

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

6th March 2023

Application No:	HPK/2021/0651	
Location	The Wrens Nest Wren Nest Retail Glossop Brook Road Glossop	
Proposal	Freestanding McDonald's restaurant with drive thru, car parking, landscaping and associated works, including customer order displays (COD) and associated works	
Applicant	McDonald's Restaurants Ltd	
Agent	Mr Matthew Carpenter, Planware Ltd, St Andrews Castle, Bury St Edmonds, IP33 3PH	
Parish/ward	Howard Town	Date registered 10 th January 2022
If you have a question about this report please contact: Simon Lawson, Tel. 01298 28400, simon.lawson@highpeak.gov.uk		

1. SUMMARY OF RECOMMENDATION

Approve subject to conditions.

2. REASON FOR COMMITTEE DETERMINATION

2.1. This application has been brought before the Development Control Committee due to a high level of public interest.

3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

3.1. The application site is located to the West of Glossop centre behind the Wrens Nest shopping centre, and to the northeast of Tesco. Site access is off the eastern spur of Glossop Brook Road. The site comprises a vacant public house and its associated car parking area. Until recently the site was bounded by trees on the southern and eastern boundary, separated from the site levels by a timber retaining wall; however, the trees along the eastern boundary have been removed. The site slopes down from East to West, and from North to South. Stepped pedestrian access is provided on the Western boundary to road level.

3.2. The surrounding area is commercial in nature comprising a mix of predominantly retail units. The retail park to the south provides a Next, Iceland, Costa, Carpetright and a number of other units. Tesco and a Tesco Petrol Filling Station is located to the southwest, with access from Glossop Brook Road, similar to the retail park. North of the site is a single storey

Burger King restaurant premises (formerly a KFC restaurant). On the opposite side of the road is a two-storey office block. Wickes Trade and DIY are located to the east.

3.3. The application site is approximately 0.39ha comprises primarily of a combination of hard standing, grassland, amenity tree and shrubs, a two-storey building, a parcel of broadleaved woodland, and a steep bank of neutral grassland with ruderal and emerging scrub growth following recent clearance. A water course (Glossop Brook) lies immediately to the south.

3.4. The site lies outside of the Wrens Nest Conservation Area (located to the south) and away from any listed buildings. The application site is just under 500m from the edge of the town centre along High Street West.

3.5. The site is within the built-up area boundary for Glossop and the Glossopdale sub-area within the Local Plan (Policy S 5 - Glossopdale Sub-area Strategy). The land to the immediate south of the site lies within Flood Risk Zones 2/3, associated with the Glossop Brook. The river is designated as a Wildlife Site (Policy EQ5 - Biodiversity) The site is within the Settled Valley Pastures and Urban landscape character areas. The site is to the north of the boundary of the Wrens Nest Conservation Area. Wren Nest Mill is a grade II listed building located further to the south of the site. An intermedia pressure pipeline runs under the site.

3.6. There are live applications for advertisement consent for various signs associated with the intended development.

3.7. An application for determination of the demolition of the pub building was received after submission of the application, and subsequently withdrawn. (DET/2022/0004 refers).

4. DESCRIPTION OF THE PROPOSAL

4.1. The application proposes the redevelopment of the site with a freestanding drive-through McDonalds restaurant. The development would comprise a single-storey building together with drive-through lanes, customer parking areas and associated works, including customer order displays (COD). Provision is made for takeaway customers, both from the counter and from the drive-thru lane.

4.2. The building would be in Use Class E / Sui Generis.

4.3. The new building would have gross internal area of 372 square metres with a dining area of 81 square metres. The site incorporates associated car parking (32no. spaces including 2no. accessible bays and 1no. grill bay) and a drive-thru lane that would be entered along the northern boundary and then run along the eastern boundary adjacent to the Wickes store and extending around the rear of the building. The restaurant will provide approximately 97 seats for customers, with take-away available from both the counter and the

drive-thru lane. A patio area with external seating is shown to the side of the building.

4.4. The existing vehicle access arrangements would be slightly modified: with the access which is currently taken from Glossop Brook Road on the northern edge of the site moving slightly to the west. The existing pedestrian access, currently taken from Glossop Brook Road on the western edge of the site, is to remain.

4.5. Amendments to the scheme were submitted during determination: with alterations to the access arrangements following feedback from the DCC Highways officer and amendments to the building design in response to design feedback. Repeat neighbour notification was undertaken for these revised plans from 13th September 2022.

4.6. The following plans have been submitted with the application:

- Location Plan
- Existing and proposed block plans
- Existing and proposed floor plans and elevations
- Proposed Landscape Plan

4.7. The application is supported by:

- Planning Statement
- Flood Risk Assessment
- Drainage Maintenance Plan
- Construction Environmental Management Plan
- Interim Travel Plan and Transport Assessment
- Bat Survey Report
- Ground Contamination Desk Study Report
- Preliminary Ecological Assessment

4.8. An amended version of the Access Technical Note was received in March 2021 and reviewed by DCC Highways.

4.9. The application, the details attached to it including the plans, comments made by residents and the responses of the consultees can be found on the Council's website at:

<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=240530>

5. RELEVANT PLANNING HISTORY

5.1 The subject site has a complex planning history, appearing to be linked with the Tesco development from the Wrens Nest Mill in 1985 and again in 2001.

6. PLANNING POLICIES RELEVANT TO THE DECISION

High Peak Local Plan 2016

S1 – Sustainable development principles
S1a – Presumption in favour of sustainable development
S2 – Settlement hierarchy
S3 – Strategic housing development
S5 – Glossopdale sub-area strategy
EQ1 – Climate change
EQ2 – Landscape character
EQ5 – Biodiversity
EQ6 – Design and place making
EQ7 – Built and Historic Environment
EQ9 – Trees, woodland and hedgerows
EQ 10 – Pollution Control and Unstable Land
EQ11 – Flood risk management
H1 – Location of housing development
H3 – New housing development
H4 – Affordable Housing
CF3 – Local Infrastructure Provision
CF6 – Accessibility and Transport

Supplementary Planning Guidance

SPD - Residential Design Guide
SPD – Planning Obligations
High Peak Design Guide 2018

National Planning Policy Framework

Paragraph 11 The Presumption in Favour of Sustainable Development
Section 6 Building a strong, competitive economy
Section 7 Ensuring the vitality of town centres
Section 8 Promoting healthy and safe communities
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

Site notice	Expiry date for comments: 8 th April 2022
Neighbour letters	Expiry date for comments: 8 th August 2022
Press advert date	24 th June 2020

Neighbours

7.1. Neighbours were contacted by way of written letters and a site notice was placed near to the front boundary of the application site.

