

*I did note that the proposed unit types aren't NDSS compliant. Where possible we do strive to secure NDSS compliant standards with a bedroom criteria of 1b2p, 2b4p and 3b5p. Achieving the large number of bedspaces enables the affordable housing to have greater lettings flexibility. The proposed layout fails to meet the required Sqms. As the affordable units have not been identified as its an OL application I have considered all units against NDSS.*

Unit type	Proposed Sqm	NDSS Sqm
1b2p	45sqm	50sqm
1b2p	49sqm	50sqm
2b4p	75sqm	79sqm
2b4p	70sqm	79sqm
3b5p	87sqm	93sqm
3b5p	83sqm	93sqm

**HPBC Trees Officer**

No comments received

**HPBC Service Commissioning / Operational Services (Parks)  
03.07.2019**

*We would be looking to seek off-site contributions towards Play, Parks & Gardens, Outdoor Sports Provision and Allotments. In terms of an off site contribution towards play, this would be to either establishing a new play area within a 2km radius of the site, or towards enhancements at Newshaw Lane Play Area. There is very little play provision in the Dinting area so there would be a need to establish something new in this area. If this cannot be established, then the contribution should be targeted to Newshaw Lane Play Area which needs enhancements and improvement and will be the nearest play space to residents on the proposed development. In terms of the other contributions, we could ask for Parks and Gardens towards infrastructure improvements at Howard Park/Manor Park, Allotment contribution towards enhancing plots at Dinting Allotments, and the Outdoor Sports towards improving outdoor sports within a 2km radius of the site.*

*Based on the current formula, the costs would be as follows:-*

- Play - £12,480
- Parks and Gardens - £37,115
- Outdoor Sports - £31,811
- Allotments - £5,001.75

*In terms of developing the s106 Agreement, we would recommend that the trigger point for receipt of funds is on commencement of development.*

**15.08.2019**

*As this is a new application we have applied the new formula used for calculating contributions for play and open space which has been implemented since 2016. The formula is as follows:-*

	A	B	C	D
Nature of open space or recreation facility	Provision required in hectares per 1,000 population	Standard per new dwelling (m <sup>2</sup> )	Horticulture schedule of rates per m <sup>2</sup>	Contribution per dwelling
Equipped children's play	0.11	2.56	£75	£192
Parks and Gardens	1.15	26.81	£21.30	£571
Outdoor sports facilities	1.05	24.47	£20	£489.40
Allotments	0.22	5.13	£15	£76.95

*As per my previous response, in terms of an off site contribution towards play, this would be towards either establishing a new play area within a 2km radius of the site, or enhancements at Newshaw Lane Play Area. There is very little play provision in the Dinting area so there would be a need to establish something new in this area. If this cannot be established, then the contribution should be targeted to Newshaw Lane Play Area which needs enhancements and improvement and will be the nearest play space to residents on the proposed development. In terms of the other contributions, we could ask for Parks and Gardens towards infrastructure improvements at Howard Park/Manor Park, Allotment contribution towards enhancing plots at Dinting Allotments and the Outdoor Sports towards improving outdoor sports within a 2km radius of the site.*

*I am of the understanding that a new application would be subject to a new s106 Agreement where we can now request different contributions as per our agreed formula. I am not sure what the Agent means when he says that the previous application is still capable of implementation – maybe you can advise? They also refer to the 'fallback position' which I assume is the position they would be hoping for if there are issues of viability?*

**HPBC Environmental Health (17.07.2019, 15.08.2019)**

**Air Quality**

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

Condition

*Prior to development, a detailed Air Quality (AQ) Assessment shall be submitted and approved by the Local Planning Authority. The full scope of assessment shall be agreed in writing with the local Planning authority and shall be appropriate to both the location and scale of development, and designed to quantify the impact of the proposed development upon the existing air quality within the local area.*

*If the assessment indicates a potential breach in local AQ objectives as a result of the development, the development shall not precede until an air quality action plan, detailing possible mitigation measures that could be adopted to improve AQ in the area, has been submitted and approved by the local planning authority.*

*Reason: To ensure that the development does not cause breaches in local Air Quality Objective and help secure a long-term improvement in AQ*

**Contamination and Noise Nuisance**

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

**COMMENT: CL SENSITIVE USE**

*Previous site assessment indicates that the risk presented by land contamination is low, however the proposed end use of the development is particularly sensitive and for this reason the following condition 1 is recommended.*

**COMMENT: NOISE**

*A noise assessment (WSP ref: 70025260-005, dated March 17) submitted in support of HPK/2017/0171 indicates that mitigation measures are required to protect future amenity of occupants. For this reason the following condition 3 is recommended.*

**COMMENT: CONSTRUCTION**

*The construction/demolition stage of the development could lead to an increase of noise and dust etc. experienced at sensitive premises and subsequent loss of amenity, for this reason conditions 4 to 9 are suggested.*

Condition

**1. CL05 CONTAMINATED LAND – IF FOUND DURING DEVELOPMENT**

*If during development any contamination or evidence of likely contamination is identified that has not previously been identified or considered, then the applicant shall submit a written scheme to identify and control that contamination. This shall include a phased risk assessment carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part IIA, and appropriate remediation proposals, and shall be submitted to the Local Planning Authority without delay. The approved remediation scheme shall be implemented to the satisfaction of the Local Planning Authority.*

## 2. NOISE INSULATION: DOMESTIC

Prior to the occupation of any residential unit, noise mitigation shall be implemented for that unit. Mitigation shall be approved in writing by the LPA and 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)LAmax
- c) Noise levels within external living areas such as balconies, terraces and gardens during the day (0700-2300hrs) of 50dB(A)LAeq,16hrs”

[Six conditions for controls during construction including dust control, waste disposal, working hours, also suggested. Advisory notes also provided]

### **HPBC Regeneration / Economic Development Officer (17.06.2019)**

*The proposal is for outline planning permission for development of 65 units of residential accommodation.*

*Residential development will impact on the local economy in terms of jobs and purchasing of supplies and services. In order to assess the economic impact of this development, we have relied upon the data supplied by the applicant and used the Council's approved multipliers to prepare these comments.*

*The proposal for development of 65 dwellings off Dinting Road, Glossop, will provide the following outputs:*

- *The new householders occupying each new house will spend some of their income locally through shopping and use of local services. National research has identified that 34% of all household expenditure is spent at district level or below. For this development of 65 units this is calculated at £598,158 per year.*
- *Each new house will generate direct jobs within the construction industry or associated supply chain, of which 25% are likely to be locally based. Indirect Jobs are also generated by local spend in shops and services. This is calculated at an additional local job for every seven new homes. Using these multipliers the development will generate 69 direct jobs and 9 indirect jobs.*
- *The development will also generate approximately £12,738 council tax for the area per annum*

### **Alliance Environmental Services**

*There are no issue with this planning application for AES waste collection service.*

### **DCC Highways**

*The submitted details suggest a development of 64no. residential units served via a new junction with Dinting Road. The principle of development for a similar number of units has been previously accepted and its noted that the same Transport Statement has been submitted in support of the proposals.*

*The proposed access arrangements appear to be identical to those previously*

*submitted and are, therefore, considered to be acceptable subject to detailed design.*