Objections

7.2. 123 objections received.

7.3. Principle

- This is a American multinational company, with brash branding, coming to an old market town in the Peak District. It is not in keeping.
 - The planning application for a McDonalds at the site is at odds with aspects of the High Peak local plan. In the Final Transport assessment Nov 2021, the High Peak Local Plan 2016 sets out the goals and strategies for improving the wider social, economic, and environmental wellness of the area. Protecting and Enhancing the Character and Distinctiveness of the Towns and Villages.
 - The council should be safeguarding the current infrastructure and any potential tourism.
 - It will change the character of the area.
 - The site is not 'derelict'; it is relatively recently vacated. It can and should be brought back to use. Opportunities should be explored.
- Highways matters
- Should the application be approved, I would expect at minimum a S106 contribution from the Applicant or an agreement via S278 to improve the junction at High Street West / Glossop Brook Road to reduce queuing and traffic.
 - An assumption is made that Glossop North End can be accessed from the North via Surrey Street. There are bollards between the industrial section and the residential section of Surry Street so no vehicular access is possible to Glossop North End from the East end of Surrey Street.
 - The drive-thru unit previously occupied by KFC to the north has been vacant for several years, and I am concerned that the introduction of a new A5 use in this location will lead to an unacceptable impact on highways. Whilst the site is in a sustainable location, it is unlikely that trips will be made by foot or by bus.
 - Additional traffic and tailbacks on Glossop Brook Road / A57
 - The traffic lights at the junction with High Street West are almost always queued and this development would exacerbate this.
 - Will add to congestion.
 - Particularly at rush hour.
 - Existing traffic makes the area unpleasant to walk through.
 - There is no current study taking place on traffic congestion to inform any proposed measures around managing traffic leading to the proposed site. It cannot be assumed that all customers will be from Glossop. It is highly likely that people will travel to Glossop McDonalds from Buxton.

- Traffic volume will increase due to delivery drivers such as Deliveroo collecting and delivering food.
 - Existing McDonalds cause tailbacks.
 - There are already above normal emissions past several schools.
 - New vehicle trips will be generated as a result of the proposal, hundreds of extra vehicles per hour, according to the submitted transport assessment.
 - There is still only one minor road in and out of Glossop and Glossop Brook Rd which is shared with other retail units including a large Tesco's.
 - Traffic congestion already deters people from visiting Glossop and from moving to Glossop. Building a drive through restaurant would only increase the traffic problems and deter more people from visiting or moving into the area.
 - Glossop has significant, serious issues with traffic - these are well reported, including in Parliament. Standing traffic is a feature of the town - increasing fumes, noise and travel times and resulting in challenges for emergency services etc.
 - Too much traffic already clogs the one through way to and from Sheffield.
 - One only has to look at the nearest branch at Hattersley, which is less than 4 miles away. Incessant double parking on pavements and footpaths by visitors and food delivery drivers.
- Amenity issues
- Will locate a partly night-time operation in a quiet area with residents nearby.
 - There is a new housing estate close by and people have moved there for the location. Additional noise, traffic and rubbish around these houses would be problematic.
 - These restaurants operate a near or 24 hour opening policy so local residents will have noise and car pollution on a near 24 or actual 24 hour a day period.
 - This area of Glossop is still very much predominantly a residential area. The late hours of a drive-through McDonald's would increase the traffic and noise in the evening, as well as during the day. On a personal note, I would be able to see, smell and hear the drive-through restaurant from my house, and doubtless will get McDonald's branded litter being dropped in my street and blowing into my garden.
 - No disability access provided to the site from Glossop Brook Rd/ the proposed plan is one of using the steep existing stone steps to access the restaurant and drive thru with no disabled slope or alternative access provided.
- Economic issues
- Will impact local businesses, including independent shops, cafes and restaurants.
 - 'I have a small family run play Centre that completely relies on selling meals to stay open. Our cafe serves a variety of foods ,

exercise and socialising for not only children but also for adults. We run classes for local schools and the National child trust. If McDonald's was to open in Glossop we would lose a lot of our customers to their fast food that could end in us closing our doors forever. We have only just stayed open during covid 19 and if this was to go ahead it would completely destroy our family business and most likely other family run food establishments in Glossop.'

- Additional congestions would deter people from shopping at Tesco and the retail outlets at Wren Nest Mill, already suffering due to a number of retailers closing and the premises remaining empty. Having a drive through restaurant would deter would-be retailers from opening due to the traffic problems.
- McDonalds may create around 65 jobs, but these will be at the expense of smaller businesses in the food and hospitality sector who will face redundancies.
- The majority will be part time, low or minimum wage, the majority going to young people, these jobs will not sustain getting properties or supporting families for these employees.
- We have several burger companies already. Will effect the trade of existing fast food businesses. High street is already in a poor condition.
- Will contribute to clone-town feel of Glossop. Existing chains have already caused damage to local businesses.
- If footfall were to reduce, these premises would close and the High Street would look desolate.
- If independent businesses are lost there will be no choice open to residents other than a McDonalds in the long term.
- All of these issues are highly likely to impact on tourism, investment and the local economy both in the short and long term.
- Glossop is a small town on the edge of the beautiful Peak District, as such it should encourage tourism to bring income into the town, there are many small towns who surrounded by beautiful surroundings have turned themselves into very successful tourist destinations using a mixture of local shops and businesses. I cite Hebden Bridge, Holmfirth and Ramsbottom as examples who have not taken MacDonaldis money and kept them out.
- Town centre uses such as fast-food restaurants should not be encouraged out of town centres; the site is some 200m outside of the Glossop town centre boundary defined in the Local Plan.
- McDonalds are a low wage poor employer.
- There will be a large impact on the High Street not only in terms of trade being diverted to the new outlet but also in terms of rubbish. The High Street has several small independent retailers some of which are new and are trying to make a living.
- It will interfere with delivery and staff access to the Kingspan factory.

- Social issues and crime
 - Anti-social behaviour from gangs of youths. Will become a hangout for kids.
 - 60 percent of the population in Glossop are over 65 yrs and many are vulnerable and/or living alone. They will be exposed to anti-social behaviour and crime living in the vicinity of the site and will no longer feel safe.
 - Evidence of drug use can often be found on these outlets car parks, gas bottles and balloons associated with the ingestion of nitrous oxide gas, cannabis use, also unfortunately both of these create the phenomenon of the 'munchies' a need for food.
 - Will influence low level crime

- Health
 - The proposed site will be only 500metres from Phillip Howard school or 225 metres as the crow flies. McDonalds target children in their advertising in order to increase customer turnover including pupils near to sites. This is clearly at odds with the High Peak local plan and National plan around promoting health and tacking obesity.
 - Noise pollution.
 - Public health – obesity – due to fast food. Obesity is a major public health concern. Doesn't promote healthy and active lifestyles.
 - McDonald's food is associated with a vast range of health issues including obesity, diabetes, heart disease, cancer, auto immune disease, and food addiction due to the fat, sugar, and salt content of their food. There is no doubt that a presence of a McDonalds in Glossop will contribute to health problems, place pressure on health services and reduce life expectancy.
 - It will contribute to existing health issues in the area. the last available data 2019/20 67% of Derbyshire residents were overweight or obese compared to a national average of 61%.
 - More standing traffic would contribute to respiratory disorders in the local population.

- Drainage
 - The layout of the site as proposed contains a majority of impermeable tarmac surfacing, removing natural drainage of rainwater and contributing to the already hard appearance of this and surrounding sites. If redeveloped, the site should contain a larger proportion of soft landscaping, including grass and shrubbery.

- Environmental
 - Litter. McDonalds litter makes up the highest proportion of discarded branded litter across the UK. Brightly coloured larger items like McDonalds create a beacon effect which attracts more littering. McDonalds pledge to be 'considerate neighbours' and state that they litter pick within 100 metres of their sites. It is very

clear that this is not taking place at the Hattersley site, and it is the same story across the UK from all volunteer litter picking groups.

- The plans put forward to prevent litter sound massively inadequate as it doesn't take into account either the Mill Pond behind the site, the Brook itself or the surrounding areas as people are prone to throwing litter further than the 100m area the proposed litter pickers will cover.
 - Staff would not be able to stay on top of littering.
 - What will be done to protect the wildlife in the mill pond next to the site? It is home to ducks, moor hens, and other birds.
 - McDonalds is a multinational enterprise that contributes hugely to climate change. A McDonalds franchise is not green in any way.
 - Non-sustainable food products. Packaging is not recyclable.
 - Demolishing the existing building would be an unsustainable practice.
 - A drive-thru is an inherently unsustainable practice, which perpetuates the car culture that needs to be moved away from in order to meet national and global decarbonisation objectives.
 - Extra road traffic will produce higher emissions.
 - I am concerned that delivery drivers will park up towards my home whilst awaiting orders.
 - The increased volume of litter also will cause a hazard to the wildlife in the millpond at the rear of the proposed site which is home to ducks, moor hens and other species of birds.
 - A Keep Britain Tidy report published in 2021 found that McDonalds packaging accounted for half of the fast-food litter in England.
 - No consideration of biodiversity or littering in respect of the Mill Pond overlooked by the site.
- Ecology
- No consideration has been given to the impact building work will have on the ducks, birds, and wildlife on the Mill Pond during construction of the site other than measures to be taken during the nesting season at the site itself.
 - Light pollution and disturbance to the pond
- Design
- Architecturally the proposal adds nothing to the historic and interesting mix of buildings in the town, as it is a standardised multinational format.
 - The introduction of a faceless, brightly coloured McDonald's building in Glossop will be completely at odds with the history of the town. It will degrade it and will not be in keeping with the surroundings buildings and heritage of the area.
 - Building would be an eyesore. Signage would be visible from miles away on hills around Glossop.
 - Glossop is an historic old town with many lovely buildings.

- This proposal requires demolition of the existing building, which is relatively in keeping with its surroundings.
 - The proposed design is bland with overlarge signage.
 - Glossop is a Victorian market town. Plans for Glossop should reflect that and the town's potential. This is not enhanced by a 24hr drive thru take-away.
 - Approving a faceless McDonalds with brightly coloured signage using materials that are not sustainable with no evidence of soft landscaping on the plan will not enhance or fit in with Victorian, stone mills nearby. The site directly overlooks Wrens Nest Mill which is part of the conservation area and the relevance of this has been ignored in the building plans.
 - The whole character of the town would be destroyed forever.
 - This proposal requires demolition of the existing building, which is relatively in keeping with its surroundings. High Peak should be taking a lead in not condoning this unsustainable practice. The disused public house is not unsafe, and should be prioritised for conversion as it is suitable for restaurant use, and was also only built reasonably recently. The proposed design is bland with overlarge signage.
- Other matters
- Glossop does not need a McDonalds - there is one around 4.7miles away.
 - There is an existing McDonalds nearby.
 - There is already a failed national chain fast food restaurant next to this site.
 - Site should be used to build affordable houses.
 - I would support an application for a restaurant with takeaway service. It is the inclusion of a drive through facility that I object to.
 - The site is not 'derelict'; it is relatively recently vacated. It can and should be brought back to use.
 - Glossop has every opportunity to be a vibrant, independent-business-led market town like a Hebden Bridge or Ilkley, with high quality of life outcomes for its residents.
 - There are approximately 1300 McDonalds in the U.K.; do we really need one more, do we need in in Glossop? No.
 - Concerns raised about origin/relevance of supporting comments.
 - Delay in publishing objecting comments results in bias.
 - Have any other viable or creative options been considered by High Peak in response to sustainability and use of the Wrens Nest building other than demolishing it and building a McDonalds restaurant and drive through?
 - There is no disabled access for wheelchair users or people with mobility problems from Glossop Brook Rd to the McDonalds restaurant which is sited on a steep hill. The proposed plan is one of using the steep existing stone steps to access the restaurant and drive through with no disabled slope or

alternative access provided. There are 2 token parking bays for disabled people and that assumes all disabled customers have access to a vehicle. The current plans are therefore not fit for purpose in terms of allowing full disability access.