*Whilst an Indicative Site Plan has been submitted, layout does not form a part of this application. As such, no detailed comments will be made in this respect other than the proposals appear to be broadly similar to the layout submitted in associated with application HPK/2017/0171 which was considered generally acceptable (main differences appear to be orientation/layout of turning heads). The layout will need to generally comply with the advice contained within the Delivering Streets and Places design guide including demonstration of suitability for use by a Large Refuse Vehicle, appropriate exit visibility sightlines at junctions/driveways/ etc., and adequate off-street parking provision conveniently located to the property served.*

*Therefore, if you are minded to approve the proposal, its recommended that the following Conditions are included within the Consent:-*

- 1. Temporary access during construction*
- 2. Space for storing plant and materials, parking and loading during construction*
- 3. Vehicle wheel cleaning facilities during construction*
- 4. Construction management plan or construction method statement for construction period*
- 5. Reserved matters to include design of internal layout*
- 6. Approval of construction details of residential estate roads and footways*
- 7. Carriageways of estate roads to be constructed in accordance with condition 6, prior to commencement of any dwelling intended to take access from that road.*
- 8. New estate street junction to be formed to Dinting Road before any other operations*
- 9. Parking/loading/manoeuvring space to be approved and implemented prior to occupation*
- 10. Approval of secure cycle parking facilities prior to commencement*
- 11. No gates or barriers within 6m of the nearside highway boundary, and any other gates shall open inwards*
- 12. Driveways to be no steeper than 1 in 14 / 1 in 10*
- 13. Approval of means of preventing discharge of water from private accesses onto adoptable estate streets*
- 14. Approval and implementation of surface water drainage works prior to occupation*
- 15. Approval of arrangements for bin storage and waste collection prior to occupation*
- 16. Approval of details of arrangements for future management and maintenance of streets within the development, including S38 Highways Act 1980 agreement or establishment of management company, prior to commencement*

*[Advisory notes also provided]*

**Update 15.02.2022:**

*There have not been any changes to highway guidance in the intervening period, therefore, on the basis that the application details have not changed since the*

*highway comments were made, the highway comments, conditions and notes are still relevant / valid.*

**Additional comment November 2022** - in response to public concerns raised about additional housing development completed since the previous outline permission was granted:

*The Dinting Road site, being for 65 dwellings, does not meet the threshold for the submission of a transport assessment, rather it only needs the submission of a transport statement which requires less analysis of the potential impact of the development on the highway network. Therefore, there is no justification for the highway authority to require the transport statement for the Dinting Road application to include analysis of the traffic generated by the North Road development site. So, the original comments and recommended conditions made by Nick Knowles and subsequently reiterated by Ian Turkington remain valid.*

## **DCC Planning Policy**

**05.07.2019:**

### **1) Education**

*With regard to education, paragraph 94 of the NPPF (2018) reiterates this: 'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education They should:*

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted'*

*Whilst education provision is a statutory function of the County Council, and the Government provides funding to address natural demographic growth, it does not provide monies to accommodate additional pupils generated as a result of new housing development as a matter of course.*

### **Assessing the Proposed Development**

*The County Council has a statutory duty to make education provision available for each young person and elects where possible to provide a school place for each child at their normal area school(s). The number of places at the normal area school is assessed through a system provided by the Department of Education which produces a net capacity. The number on roll at a school reflects the number of pupils attending the school, and the difference between the net capacity and the number on roll is the number of places available or not available to accommodate future requests for places.*

*Pupil numbers are calculated looking at the five year projection of numbers on roll based on birth rates (this projection does NOT include the impact of any new housing with planning permission or allocated in local plans) and then add the pupil yield from approved planning applications in the normal area of the school. The requirement for financial contributions towards education provision is therefore based on the net capacity and current number on roll as well as projected pupil*

numbers over the next five years.

The level of contribution required is fair and reasonable in scale and kind and is determined using multipliers provided by the Department for Education based on their analysis of building costs per pupil adjusted to reflect regional variations in costs. These multipliers are revised annually in line with building cost inflation using the Building Cost Information Service All in Tender Price Index. The thresholds and level of contribution required is set out below.

	Per 100 dwellings	Cost per pupil place	Cost per 1 dwelling	Cost per 10 dwellings	Cost per 100 dwellings
Primary school	20 places	£16,812.24	£3,362.45	£33,624.48	£336,244.77
Secondary school	15 places	£25,332.89	£3,799.93	£37,999.34	£379,993.35
Post-16 education	6 places	£27,474.03	£1,648.44	£16,484.42	£164,844.16

#### Primary Level

The proposed development falls within and directly relates to the shared normal areas of Dinting CE Voluntary Aided Primary School and St Luke's CE Controlled Primary School. The proposed development of 65 dwellings would generate the need to provide for an additional 13 primary pupils.

Dinting CE Voluntary Aided Primary School has a current net capacity of 119 pupils and has 131 pupils on roll currently. The latest projections show the number of pupils on roll to be 141 during the next 5 years. There are a number of recently approved planning applications within the normal area totalling 196 dwellings amounting to an additional 39 primary pupils.

St Luke's CE Controlled Primary School has a current net capacity of 210 pupils and has 195 pupils on roll currently. The latest projections show the number of pupils on roll to be 216 during the next 5 years. There are a number of recently approved planning applications within the normal area totalling 51 dwellings amounting to an additional 10 primary pupils.

The analysis of the current and future projected number of pupils on roll, together with impact of any approved planning applications, shows that the normal area primary schools as identified above would not have sufficient capacity to accommodate the 13 primary pupils arising from the proposed development.

#### Secondary Level

The proposed development falls within and directly relates to the normal area of Glossopdale School. The proposed development of 65 dwellings would generate the need to provide for an additional 10 secondary and 4 post16 pupils.

Glossopdale School has a net capacity for 1,200 pupils with 1,065 pupils currently on roll. The number of pupils on roll is projected to increase to 1,230 during the next five years.

An evaluation of recently approved residential developments of 11 or above units or over 1,000 square metres of floorspace within the normal area of Glossopdale School shows new development totalling 611 dwellings, which would result in demand for 92 secondary and 37 post16 pupils.