- Inadequate elevation plans showing only building not whole site.
 - Inadequate consultation of those likely to be most impacted by the development.
 - There is a shortage of basic services such as dentists, doctors, and pre-school provision in the area which should be a priority instead of another McDonalds so close to the one in Mottram (4 miles away).
 - Uber delivery drivers will cause more problems.
 - The site is large enough that the building could be repurposed into a family/ youth oriented enterprise, which could include elements such as a cinema or bowling.
 - Concerns are being raised about the proposal of McDonalds to erect ERDDS banners leading to Wickes and one on Glossop brook Rd facing Tesco each being 4.8 metres high and 2.06 metres wide. The dimensions suggest these may also be illuminated. They also propose a 4.5 by 10-metre-high totem on the Northwest corner of the plot. The scale of the signage and banners will tarnish the appearance of Glossop and yet the public have not had sight of visual amenity drawings.
 - Increase, traffic, pollution, litter and potentially take business away from existing small food businesses.
 - Inadequate provision for managing anti-social behaviour.
 - No apparent application for external signage.
 - Inadequate visual impact assessment.
 - Inadequate consultation of those likely to be impacted.
 - Proximity to local schools. There is much evidence to show that fast food companies market themselves to younger people and children. There is also significant evidence that fast food contributes to obesity and poor nutrition.
 - 'Having lived next to a McDonald's before it was never a pleasant experience due to the litter and unwanted attention from boy racers and the young kids hanging around with loud music. There is a lot of beautiful wildlife in and around this location, do you really want this to be destroyed?'
 - On 15 October 2021, High Peak Borough Council (HPBC) approved the Corporate Plan and pledged to work towards a carbon neutral High Peak by 2030 as they declared a climate emergency. The Corporate Plan sets out how the Council will deliver its vision - 'Working together to protect and invest in the High Peak with the Council on your side.' Two of the key themes are: Supporting our communities to create a healthier, safer, cleaner High Peak and Protecting and improving the environment including responding to the climate emergency.
- Support
- 998 Supporting comments received

- 766x identical comments:
 - Bring Derelict Site Back in to use
 - Create local jobs
 - Represent a significant investment in the local area
- 232x Comments which elaborated on support due to the following reasons:
 - Love of McDonalds food expressed by many.
 - General support expressed for the presence of a McDonalds in Glossop.
 - Dislike of the travel required to access other local branches of McDonalds such as Hattersley.
 - The alteration would bring more retail traffic to Glossop.
 - Hope expressed that it may act as a catalyst for regeneration in Glossop.
 - It would be convenient for shift workers and for the lunch breaks of nearby employees.
 - It would create much needed jobs, in particular it would provide more part-time jobs for younger people.
 - It would reduce traffic to Hattersley/Hyde, particularly on Mottram Moor.
 - The presence of a McDonalds would aid growth of the retail site going forward, it would act as a pull factor for Glossop. It would also potentially attract other large brands to the area. This would attract more people to the area.
 - Many expressed their support due to the supply of hangover food it would provide.
 - Glossop doesn't have anything similar, and it would supply fast food for those who consume it. It would also provide more eating choices for Glossop.
 - It would create food and beverage opportunities whilst shopping on Wrens retail park.
 - It would make the site less unsightly and less of an eyesore in the area.
 - There are currently not many things which younger generation can do or go.
 - It will reduce emissions and the carbon footprint of locals who would normally travel for McDonalds.
 - It would bring Glossop in to the times.
 - It will allow those who can't drive to have a cheaper fast food option within walking distance, as there is nothing similar within walking distance. It is currently a bus trip, followed by a 40 minute walk to the nearest McDonald's.
 - It would also provide mor work via Uber Eats, as well providing more delivery options.
 - There are currently no McDonald's in the High Peak, this would provide easy access to a local branch.
 - It would provide a cheaper food option, particularly for families with younger children.
 - McDonald's sites now much more environmentally friendly. McDonalds has a great reputation for food hygiene, staff

employment and management training. They give employees a strong work ethic while paying a living wage for low skilled work.

- There have been many vacant sites in Glossop for several years. Little effort has been seen from local council of government to make use of these sites, so this would be a step in the right direction.
 - Complaints that the site adjacent to this one has been occupied by travellers in the recent past, utilising this site would discourage this happening in future.
 - It is unlikely to damage local businesses as it is a different clientele.
 - Any increase in litter created should be dealt with by the council, through fines, as you cannot blame the company for the customers actions.
 - There used to be a KFC near the site, so there is precedent to permit the application.
 - It would attract passing traffic to stop and use other amenities in the town. Other local businesses would benefit from the increased footfall.
 - It would be beneficial for children and teens who don't have time to get meals before or after school, it would also be cheap for them. It would also be somewhere to take children for treats following hobbies and school clubs.
 - It would help reduce traffic around the Tesco area.
 - It would offer reliable late night eating which Glossop currently doesn't offer.
 - It would provide another location for people to socialise, particularly young people and teens.
 - Thoughts expressed that the site may be better located on the derelict KFC site instead of the proposed location. The KFC site would be better located for HGV deliveries.
 - The Wrens Retail Park currently has units empty. The retail park generally needs the investment.
 - McDonalds has an ethos of being a good neighbour based on its founder Ray Kroc's principles.
 - It is a good alternative to building on green land but currently the traffic lights at Brook Road (Tesco lights) cause havoc for getting into and out of Glossop. Thought into opening up an additional road the top or side of the industrial area might be considered.
 - It would stop the number of houses being built.
 - It would raise house value having a local McDonalds.
 - Thoughts that Glossop already has a lot of litter, therefore McDonalds would provide incentive to install more bins.
- Neither
7 comments received.
- Traffic is already awful in Glossop and KFC didn't work in that area and closed down where the new McDonald's wants to be

will be lit up all day and night the local mill pond with wildlife will suffer with constant litter and light pollution.

- Traffic will be worse in an already congested area with factory's and Tesco traffic a drive thru will not work and will ruin Glossop as gateway to a peak district and it's not needed with a Hattersley McDonald's only 2 miles away.
- Whilst the application on one hand is good as it creates employment and makes good use of an empty building, the proposal does have a down side which I do feel needs addressing prior to approval. The 'MacDonald's branded litter which is deposited around the bench on Derbyshire Level on what feels like a daily basis, will only get worse. HPBC placed a litter bin in an attempt to address the problem, however there is still litter around the area including in the field which used for newly born lambs.
- How on earth can you be even considering this all the traffic coming from Sheffield into Manchester. At this McDonalds turning right will be an absolute nightmare on the left side of the road there is parked cars so the traffic trying to pass on there will not get past because of the queue turning right please think on about how bad the traffic is already in Glossop never mind the amount of rubbish you're going to get.
- I have no objection to the proposal for the new McDonalds on the site of the old Wrens Nest pub, but as a resident who is likely to be directly affected by the development I would like to raise a concern. Having seen the queues for the drive through facilities at other McDonalds sites I am concerned that the queue at the Wrens Nest site will overflow onto Glossop Brook Road, and will therefore block access for the residents and businesses located on Surrey Street and Foundry Close. I think the plan has to take this into account and look at what measures can be taken to prevent this from happening.
- When reviewing this planning application. I noticed a significant discrepancy in the information being published against the comments. The full details of those who have submitted comments (mainly objections) are published and available for public view. However, the full details of those who have supported the application through the website created by MacDonalDs are not displayed. Please tell me if it is a legal requirement to publish the full name and postal address of those commenting on applications? This is PII and you are breaking the law by making this information public if there is no legal requirement to do so. If there is a legal requirement then all those comments supporting the application are not valid and should be removed and not considered in this case.
- The access and land cannot support the amount of Deliveroo/Uber drivers that will be congregating there. Much like the issues that are happening at Hattersley. There is also the issue of litter that would be terrible for the local wildlife in the brook.

Ward Members

No comments received.

Statutory Consultees

HPBC Planning Policy Officer

11.02.2022

- The proposed site is within the Glossop built up area boundary but outside the defined Town Centre boundary in the High Peak Local Plan.
- It is a brown field site, last used as a pub in a commercial area. The site is not allocated for a particular use in the HPLP.
- According to the applicant, the floorspace of the proposed McDonalds restaurant appears to be over the Local Plan threshold (of 200m² +) in Policy CF1, for provision of a sequential test and impact assessment.
- The applicant indicates that a sequential test has been undertaken. They state that “We have undertaken site investigations for a freestanding restaurant site within the town centre and within the edge of centre zone (300m from centre boundary). We have been unable to find sites in closer proximity to the town centre, that are suitable for a drive thru restaurant. Should the council be aware of any sites they would like us to assess, we would be more than happy to do so”. We would like them to look at vacant units in and around the Howard Town Shopping Park as this is a more sequentially preferable location.
- The applicant appears to have not undertaken an impact assessment. This is required for TC uses over 200m² (LP Policy CF1). Guidance states that the test needs to be undertaken in a proportionate way, so a full quantitative impact test is not necessary for this relatively small scheme. The guidance does, however, recommend that a judgement is reached as to whether any likely adverse impacts are significant by consideration of local circumstances.
- The proposal should comply with Policy S5 – Glossopdale Sub-Area Strategy.

11.03.2022 (in response to an updated planning statement and sequential test report)

- Regarding the sequential test report it is noted that there is a specific size requirement for a drive through restaurant as well as a need for a site with passing traffic / visibility from a main road. It is accepted that for these reasons the Howard Town Shopping Centre is not suitable for this facility. The document also indicates that all potential sites within and on the edge of the town centre have been assessed and no alternative site is available. On this basis, the sequential test is passed.

- Regarding the impact assessment within the report, the generalised observations made in relation to potential impact of a McDonalds drive-through on the town centre and the conclusion that the applicant does not consider that the proposed store will have any material impact on the centre or indeed, the wider surrounding area - vitality and viability of the existing centre will not be materially affected - are noted. The Council is aware that Glossop has a below national average vacancy rate and is vital and viable. The NPPF policy test in paragraph 91 requires that where permissions are to be refused on impact grounds it should be demonstrated that 'significant adverse impact' will occur. It is agreed that this would not be the case for the proposed development so the impact test is passed.

DCC Highways Authority

02.02.22:

Looking at the submitted information for the latest application (HPK/2021/0651), I note the proposed access has remained too close to the junction (see extract of submitted drawing). The existing access is 20m from mainstream section of Glossop Brook Road and the proposal is to reduce this to 10m. There is also an issue over the application form as this indicates that they do not intend to alter the access onto the public highway (section 08), but it is clear to see that this is not the case. I also note that the new access does not cater for pedestrians to enter the site no mention of the Glossop North End AFC pitch which is also accessed off Glossop Brook Road as this will also be affected as the match days may clash with the busy day expected busiest day for McD's.

On another note, the submitted information regarding service vehicles entering and exiting the site is also a concern as it shows the service vehicles (see extract from the Transport Assessment below) driving through the car parking/pedestrian marked areas and using up the whole of the proposed access as well as both lanes of Glossop Brook Road, so if these junctions are being used and on-site car parking spaces are taken up, how would this work?

The County Council will continue to assess the submitted Transport Assessment and would wish to see all the highway issues addressed prior to determination, however, should the LPA be minded to approve the application in its current form we would be grateful if the LPA would reconsult the Highway Authority so that consideration can be given to formulating appropriate conditions to be appended to any consent issued.

15.03.2022 (in response to Highway Technical Note received 04.03.22)

In reply to the attached Technical Note, the County Council response is as follows:

Existing access to former Wrens Nest Pub off Glossop Brook Road.