Analysis of the current and future projected number of pupils on roll, together with

*the impact of approved planning applications shows that the normal area secondary school would not have sufficient capacity to accommodate the 10 secondary and 4 post 16 pupils arising from the proposed development.*

### **Mitigation**

*The above analysis indicates that there would be a need to mitigate the impact of the proposed development on school places in order to make the development acceptable in planning terms as that the normal area primary and secondary schools would not have sufficient capacity to accommodate the additional pupils generated by the proposed development. The County Council therefore requests financial contributions as follows:*

*£218,559.12 for the provision of 13 primary places at both Dinting CE Voluntary Aided Primary School towards Project A - Creation of additional teaching accommodation and St Luke's CE Controlled Primary School towards Project B – Classroom Extension.*

*£363,225.02 for 10 secondary places and 4 post 16 places at Glossopdale School towards Project A - Phase 1 School Expansion*

*Glossopdale School is housed in brand new buildings (opened June 2018) and has purpose built facilities. The new school has been designed with potential to expand, with core facilities having been built to cater for up to 1,440 pupils. Detailed discussions would be required with the school in order to develop a plan for additional teaching accommodation designed specifically to respond to a particular scale of development. The additional facilities needed could include classroom, specialist and group teaching accommodation. The contribution above would be likely to be used towards Project A: Phase 1 expansion. The precise nature of the accommodation to be provided would depend on school priorities at the time of the funding being available, as well as the potential to combine the investment with other S106 income.*

### **CIL Compliance/Use of Funding**

*The necessary contributions required as indicated above will be used to help deliver the projects as identified.*

### **Primary:**

*Dinting CE Voluntary Aided Primary School: I confirm that since April 2010 no obligations has/have been secured towards Project A at Dinting CE Voluntary Aided Primary School. The County Council has made 2 further requests for contributions to pool towards Project A (applications HPK/2015/0692 and HPK/2017/0325) however despite the applications being approved these Derbyshire County Council was unsuccessful in achieving contributions towards the expansion of this school.*

*Luke's CE Controlled Primary School: I confirm that since April 2010 one obligation has been secured towards Project B at Luke's CE Controlled Primary School (HPK/2016/0224). The County Council has made 1 further requests for a contribution to pool towards Project B (HPK/2016/0550) however the application was without education contributions towards the expansion of this school.*

**Secondary/Post 16 places:** *I confirm that since April 2010 no obligations have been*



secured towards Project A at Glossopdale School. The County Council has made 2 further requests for contributions to pool towards Project A (applications HPK/2018/0272 and HPK/2019/0020) which are pending determination.

The above is based on current demographics which can change over time and therefore the County Council would wish to be consulted on any amendments to a planning application or further applications for this site.

Should it emerge that there are viability issues associated with the proposals in the above planning application and the Borough Council is in agreement with the applicant's financial appraisal, there may be some flexibility in the payment triggers. The full contribution, however, would still be required to fully mitigate the impact that the proposed development would have on the normal area primary school and secondary schools. The County Council requests that its officers are also party to any further negotiations on developer contributions.

If there is insufficient capacity to accommodate the increase in pupils forecast to be generated by this proposed development and the development itself cannot enable the necessary provision, the County Council wishes to highlight that the proposed development may not provide for a sustainable form of development.

## 2) Broadband

Currently access to the internet is mainly through the national telephone network infrastructure. Broadband service quality varies across Derbyshire and access to superfast broadband speeds in the County is limited. Improvement to broadband connectivity is identified as a key priority in the County Council's Council Plan 2014 – 2017. The County Council aims to broaden Derbyshire's economic base and improve economic performance and broadband plays an essential role.

The Digital Derbyshire programme is providing access to high speed broadband services for residential and business users. The roll-out applies to existing households and businesses. This is supported by Part R of the Building Regulations which took effect on 1st January 2017 which requires that new buildings and buildings subject to major renovation works accommodate the physical infrastructure required to connect to high speed electronic communication networks.

### Mitigation

The County Council requests that an advisory note be attached to any planning permission that encourages the developer to make separate enquiries with broadband providers in order to ensure that future occupants have access to sustainable communications infrastructure, and that appropriate thought is given to the choice and availability of providers which can offer high speed data connections. Any new development should be served by a superfast broadband connection unless it can be demonstrated through consultation with the network providers that this would not be possible, practical or economically viable.

More information on how to incorporate broadband services as part of the design of new development is available by following the link below:

<https://www.gov.uk/government/publications/better-connected-a-practical-guide-to-utilities-for-home-builders>

**07.08.2019:**

*In response to the letter from Caulmert dated 02/08/2019 and your subsequent email to DCC on 06/08/2019, please find below a response to the points raised:*

*Primary education:*

*The number of pupils that a development is expected to generate is calculated using the formula that for every 100 dwellings there will be 20 primary pupils. The discrepancy between pupils numbers between application HPK/2015/0412 and HPK/2019/0200 is with regard to the inclusion of 1 bedroom dwellings.*

*HPK/2015/0412 requested contributions towards 12 primary school places as the 65 dwellings included 6 x 1 bedroom. In accordance with DCC's Developer Contributions Protocol one bedroom dwellings are excluded from the assessment as it is unlikely that families with children would occupy these dwellings. The amended outline application form for HPK/2019/0200 shows 65 dwellings of unknown size on which the calculation of pupils yield has been based, on the assumption the dwellings are a minimum of 2 bedrooms. 65 dwellings yields 13 primary level pupils. A per dwelling contribution can be included in the S106 to account for any variation in numbers between an outline application and the final numbers determined at the reserved matters stage.*

*The most up to date position regarding school capacity was provided in the DCC letter dated 05/07/2019 in response to the consultation on HPK/2019/0200. The County Council, as the Local Education Authority, has a statutory duty to make education provision available for each young person and elects where possible to provide a school place for each child at their normal area school. DCC therefore uses the normal area school/s to determine capacity and therefore whether a contribution is required. The DCC calculation does not take into account the out of area pupils and considers the capacity of the school as a whole. The letter references a quote from Emery Planning, which seeks to demonstrate capacity by identifying the percentage of out of area pupils within the school. This argument however assumes that the children emanating from the new development will be reception aged, which would unlikely to be the case. The 2 mile radius also referenced is purely the statutory walking distance to a school before a child (under 8) becomes entitled to travel support. As such the County Council's response dated 05/07/2019 still stands and is in accordance with the County Council's Developer Contributions Protocol which was approved by Cabinet and provides the basis of any requests for contributions to mitigate the impact of the development.*

*Secondary education:*

*The previous 2015 consultation response did not require any contributions towards secondary school places as there was capacity. At the time of the previous application (2015) Glossopdale Community College had capacity however as noted in the DCC response to HPK/2019/0200 dated 05/07/2019, Glossopdale School is housed in brand new buildings (opened June 2018) and has purpose built facilities. The new school has a net capacity of 1200 but has been designed with potential to expand, with core facilities having been built to cater for up to 1,440 pupils. The pupils projections show 1,065 pupils currently on roll with a projected increase to 1,230 during the next five years therefore irrespective of development approved in the previous 3 years which would generate an additional 92 secondary and 37 post16 pupils, the school will be over capacity. Previously a number of student opted to attend schools out of area, however with the opening of the new school, it appears*

*that fewer people are seeking places outside the town than in the past.*

*The most up to date position was provided with regard to the request for contributions on HPK/2015/0412. This however was in 2015. It is now 2019 and the education contributions requested by Derbyshire County Council to mitigate the impact of this proposed development (HPK/2019/0200) are based on the most up to date position with regard to the capacities of the respective normal area primary and secondary schools and the amount of applications approved within the previous 3 years in the normal areas of these schools. As such the requests are CIL compliant as they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. It is accepted that the developer may decide to implement an earlier permission.*

*The County Council can be flexible to assist developers where schemes are showing marginal viability. For example, there may be scope to collect contributions in instalments or to phase payments later in the development process, although this is not ideal. The County Council may consider to 'forward fund' infrastructure by spending money out of its budget in advance of receiving money from the planning obligation. In these circumstances the County Council would expect developers to provide financial information on the viability of their scheme to the Local Planning Authority. Where the timely need for the delivery of a named Section 106 project is identified and the County Council intervenes to deliver such project using public funding, the County Council will then apply the contribution monies once received to offset the amount spent from public funds.*