My major concern is the proposed changes to access to the former Wrens Nest Pub because it has also been noted that the site opposite contained a

KFC which is no longer in use, but will still have planning consent to reopen as a fast food outlet or similar operation and although the following extract from the attached Technical Note states...‘Access Arrangements The submitted TA has clearly demonstrated that that the proposed access arrangements are appropriate. The TA sets out that there is space for two vehicles to wait at the give-way line before the proposed McDonald’s access is blocked. The modelling of the main Glossop Brook Road priority junction shows that there isn’t anticipated to be a queue on the minor arm given that the flows on the from the Wickes are so light. On this basis, it is not considered that the situation would ever occur where the drivers turning right in the McDonald’s access are blocked’, the County Council does not agree with this statement. Traffic generated by the Wickes site, the proposed McDonalds as well as the possibility of additional traffic generated by the reopening of the site opposite will increase the use of this T Junction, so to allow only two vehicles to wait at the Give Way is an obvious highway safety issue as the location of the proposed improved access will block traffic entering/exiting McDonalds (if approved) and impede traffic entering the approach road to Wickes/McDonalds and fast food outlet on the opposite side.

This T Junction has been working safely for many years and was designed as such, so why would you wish to alter what has been proven to be a safe and effective T Junction?

Service Vehicles:

The County Council asked...‘the submitted information regarding service vehicles entering and exiting the site is also a concern as it shows the service vehicles driving through the car parking/pedestrian marked areas and using up the whole of the proposed access as well as both lanes of Glossop Brook Road, so if these junctions are being used and on-site car parking spaces are taken up, how would this work?’

The response in the attached Technical Note is as follows...‘Servicing The servicing arrangements for the site is not unusual for a McDonald’s site and occurs at specific time when spaces can be coned off. Clearly McDonald’s need a site that they can service and a servicing management plan would be submitted under planning condition.’

However, I have never seen a proposal to cone off parking areas to allow service vehicles to enter, deliver and exit a site, so what happens if the parking areas are being used at the time of delivery and what happens if vehicles arrive while a delivery is in progress as the disabled bays are out of use during this time. Plus as stated above, if this is not unusual for McDonald’s to arrange deliveries in this way, I have not seen or been affected by any cones while visiting a McDonalds, so can you provide the County Council and LPA with examples of previously approved applications similar in nature (for example, close proximity to the public highway) within the 6C’s area where this was taken into consideration and agreed by the Local Highway Authority as well as the LPA.

Therefore, as the site was originally designed and built with the access to Wrens Next Pub being at least 20 metres from the T Junction, can you explain to the County Council why the access cannot be widened to the east and not to the west as shown and provide a response to the service vehicle questions above.

The County Council would wish to see the highway issues addressed prior to determination, however, should the LPA be minded to approve the application in its current form we would be grateful if the LPA could reconsult the Highway Authority so that consideration can be given to formulating appropriate conditions which can be recommended to be appended to any consent issued.

16.08.2022 (following submission of revised site plan)

The attached drawing is acceptable and it is recommended that the following conditions / Informatives are included in any consent granted.

1. Before any other operations are commenced an extended vehicular access shall be created onto Glossop Brook Road in accordance with the application drawings, laid out, constructed and provided with visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centre line of the access, to the extremities of the site frontage abutting the highway in both directions. The land in advance of the sightlines shall be maintained for the life of the development clear of any object greater than 1 m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.
2. The proposed parking shall be provided in accordance with the application drawing for a vehicle to be parked. Once provided, the space shall be retained free from any impediment to its designated use for the life of the development.
3. There shall be no gates or other barriers on the access/driveway.
4. The proposed access/driveway shall be no steeper than 1:12.
5. No development shall start until a Highway Construction Management Statement / Plan has been submitted to and approved in writing by the Local Planning Authority. The statement / plan shall include details specifically relating to:
 - a) parking for vehicles of site personnel, operatives and visitors
 - b) site accommodation
 - c) storage of plant and materials
 - d) any proposed temporary traffic management.
 - e) Only the approved details shall be implemented, which shall be maintained throughout the construction period.

Reasons: To ensure safe and suitable access for all users, in the interests of highway safety, recognising that initial preparatory works could bring about

unacceptable impacts / inconvenience for existing highway users / nearby residents.

Highways-related advisory notes also provided.

DCC Flood Risk Officer:

01.02.2022

The LLFA are unable to provide an informed comment until the applicant/ LPA has provided further information:

1. We are missing the greenfield run off calculation for the site, I appreciate that brownfield calcs have been provided but we still need to see the greenfield calcs for comparison. (Please refer to the below). Additionally could the LPA provide us with any specific flood related concerns that local residents may have as I can see that there over 900 public comments.
2. How will the overland flow route be redirected when the land levels are being altered? Will this action increase the flood risk to existing residents.

As a statutory consultee for surface water the minimum details required on planning applications are as follows:

- Site plan and impermeable area
- Topographic survey of the site
- Appropriate evidence to support how the site will drain, including confirmation of where the surface water will outfall to (photographs / maps / a confirmation letter from a water company)
- Basic calculations of the greenfield/brownfield runoff and discharge rates
- A quick storage estimate to show the required storage volume of surface water on site and an indication of the likely location
- Calculations should include allowances for the current Environment Agency guidance for climate change and urban creep (Refer to Point J in the Advisory Notes)
- Basic ground investigation (desktop survey as a minimum)

Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (as per National Planning Policy Framework 165). A range of sustainable drainage techniques must be considered prior to or in conjunction with the planning layout

19.05.22 (in response to updated Flood Risk Assessment and updated drainage management plan)

The proposed discharge rate is acceptable to us.

HPBC Conservation Officer

Though the scheme is not situated within a Conservation Area, it is in close proximity to the Wren Nest Conservation Area, and the Grade II listed 18th

century Wren Nest Mill that exhibits archetypal industrial details representative of its time.

The name 'Wren Nest' reflects the historic rural character of the town, with the well survived 18th century former mill (and integral engine house in situ) now mixed use, of a traditional and fairly 'polite' design. The Grade II mill is made up of the vernacular material of coursed gritstone with irregular fenestration, and is a fairly dominating building still part of the integrity of the area. A key feature illustrative of Glossop's industrial heritage in Cotton and spinning, it sits adjacent to Glossop Brook on one of the main approaches on the High Street into Glossop from the west. There were around 50 mills in and around Glossop and many did not survive, however the remaining Wren Nest Mill is a good example of this era. The remainder of Wren Nest Conservation Area sees polite architecture in the form of traditional vernacular workers dwellings, and terraces closely knitted together in the small network of streets and roads.