**18.05.2020:** CIL justification statement provided in response to applicant's Education Report.

**DCC Flood Risk Officer**

**01.07.2019:**

*Thank you for consulting the Lead Local Flood Authority (LLFA) in relation to the above planning application. The LLFA are unable to provide an informed comment until the applicant has provided further information:*

- The LLFA need to see that there is a suitable survey done to provide assurances that the discharge to an assumed culverted watercourse would be able to drain the site without resulting in increasing the risk of flooding offsite.*

**DCC Archaeologist (24.06.2019)**

*I previously provided comments on application HPK/2015/0412 for this site.*

*The proposal site has some archaeological potential in relation to the dispersed medieval settlement at Higher/Lower Dinting, and the wider spread of Roman/Iron Age material in the vicinity of Mouselow (although these are not noted in the archaeological desk-based assessment). Geophysical survey has identified some possible archaeological targets within the site and for these reasons the local planning authority attached a condition (Condition 9 parts a-c) to the existing consent requiring a scheme of archaeological work to take place before development,*

*although none of this work has taken place to date.*

*I recommend therefore that the same conditions are reproduced in any new consent for the site, in line with NPPF para 199:*

*"a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and*

- 1. The programme and methodology of site investigation and recording*
- 2. The programme for post investigation assessment*
- 3. Provision to be made for analysis of the site investigation and recording*
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation*
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation*
- 6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation"*

*"b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a)."*

*"c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured."*

### **Derbyshire Wildlife Trust**

**(02.07.2019)**

*The application is accompanied by a current Ecology Report (Etive Ecology, April 2019), which updates previous ecology reporting from 2015 - 2016. An update site visit was undertaken in April 2019. Habitats were found to be similar to those recorded previously, with similar ecological constraints and opportunities. We do not consider any further survey work to be necessary, however we do have the following comments:*

- Typically the Trust encourage existing features such as hedgerows and trees to be located outwith the curtilages of new dwellings. This allows for future management and safeguards them against removal from residents. The northern boundary hedgerow and mature oak trees along the southern boundaries are all included within gardens and so do not have this protection.*
- Based on the current Illustrative Landscape Proposals (0953 001 A) we would have concerns over the woodland planting marked as G2 as it does not appear to have any access for management. We support the planting of G1, providing it is located in an area of public open space.*

*Should the LPA be minded to approve the application, we advise that the following conditions are attached:*

**CEMP**

*The existing Construction Ecological Management Plan: Biodiversity (Urban Green, March 2017) shall be updated and approved by the LPA. This shall include an update badger check and a reptile method statement, as well as the existing measures detailed.*

**LEMP**

*The existing Landscape and Ecological Management Plan: Biodiversity (Urban Green, March 2017) shall be updated and approved by the LPA. In addition to the measures detailed, this shall include bat boxes in 25 % of dwellings, swift boxes on 25 % of dwellings and insect bricks in 10 % of dwellings. Connectivity measures for hedgehogs shall also be provided.*

**Nesting Birds**

*Prior to building works commencing above foundation level, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires and any mitigating features such as dimmers, PIR sensors and timers. A lux contour plan should be provided to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Such approved measures will be implemented in full.*

**09.02.2022:**

*I would advise that our response is likely to still be valid, however CIEEM guidance on the lifespan of data is for an update site visit after around 18 months for a site such as this (attached). To tick all the boxes, it would be prudent to have an ecologist visit site and just produce a short letter report confirming the conclusions of the 2019 ecology report and identifying any changes or constraints, should they be identified.*

**27.03.2022**

*An updated Ecology Report (Etive Ecology, March 2022) has been submitted to support the above application, further to our advice provided to the LPA in an email (dated 9th February 2022). This updates the 2019 Ecology Report (Etive Ecology, April 2019) and previous reports from 2015-2016.*

*A site visit was undertaken in March 2022 and again habitats were found to be similar to those recorded previously, with similar ecological constraints and opportunities. Precautionary measures will be required to safeguard reptiles, nesting birds and badgers during site clearance and these can be secured via a condition for an updated Construction Environmental Management Plan (CEMP). The Trust still have concerns over the inclusion of retained hedgerows and trees within the curtilage of dwellings, as these are vulnerable to removal in the future. We also*

*query the suitability of the woodland planting marked as G2 given the limited access for management and potential future concerns from residents over shading, leaf drop etc.*

*We note that no assessment of Biodiversity Net Gain (BNG) has been submitted as part of this application. The NPPF 2019 requires development to achieve no net loss of biodiversity and the requirement for a formal assessment of net gain has gained traction since the start of this application, with the publishing of Biodiversity Net Gain. Good Practice Principles for Development (CIRIA, 2019) and the British Standard for Biodiversity Net Gain (BS 8683, 2021). DEFRA have developed a metric to standardise the calculation of BNG and the Environment Act 2021 will make a 10 % net gain mandatory in 2023.*

*To enable the LPA to assess the BNG impacts, a Biodiversity Net Gain Plan should be submitted with the application. This should include the calculations, UKHabs habitat plans both pre- and post- development, a summary of how proposals meet the BNG Best Practice Principles and a strategy for dealing with any residual net loss.*

*Suitable conditions for any approval are likely to include an updated CEMP and an updated Landscape and Ecological Management Plan (LEMP), along with any necessary conditions to secure net gain.*

**Derbyshire Constabulary (24.06.2019)**

*I was consulted during determination of the subsequent reserved matters application, which I note is yet to be decided, and made some comments regarding the aspect of realigned footpath 59. The indicative site layout accompanying this current application looks to revert back to the original, with a less complicated footpath route as it enters the site to the south east. I would refer back to comments made connected to the reserved matters application on this matter. Our preference would be for a simple wide and open aspect at this transition point if achievable, given that the pumping station which sat in this location on later plans may not now be required?*

**Network Rail**

**05.07.2022:**

*With reference to the protection of the railway, Network Rail has no objection in principle to the proposal, but below are requirements which must be met as the proposal includes works within 10m of the railway boundary and an interface with the railway boundary - therefore undertaking the works with the agreement and supervision of Network Rail is required. This is to ensure that the works on site, and as a permanent arrangement, do not impact upon the safe operation and integrity of the existing operational railway and for the avoidance of doubt of both the council and the developer who may not be aware of the potential for outside party proposals to impact upon the railway.*

**[The following is summarised – full details available via the planning application webpage]**

*Network Rail would request that a condition is included in the planning consent as follows:*

*“A method statement and risk assessment must be submitted to the council and Network Rail for review and agreement prior to works commencing on site.”*

*REASON: To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway.*

*A condition to be included in the planning consent as follows:*

*“Prior to occupation of the site the developer is to provide a suitable trespass proof fence adjacent to the boundary with the railway; the fencing details to be submitted to the council and Network Rail for agreement.”*

*Reason: To protect the adjacent railway from unauthorised access*

*Network Rail would request a condition is applied as follows within the planning consent:*

*“Details of scaffolding works within 10m of the railway boundary, to be submitted to the council and Network Rail for agreement.”*

*Reason - In the interests of protecting the railway and its boundary from over-sailing scaffolding.*