Conservation Areas are Designated Heritage Assets, though many of their 'contents' vary based on elements such as building survival, quality, characteristics of road layouts and relationships with green spaces. All of these varying features contribute to the familiar, tangible and intangible importance that surrounds its heritage values, and reflect the story of their community. The Wren Nest Conservation area abuts both Norfolk Square and St James Conservation Areas further to the east, exhibiting Glossop's well survived historic core and its legible historic context further afield.

The scheme shows a contemporary structure situated on the corner of Glossop Brook Road in among further modern structures and their respective vendors. I note the material palette seems to take into account the local vernacular in terms of colour and texture, despite the overall design being quite unimaginative as a series of sharp angled boxes.

I am concerned this 'backdrop', or setting, to the Grade II Wren Nest Mill and context of Wren Nest Conservation Area is vulnerable to visual imbalance, as the plethora of contemporary juxtaposed structures envelopes this portion of a primary approach or 'welcome scene' into Glossop, and its traditional architecture.

To conclude, the scheme sees less than substantial harm imposed on both the Wren Nest Conservation Area and listed building of Grade II Wren Nest Mill. This degree of harm is at the low end of the scale for less than substantial harm, but is harm nonetheless.

HPBC Trees/Landscape

Awaited

Alliance Environmental Services Waste Officer:

Awaited

Derbyshire Wildlife Trust

14.09.2022

The DWT have reviewed the Preliminary Ecological Appraisal (PEA) (Practical Ecology, July 2021) and the Bat Survey Report (Practical Ecology, October 2021).

The site in general is of limited ecological interest, comprising a former pub surrounded by hardstanding and located in a built-up area. Features of value include trees and scrub along the southern and eastern boundaries and the open water outside the southern boundary which is designated as Dinting Vale Reservoirs and Brook Local Wildlife Site (LWS). No habitat pan is provided in the PEA so it is difficult to understand where certain features of interest are located within the site and the extent to which they will be affected.

The trees and scrub along the eastern boundary are atop a retaining wall. It is unclear to what extent this vegetation will be affected and this should be clarified by the applicant. Whilst some vegetation removal appears to have been undertaken outside the southern boundary, this area is outside the proposed red line boundary and we do not anticipate development in this area. An area of unmanaged grassland was recorded in the north of the site supporting pyramidal orchids. Again, it is not clear to what extent this will be affected and this should be clarified.

We advise that the vegetation along the eastern retaining wall should be retained and that the grassland with orchids should either be retained or the turves translocated to a proposed area of grassland within the site. If these measures cannot be accommodated, then the DEFRA small sites metric should be used to determine the biodiversity losses or gain on site and ensure that sufficient appropriate landscaping is proposed to achieve a net gain.

An appropriate level of protected species survey work has been undertaken, in accordance with best practice guidelines. No bat roosts were recorded during the two August 2021 bat surveys, however foraging bats were recorded using the eastern tree line. This data is considered valid for the current application, however if determination is delayed until the 2023 survey season (May-September), the bat surveys will require updating.

Once clarification has been provided regarding the habitat impacts, we can recommend condition wording. Conditions are likely to include a sensitive lighting strategy to avoid lightspill to the southern and eastern boundaries (including the LWS) and an ecological enhancement plan to include measures such as bat boxes, bird boxes, beneficial landscaping and the removal of *Cotoneaster horizontalis*

HPBC Environmental Health

Air Quality

In regards to the above development, the submitted planning statement is stamped as "Draft Not for general circulation". The contents include a section on air quality, but no details are contained within the body of the document.

The proposed development is near to the air quality management area located between the junction of Dinting Vale and Glossop Road and the junction of Dinting Vale and Dinting Lane and the proposals must include measures to minimise deterioration of air quality impacts to this area. The application is supported by an interim travel plan which includes several measures to minimise impacts, but is mainly limited to staff and deliveries. Provision should be made to include electric vehicle charging points available for use by members of public visiting the site.

If planning permission is granted, the following conditions are recommended:

- Implementation, review and monitoring of the interim travel plan measures and action plan
- Implementation of the cycle bays from the day of opening (it is recommended that sheltered bays are provided)
- Provision of rapid electric vehicle charging points from the day of opening. The recommended provision is 5% of proposed parking spaces, rounded up to the nearest whole number. In this instance, 2 spaces. These shall be installed and maintained for the life of the development.

Contamination, Odour and Noise

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 1: Land Contamination

The phase 1 desk study report submitted in support of the application may be accepted:

- Southern Testing, "Desk Study and Walkover (ref: JN1575), dated 27 October 2021

This report recommends that the assessment of land contamination progress to a phase 2 intrusive investigation. Condition 1 is recommended to protect public health and the wider environment.

Comment 2: Odour

The odour control assessment submitted in support of the application may be accepted:

- CDM Partnership, "Odour Control Assessment (rev 00)", dated 28 April 2022

Condition 2 is recommended to protect general amenity with regard to cooking odours.

Comment 3: Noise

Condition 3 is recommended to protect general amenity with regard to noise.

Comment 4: Artificial Light

Condition 4 is recommended to protect general amenity with regard to noise.

Recommended conditions:

1. CONTAMINATION
2. ODOUR H&V: Specification
3. NOISE H&V
4. ARTIFICIAL LIGHTING (EXTERNAL)

United Utilities

Following our review of the submitted Drainage Strategy, we can confirm the proposals are acceptable in principle to United Utilities and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice:

The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 4210323-1200, Rev P1 Dated 27/01/21 prepared by Galville. For the avoidance of doubt surface water must drain at the restricted rate of 5 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding. Advisory notes on drainage, water and wastewater services, and UU assets also provided.

DCC Archaeology

The proposals will have no archaeological impact.

National Grid – Gas Pipelines and Electricity Pylons

No response

HPBC Waste Services

No response

8 OFFICER COMMENTS

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.

8.5 Local Plan policy S1a establishes a presumption in favour of sustainable development as contained within the NPPF.

Main Issues

8.6 Following assessment of the proposals and consultation the main issues that are considered to be relevant in the determination of the application as follows:

1. Principle of development
2. Design and impact upon heritage assets
3. Access, parking and highway safety
4. Flood risk and drainage
5. Ecology
6. Other matters

Principle of Development

8.7 The application site lies within the built-up area of Glossop but outside the defined Town Centre boundary in the High Peak Local Plan. It is a brown field site, last used as a public house within a commercial area. The site is not allocated for a particular use in the Local Plan.

8.8 The documents accompanying the application demonstrate that the floorspace of the proposed McDonalds restaurant appears to be well over the Local Plan threshold (of 200sqm +) as outlined within Policy CF1 (Retail and Town Centres), and as such the applicant has submitted a sequential test and an impact assessment.

8.9 In accordance with the NPPF, there is a requirement to undertake a sequential assessment to determine whether there are any sequentially

preferable sites to the site which has been selected to accommodate the proposed development. The order of priority is set out in the NPPF and comprises of the Town Centre, Edge of Centre, and accessible location out of centre. It is considered that the application site is an accessible location out of centre.

8.10 The submitted sequential test, written in accordance with both Chapter 7 of the NPPF, “Ensuring the vitality of town centres”, reported that there is a specific size requirement for a drive through restaurant as well as a need for a site with passing traffic / visibility from a main road. The applicant undertook site investigations for a freestanding restaurant site within the town centre and within the edge of centre zone (300m from centre boundary) and were unable to find sites in closer proximity to the town centre, that are suitable for a drive thru restaurant.

8.11 It is accepted that for these reasons the Howard Town Shopping Centre was not suitable for this facility. The submitted document also indicates that all potential sites within and on the edge of the town centre have been assessed and no alternative site is available. On this basis, the sequential test is considered to be passed.

8.12 Regarding the impact assessment within the report, the generalised observations made in relation to potential impact of a McDonalds drive-through on the town centre and the conclusion that the applicant does not consider that the proposed store will have any material impact on the centre or indeed, the wider surrounding area - vitality and viability of the existing centre will not be materially affected - are noted. The Council is aware that Glossop has a below national average vacancy rate and is vital and viable. The NPPF policy test in paragraph 91 requires that where permissions are to be refused on impact grounds it should be demonstrated that ‘significant adverse impact’ will occur. It is, therefore, agreed that this would not be the case for the proposed development so the impact test is passed and that the proposed development accords with adopted Policy CF1 and the NPPF.

8.13 The public comments with regards to the need for the restaurant are noted but do not alter the conclusion drawn above.

Design and Impact on Heritage Assets

8.14 Paragraph 190 of the NPPF requires Councils to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;

- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- d) opportunities to draw on the contribution made by the historic environment to the character of a place.

8.15 It is contended that the setting of a heritage asset is essentially the surroundings in which an asset is experienced. All heritage assets have a setting and elements of a setting may make a positive or negative contribution to the significance of the asset. The extent and importance of setting is often expressed by reference to visual considerations with the setting of a heritage asset being sustained or enhanced by new buildings. New buildings should be carefully designed to respect their setting by virtue of their scale, prominence, height, massing, alignment and use of materials. This does not mean that new buildings have to copy other buildings within the Conservation Area in detail, they should together form a harmonious unit. It is considered that the proposed building is a quality design solution that has taken into account its impact on the Conservation Area in particular by striving to be in keeping with the existing scale, massing and materials of the surrounding area.

8.16 Paragraph 194 of the NPPF requires applicants to describe the significance of the heritage asset affected and the contribution of their setting to that significance with the level of detail provided being proportionate to the importance of the asset and no more than is sufficient to understand the potential impact of the proposal on their significance. As stated previously the application lies some distance to the north of the Wrens Nest Conservation Area.

8.17 It is considered that the building has been designed so as to preserve and enhance the visual integrity of its environs, respecting the application sites location in proximity, but not within, the Conservation Area and to the Grade II listed Wren Nest Mill. It is also considered that the proposed building is in keeping with the general form and scale of the existing building and as such would be appropriate in the site's context.

8.18 The proposed materials are a combination of timber cladding, blue brick and grey cladding, none of which are typical of the High Peak and timber cladding in particular is discouraged by the Design Guide. In order to ensure that the building responds to the context of the area and reinforces the areas local distinctiveness the use of appropriate local materials is key, particularly given that the overall form of the building is a contemporary flat roofed structure. Therefore, the agent has been requested to provide a more appropriate material palette to include stone and render. An update on this matter will be provided to Members.

8.19 Paragraph 197 of the NPPF states that in the determination of planning applications local planning authorities should "...take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
- the desirability of new development making a positive contribution to local character and distinctiveness.”

8.20 The current application proposals have been carefully conceived in order to achieve a viable contemporary style development that aims to respect the character and appearance of the surrounding area, and the setting of the application site in proximity to the Conservation Area.

8.21 As required by paragraph 203 of the NPPF, the effect of the proposed development on the significance of the non-designated heritage asset must be considered. The Councils Conservation Officer, considers that the application proposal would result in less than substantial harm to the non-designated heritage asset, although this would be at the lower end of this level of harm. The public's comments regarding the proposals design and its impact on the Wrens Nest Mill listed building and Conservation Area are noted. The application proposes a contemporary structure that would sit comfortably within an area consisting of other modern structures. However, it is noted that the material palette needs to be amended to take into account the local vernacular in terms of colour and texture.

8.22 Paragraph 200 of the NPPF notes that “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.” In this case, it is considered that the relatively low level of harm which would result, would be outweighed by the public benefits of the scheme, particularly economic benefits to the town arising from employment, construction and retention of spend within Glossop. It is therefore considered that the proposal would comply with the NPPF.

Access, Parking and Highway Safety

8.23 New development will need to deliver an appropriate form of development in terms of highway safety and infrastructure having regard to the NPPF. Paragraph 108 of the NPPF looks to ensure that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

8.24 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an

unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 8.25 The impacts of the development across the Wrens Nest, as well as the associated traffic movements for the proposal and the proposed new access off Glossop Brook Road, including potential impacts associated with this plot have been considered in detail by DCC Highways.
- 8.26 Comments have been received from DCC Highways in response to consultation on the current application. Highways have considered the effects of the development in this location in respect of matters such as pedestrian routes, public transport and cycling; road safety; car and cycle parking; highway works; and refuse storage and servicing.
- 8.27 Following lengthy discussions (and the submission of a Highways Technical Note and a Revised Site Plan) Highways are satisfied that the outstanding issues (the proposed changes to access to the former