*If vibro-impact equipment is to be used we would request a condition is added to the planning consent as follows:*

*“Prior to any vibro-impact works on site, a risk assessment and method statement shall be submitted to the LPA and Network Rail.”*

*Reason – to prevent any piling works and vibration from de-stabilising or impacting the railway.*

*Network Rail would request that a condition is included in the planning consent as follows:*

*Condition:*

*“Prior to the commencement of the development details of the disposal of both surface water and foul water drainage directed away from the railway shall be submitted to the Local Planning Authority and Network Rail.”*

*Reason: To protect the adjacent railway from the risk of flooding, soil slippage and pollution.*

*Network Rail requests a condition is included in the planning consent as follows:*

*Condition:*

*“Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to the Local Planning Authority and Network Rail.”*

*Reason: To protect the adjacent railway and its boundary.*

*Network Rail requests that a condition is included within the planning consent as follows:*

*“Details of appropriate vehicle safety protection measures along the boundary with the railway shall be submitted to the Local Planning Authority (in consultation with Network Rail.”*

*Reason: to prevent the design and layout of the road and parking spaces from*

*impacting the adjacent operational railway with accidental vehicle incursion.*

[Further advice on NWR asset protection also provided]

**United Utilities**

**01.07.2019:**

**Drainage**

*In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. We request the following drainage conditions are attached to any subsequent approval to reflect the above approach detailed above:*

*Condition 1 – Surface water*

*Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.*

*The surface water drainage scheme must be in accordance with the Non-Statutory Technical*

*Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.*

*No surface water shall discharge to the public combined sewerage system either directly or*

*Indirectly*

*The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.*

*Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.*

*Condition 2 – Foul water*

*Foul and surface water shall be drained on separate systems.*

*Reason: To secure proper drainage and to manage the risk of flooding and pollution.*

[Advice on sustainable drainage, wastewater assets, water supply and UU assets also provided].

## **8. POLICY AND PLANNING BALANCE**

### **Planning Policies**

- 8.1 The determination of a planning application is to be made pursuant to 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.



- 8.2 Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the 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 consists of the High Peak Local Plan Policies Adopted April 2016.
- 8.3 Other material considerations include the National Planning Policy Framework (NPPF), Supplementary Design Guidance, and National Planning Policy Guidance (NPPG).
- 8.4 Paragraph 11 of the NPPF explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

### **Principle of Development - Housing**

- 8.5 At the heart of the National Planning Policy Framework (NPPF) is the presumption in favour of sustainable development, which is reflected in Policies S1 – Sustainable Development Principles and S1a – Presumption in favour of Sustainable Development of the adopted Local Plan. Paragraph of the NPPF identifies the three dimensions to sustainable development; economic, social and environmental.
- 8.6 The Framework seeks, amongst other objectives, to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. High quality design should be sought and secured and a good standard of amenity provided for all existing and future occupants of land and buildings.
- 8.7 Section 5 of the Framework relates specifically to the need to deliver a wide choice of high quality homes.
- 8.8 Local Plan Policy S2 Settlement Hierarchy notes that new development should be focussed within the settlement boundaries of the Market Towns, Larger Villages and Smaller Villages in accordance with their role and function unless otherwise indicated in the Local Plan. The site is within the defined built-up area boundary for Glossop.
- 8.9 Local Plan policy S3 Strategic Housing Development notes that provision will be made for at least 7000 dwellings during the plan

period of 2011-2031, of which between 958 and 1242 dwellings are expected to be delivered in the Glossopdale sub-area, including between 558 and 842 on allocated sites.

- 8.10 Policy S5 Glossopdale Sub-area Strategy notes that the Council will seek to promote the sustainable growth of Glossopdale whilst promoting and maintaining the distinct identity of its settlements, provide an increasing range of employment opportunities, promote the growth of a sustainable tourist economy and meet the housing needs of the local community.
- 8.11 The policy goes on to state that this will be achieved by measures including 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, and supporting the development of new housing on sustainable sites within the built-up area boundary
- 8.12 Policy H1 Location of Housing Development of the adopted High Peak Local Plan 2016 notes that the Council will ensure provision is made for housing, taking into account all other policies in the Local Plan, by measures including supporting the development of specific sites through new site allocations in the Local Plan.
- 8.13 Site allocations are set out in local plan policy H2 Housing Allocations. This site is identified by H2 (reference G19) as being suitable for 64 dwellings and as being suitable to come forward during the 'early' phase of plan implementation, between 2016-2021.
- 8.14 The proposal would comply with and support the objectives of the Local Plan policies set out above, as such the general principle of development is supported, subject to all material planning considerations.
- 8.15 Public comments in relation to the potential for national changes to housing delivery targets, anticipated to emerge from the pending Levelling Up and Regeneration Bill (LURB), are noted.
- 8.16 As noted in the additional comments from the Planning Policy Officer noted above, the site remains an allocated site within the adopted Local Plan 2016, and as such the pending government bill does not change the status of the site. The LURB does not have any material impact on the principle of development at this stage.

### **Key Material Considerations**

Design and the Landscape  
Public and Residential Amenity  
Housing Mix  
Access, Parking Provision and Highway Safety

Trees and Ecology  
Surface Water Management and Flood Risk  
Heritage / Archaeology  
Affordable housing /Section 106 considerations

## **Design and the Landscape**

- 8.17 The NPPF highlights that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.
- 8.18 Paragraph 130 states amongst other matters that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.
- 8.19 LP Policy S1 sets out a number of sustainability principles which all new development proposals should incorporate in order to make a positive contribution towards the sustainability of communities and to protect, and where possible enhance the environment.
- 8.20 LP Policy EQ6 states that all development should be well designed to respect and contribute positively to the character, identity and context of High Peak's townscapes, having regard to matters of scale, height, density, layout, appearance and materials.
- 8.21 The site lies within the Settled Valley Pastures Landscape Character Area, as defined by the adopted Landscape Character Assessment Supplementary Planning Document. As such the area is characterised as a pastoral landscape with permanent improved pasture where fields are small and irregular enclosed by hedgerows, occasional dry stone walls and tree belts and groups around settlements. The site conforms to this assessment as undeveloped grass land. However, the site is surrounded by residential development to the east and west. The immediate character of the residential area to the east is a mix of two storey properties, and due to the topography of the area results in properties along the south side of Dinting Road sitting just below road level. The wider context of the area is of a mix of residential properties consisting of detached and semi-detached properties of various styles and sizes that sit alongside Dinting Road, Lower Dinting and at a higher level towards the Ashes. The site is naturally constrained by the railway to the south, whilst the industrial buildings located on Surrey Street opposite the railway line, offer the site little visual merit as wider landscape viewpoints.
- 8.22 The land has no policy designations to suggest that it is of intrinsically high landscape value such that would warrant it being protected solely on landscape grounds; it is not within the special landscape area or greenbelt.

- 8.23 As such the proposal will be viewed in its context with surrounding built form, to the east and the immediate surrounding built form around this setting of Dinting and would not have a significant adverse impact on the character and distinctiveness of the landscape.
- 8.24 The application is in outline form and only seeks access. The other matters including appearance, landscaping, layout and scale would be subsequently reserved for a further application. Therefore only indicative information has been submitted.
- 8.25 The Design and Access statement considers that the proposal would reflect local context and optimise the development potential of available land. The proposed new road opens up access into the site in the form of three cul-de-sacs, with the development following the site contours. The proposals will offer a variety of family housing units in the provision of 6 no. detached units, 52 no. semi-detached units and 6 no. apartment units in short terrace of 3. These will be appropriate in scale and mass at 2 storey to relate to adjoining properties. There will be an area of public open space and the creation of a pedestrianised link to Birchside Avenue.
- 8.26 The indicative housing mix is considered appropriate in design terms, being in keeping with surrounding developments. The plan indicates that materials will be stone and slate roofs and will match those of surrounding dwellings by incorporating locally distinctive features.
- 8.27 The level of private amenity space allocated to the dwelling is considered to be appropriate for 1, 2, 3 and 4 bed dwellings and there is ample amenity space on site. An indicative landscaping proposal also accompanies the application indicating hard and soft landscaping. Conditions can ensure the provision of good quality boundary treatments.
- 8.28 As such it is considered that the indicative layout is acceptable and would reflect the form, pattern and spacing between dwellings typical of development in the surrounding area. The density of the development is acceptable and would relate well to the massing of surrounding development.
- 8.29 The comments from Derbyshire Constabulary regarding the layout of the realigned public right of way through the site are noted. This matter will be considered as part of the assessment of layout at reserved matters stage.
- 8.30 The proposal would therefore accord with Local Plan Policies S1 and EQ6, the High Peak Residential Design Guide SPD (2005), the High Peak Design Guide (2018), and Chapter 12 of the NPPF.

## **Residential Amenity**

- 8.31 LP Policy EQ6 requires all new development to have a satisfactory relationship with existing land and buildings and protects the amenity of the area, which includes residential amenity of neighbouring properties. Aspects of residential amenity include impacts such as a loss of sunlight, overshadowing and overbearing impacts, loss of outlook, and loss of privacy.
- 8.32 Paragraph 130 of the NPPF states that planning should create places with a high standard of amenity for existing and future users.
- 8.33 The topography of the site results in a change of levels to the south. There are residential properties both to the east and west of the site. The indicative plans show the development sitting within the contours of the site and reflective of the heights and levels of existing development. However, the application is submitted in outline form, with detailed assessment of these matters reserved for a future application.
- 8.34 Whilst the detailed layout of the site is indicative at this stage, the development comprises up to 65 dwellings. Although there are a number of residential properties to the east and west of the site, it is considered that there would be sufficient space to accommodate this level of development whilst safeguarding the residential amenity of existing and future residents.
- 8.35 In particular, it is noted that a small residential scheme to the west of the application site has been built out. Given that the dwellings on this scheme are on the far side of the road running over the railway line, beyond existing houses, it is not considered that there would be any amenity interactions between these newer houses and the proposed development.
- 8.36 As noted in neighbour comments, a single side extension at no 15 Birchside Avenue has subsequently been approved and implemented. This property and its new extension are immediately adjacent to the east boundary of the site, where the indicative layout shows a new house would be located. Whilst the current layout is indicative only (allowing for all amenity issues to be fully assessed at reserved matters stage), it is noted that the approved extension was single-storey in height, with a pitched roof sloping down to the boundary, and with new windows facing towards the site limited to roof lights. As such it is not anticipated that the extension would give rise to any significant amenity implications for the occupants of 15 Birchside Avenue, or future occupants of houses on the proposal site.
- 8.37 In any event, any future reserved matters application would be subject to the Council's detailed amenity standards as required by Local Plan Policy EQ6, relevant supplementary planning guidance, and in accordance with paragraph 130 of the NPPF.

## Housing Mix

- 8.38 Policy H3 seeks, amongst a number of matters, to ensure that new development provides a mix of housing that contributes positively to the promotion of sustainable and inclusive communities. Development should provide a range of market and affordable housing types and sizes, taking into account evidence from the Strategic Housing Market Assessment or any successor documents.
- 8.39 In September 2022, the Council published the Housing and Economic Land Needs Assessment (HELNA) that was commissioned to inform the review of the Local Plan. The study provides an updated analysis of the housing mix required across the Brough as well as providing a more fine grained assessment of the recommended housing mix across each of the Local Plan Sub-Areas. Accordingly, the HELNA is deemed to be a “successor document” to the SHMA as referenced in Policy H3 and it should therefore be taken into account when determining future development proposals.
- 8.40 The supporting planning statement indicates that the scheme would provide a mix of 1-bed apartments and 2, 3 and 4 bedroom houses. The indicative site plan submitted with the application indicates that this would comprise 6 one-bed ‘cottage’ apartments, 27 two-bed houses, 27 three-bed houses, and 5 four-bed houses.
- 8.41 The recommendations from the 2022 HELNA in relation to the mix of market housing for both High Peak as a whole as well as Glossopdale are outlined below:

	1-bed	2-bed	3-bed	4-bed	5 or more bed
2014 SHMA	10%	45%	35%	10%	n/a
Market - HELNA Glossop	7%	37%	46%	9%	1%
Market - HELNA Glossop (with market adjustment)	6%	31%	49%	12%	1%
Social - HELNA Glossop	41%	36%	22%	1%	0%
Social - HELNA Glossop (with market adjustment)	35%	31%	28%	7%	0%
% of existing	5%	18%	37%	31%	9%

housing stock in Dinting ward					
Indicative application mix (market and social)	9%	42%	42%	8%	0%

- 8.42 As can be seen from the above table, the latest evidence from the HELNA indicates a stronger need for 3 bedroom properties than the SHMA. This trend is particularly pronounced once the market adjustments have been made to reflect post-pandemic working patterns and even more so in Glossop where a relative lack of 3 bed properties is apparent.
- 8.43 As shown on the last line of the table above, the indicative mix would of the proposal would:
- Broadly align with the need for 1-bed market properties but would significantly under provide for 1-bed social housing. However, the scheme would represent a proportionate increase in 1-bed when compared to existing stock in the ward.
  - Help to address the relative under-supply of 2-bed properties for both market and social housing in the ward
  - Broadly align with the need for 3-bed properties.
  - Under-provide in relation to 4-bed properties but this can be supported given the relatively high percentage of larger properties already within the ward.
- 8.44 The final mix will determined via a condition imposed on the outline consent. This should be informed by the above data and analysis which indicates that the indicative mix is broadly in line with requirements. Specific consideration will need to be given to the different mix needs of social housing though given the relatively higher need for smaller properties. Use of the market adjustment scenario for benchmarking is considered preferable as this takes account of the increase in demand for larger properties in response to post-pandemic working patterns and related home-working requirements.

### **Contaminated Land, Air Quality and Noise**

- 8.45 Section 11 of the NPPF seeks to prevent unacceptable risks from pollution and land stability to ensure new development is appropriate for its location.
- 8.46 Local Plan Policy EQ10 seeks to protect people and the environment from unsafe and polluted environments, requiring mitigation if necessary.

- 8.47 The comments from the Environmental Health Officer regarding air quality, ground contamination, noise insulation, and construction phase controls, are noted.
- 8.48 The suggested conditions relating to these matters are considered to be appropriate and satisfactory to ensure that the proposed development would not result in unacceptable risks to public health in terms of the above policy requirements.
- 8.49 Subject to these conditions, the proposals are therefore considered to comply with section 11 of the NPPF, and local plan policy EQ9 in this regard.

### **Access, Parking Provision and Highway Safety**

- 8.50 LP Policy CF6 seeks to ensure that development can be safely accessed in a sustainable manner and that all new development is located where it can be satisfactorily accommodated within the existing highway network. Appendix 1 of the Local Plan contains parking guidance for all types of development including residential dwellings.
- 8.51 Paragraph 110 of the NPPF states that in assessing applications for development, it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 111 goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.52 The comments from the Highways officer are noted. Access arrangements are being considered at outline stage in this case. The Highway Authority have reiterated their advice from the previous assessment of the earlier application, providing guidance on the internal layout of the scheme (to be confirmed at reserved matters stage), and recommending conditions relating to the construction phase and other technical highways details.
- 8.53 Public comments in relation to access safety, highways network impacts and the safety of users on Dinting Road are noted.
- 8.54 Public comments relating to the creation of a pedestrian/cycle/emergency access onto the existing road at Birchside Avenue are noted.
- 8.55 This matter was addressed in the earlier approval, where the Highway Authority advised that an emergency access was not necessary, and that a retractable bollard (as proposed at the time and as shown on the current site plan) is not an optimal arrangement.



- 8.56 Neighbour comments indicating that 'emergency access' element of this part of the approved scheme was removed from the proposals are noted, however the approved site plan (supplemented by a detailed 'Emergency access link' drawing) shows that this element was retained but modified with the inclusion of a retractable bollard. The current proposed site plan indicates the same arrangement.
- 8.57 The particular arrangements for this element of the site were resolved to be determined by condition (condition 32), and it is considered that this approach would again be satisfactory, including in terms of reasonably addressing residents' likely concerns regarding the use of this element as a general vehicular access into the site.
- 8.58 It is also noted that the Transport Statement submitted with the current application dates from the previous outline application and was prepared in 2015. The Highways Authority acknowledged this matter in their consultation response. Nonetheless in light of public comments the Highway Authority have been asked to clarify whether they are satisfied whether the Transport Statement is adequate to support the application. Any further response or comments will be provided in an update note ahead of the committee meeting.
- 8.59 Subject to such a further response, on the basis of the advice received to date it is considered that the proposed development would be satisfactory in terms of access and impacts on highway safety, and would therefore comply with LP Policy CF6 and paragraph 110 of the NPPF.

### **Trees**

- 8.60 Local policy EQ9 sets out 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, and that this will be achieved by resisting development that would directly or indirectly damage existing ancient woodland, veteran trees and ancient or species-rich hedgerows.
- 8.61 The site contains a number of trees which surround the site and a hedgerow along Dinting Road, which are visually important and likely important to biodiversity.
- 8.62 No comments had been received by the tree officer at the time of report preparation. However, it is noted that no objection was received from the tree officer in response to the principle of the site being developed during determination of the previous outline application, subject to conditions for protection of retained trees and hedges.
- 8.63 Public comments on the partial removal of existing frontage hedgerow are noted. The required removal appears to be limited and it is

considered can be adequately mitigated for by landscaping proposals, to be assessed at reserved matters stage.

- 8.64 Subject to details to be assessed at reserved matters stage (and further approval by condition), the proposal would therefore not give rise to any concerns in terms of trees, woodlands and hedgerows and would therefore be acceptable in terms of policy EQ9.

## **Ecology and Biodiversity**

- 8.65 Chapter 15 of the NPPF outlines that Local Planning Authorities should aim to conserve and enhance biodiversity. Paragraph 180 seeks to minimise impacts and provide net gains in biodiversity where this appropriate.
- 8.66 LP Policy EQ5 refers to Biodiversity and requires all new developments to conserve and enhance any statutory designation and ensure that appropriate mitigation measures are implemented to ensure that any protected species and habitats are protected.
- 8.67 Derbyshire Wildlife Trust provided initial comments on the application following submission in 2019, recommending that approval be subject to conditions to secure an updated Construction Ecological Management Plan, Landscape and Ecological Management Plan, and for approval of a detailed lighting strategy.
- 8.68 Subsequently, an updated Ecology Report was submitted during determination, reflecting a repeated site survey undertaken in March 2022, replacing the report originally submitted with the application in 2019.
- 8.69 Following submission of this report, Derbyshire Wildlife Trust have provided further advice, updated as noted above, reflecting the subsequent agenda towards achieving biodiversity net gain across all new development. The DWT recommends that an assessment of Biodiversity Net Gain (BNG) should be undertaken and provided for assessment at this stage.
- 8.70 It is noted that local policy does not make the requirement for biodiversity net gain mandatory for new development, and that the anticipated national mandatory requirement for BNG has not yet come into force.
- 8.71 Given that the current application is for outline permission only, and in particular given that the existing outline permission is still extant (as the reserved matters application for the existing permission was submitted by the required deadline) it is considered that it would be appropriate for this matter to be assessed in further detail as part of reserved matters approval, wherein the finalised layout of the scheme will be confirmed and assessed.

- 8.72 The Wildlife Trust has been asked to confirm their advice in terms of conditions required for the outline permission. If any additional conditions are requested, these will be noted in the update note.
- 8.73 Subject to the resolution of this issue at reserved matters stage, and the conditions suggested by Derbyshire Wildlife Trust, it is considered that the outline scheme would be acceptable in terms of effects on ecology and biodiversity and therefore to accord with local plan policy EQ5 and chapter 15 of the NPPF.

### **Affordable housing / S106 contributions towards education and open spaces**

- 8.74 Policy H4 Affordable Housing sets out the requirements for larger new residential development to meet the requirements of affordable housing, requiring schemes of 25 units or more to provide a minimum of 30% affordable housing. The application proposes this full provision on site with an 80% rented and 20% shared ownership split, which would be compliant with policy.
- 8.75 The comments from the housing officer, regarding the sizes of the proposed units relative to the Nationally Described Space Standards, are noted. The final internal configuration of the proposed units is not being determined at this stage and will be assessed in detail at reserved matters stage. It is noted that the analysis from the housing officer indicates the shortfall in overall size of the indicative units against the NDSS guidelines. Therefore the minor alterations to the finalised scheme at reserved matters could ensure that the scheme achieves full NDSS compliance.
- 8.76 Derbyshire County Council has requested contributions towards education provision to address a demand in local school capacity that the proposed development would cause. The contributions are;
- £218,559.12 for the provision of 13 primary places at Dinting CE Voluntary Aided Primary School towards Project A - Creation of additional teaching accommodation and/or St Luke's CE Controlled Primary School towards Project B – Classroom Extension.
  - £363,225.02 for 10 secondary places and 4 post 16 places at Glossopdale School towards Project A - Phase 1 School Expansion
- 8.77 These contributions have been agreed with the applicant. The applicant has also agreed to provide the open space and play space contributions as requested by the Council and as noted above.
- 8.78 A section 106 agreement to secure the affordable proportion, contributions towards education provision and to open space and play space provision, is currently being prepared.

- 8.79 As advised by the relevant consultees within HPBC and DCC, the contributions will meet the requirements of the Planning Obligations SPD and policies CF4, CF5 and CF7 of the Local Plan.

### **Flood Risk and Drainage**

- 8.80 EQ11 Flood Risk Management notes that the Council will support development proposals that avoid areas of current or future flood risk, and which do not increase the risk of flooding elsewhere, where this is viable and compatible with other policies aimed at achieving a sustainable pattern of development.
- 8.81 The site is not within an area identified as being at an elevated risk of flooding (Flood Risk Zones 2 and 3). The comments from the Lead Local Flood Authority in relation to intended drainage arrangements are noted. These matters have been raised with the applicant's agent but have not been fully resolved at the time of report preparation.
- 8.82 It is noted that on the earlier outline permission, flood risk and drainage matters were left to be determined via conditions. Likewise, it is considered that the matter raised at this stage could satisfactorily be resolved by approval of drainage details by conditions. The flood risk officer was asked to advise whether this approach would be acceptable, this request was acknowledged but no further comments have been received from the LLFA at the time of report completion.
- 8.83 Subject to such conditions it is considered that the proposed development would be acceptable in terms of flood risk and surface water management, and therefore to comply with policy EQ11.

### **Heritage and Archaeology**

- 8.84 Local Plan Policy EQ7 states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment. Particular protection will be given to designated and non-designated heritage assets and their settings, including conservation areas.
- 8.85 NPPF paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 8.86 The comments from the County Archaeologist in relation to the archaeological potential of the site are noted, and the suggested

condition in relation to investigation is considered to be appropriate and necessary.

- 8.87 The site is not subject of any other heritage designations and is not in the setting of any designated heritage assets including listed buildings and Conservation Areas. The railway line to the south of the site is recorded on the Historic Environment Network database and therefore may be regarded as a non-designated heritage asset. It is not considered that the proposal would result in any harm to its significance as such.
- 8.88 For these reasons, the proposal is, subject to the recommended condition, considered to be acceptable in terms of effects on heritage assets and therefore to comply with local policy EQ7 and NPPF paragraph 199.

### **Other matters – Network Rail**

- 8.89 The detailed comments from Network Rail (NWR) are noted. These relate to construction in the vicinity of the railway line along the southern boundary of the site. NWR have made no objection in principle to the proposal, subject to a number of conditions which are listed above. The conditions are considered to be appropriate and reasonable. NWR's comments also provided further advice to the developer regarding working near the operational railway line and railway assets. The developer will be directed to this advice in the event of approval.

### **Planning balance & Conclusion**

- 8.90 LP Policy S1a reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).
- 8.91 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:
- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - 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.

- 8.92 The principle of residential development of the site is established by its allocation for this purpose within the Local Plan. The site is considered to be in a sustainable location with good links to local services. The proposal would also provide a contribution to education and open space and play which is needed within the local area. The development would also provide modest economic benefits through the creation of new jobs during the construction phase and additional spending power in the local economy from future residents.
- 8.93 The indicative layout and siting when viewed in its context with the surrounding built form, to the east and the immediate surroundings would not have a significant adverse impact on the character and distinctiveness of the countryside. As such the development would not result in significant and demonstrable harm that would outweigh the benefits of the scheme.
- 8.94 The proposal is therefore considered to be sustainable development under the terms of the NPPF, and complies with Policies S1, S1a, S5, H1, H2, H3 and H4 of the adopted High Peak Local Plan 2016, which seek to provide sustainable residential development.
- 8.95 It is therefore recommended that the application for planning permission should be approved.

## 9. RECOMMENDATIONS

**RECOMMENDATION NO.1:** It is recommended that the Committee **APPROVES** the development subject to the satisfactory completion of a legal agreement to secure the affordable housing and contributions towards education and play and open space provision, by the 5<sup>th</sup> December 2022, or any other time period to be agreed with the Local Planning Authority and subject to the conditions listed below:

1. Outline time limit
2. Reserved Matters to be submitted
3. Compliance with approved plans
4. Samples / details of materials to be used
5. Tree protection scheme to be submitted
6. Tree retention
7. Written scheme of archaeological investigation
8. Submission of detailed designs and maintenance of surface water drainage / implementation, to be agreed by LLFA and NWR
9. Submission of a detailed assessment for the destination of surface water
10. Separated foul and surface water drainage
11. Updated CEMP
12. Updated LEMP
13. Detailed lighting strategy

14. Reserved matters to address biodiversity net gain including BNG plan and calculations
15. Air Quality Assessment
16. Contamination discovery
17. Noise mitigation implementation
18. Dust control
19. Construction waste disposal
20. Working hours limits
21. Piling method statement
22. Piling hours limits
23. Use of site radios
24. NWR risk assessment
25. NWR security fence
26. NWR scaffolding
27. NWR vibration risk assessment
28. NWR ground levels, earthworks and excavations
29. NWR vehicle safety protection measures
30. The scale of development shall be limited to a maximum of 65 dwellings in order to accord with the supporting Transport Assessment.
31. Design details for pedestrian/cycle link onto Birchside Avenue including vehicle access control measures
32. Temporary access during construction – not to be taken from Birchside Avenue
33. Space for storing plant and materials, parking and loading during construction
34. Vehicle wheel cleaning facilities during construction
35. Construction management plan or construction method statement for construction period
36. Reserved matters to include design of internal layout
37. Approval of construction details of residential estate roads and footways
38. Carriageways of estate roads to be constructed in accordance with condition 31, prior to commencement of any dwelling intended to take access from that road.
39. New estate street junction to be formed to Dinting Road before any other operations
40. Parking/loading/manoeuvring space to be approved and implemented prior to occupation
41. Approval of secure cycle parking facilities prior to commencement
42. No gates or barriers within 6m of the nearside highway boundary, and any other gates shall open inwards
43. Driveways to be no steeper than 1 in 14 / 1 in 10
44. Approval of means of preventing discharge of water from private accesses onto adoptable estate streets
45. Approval and implementation of surface water drainage works prior to occupation

46. Approval of arrangements for bin storage and waste collection prior to occupation
47. Approval of details of arrangements for future management and maintenance of streets within the development, including S38 Highways Act 1980 agreement or establishment of management company, prior to commencement  
Removal of permitted development rights to control future householder development and to remain as affordable dwellings.
48. Removal of permitted development rights – Classes A, B, C, D and E of Part 1.
49. Reserved matters details to comply with housing mix
50. Notwithstanding the approved plans all houses to conform to Nationally Described Spaces Standards.

**RECOMMENDATION NO.2:** in the event that the legal agreement under S106 of the Town and Country Planning Act 1990 is not completed by 23rd January 2023 or any subsequent date to be agreed with the Chair and Vice Chair of Planning Committee, planning permission be refused for the following reason:

1. There is no mechanism in place to secure the required affordable housing, education and off-site play space and outdoor sport provision contributions which are necessary to support the proposed development. The proposal is thus contrary to Policies H3 and H4 of the adopted High Peak Local Plan 2016, Planning Obligations SPD 2005 and advice contained within the National Planning Policy Framework.

The recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 38 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Regulatory Services has delegated authority to do so in consultation with the Chairman of the Development Control Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

### **Site Plan (indicative)**



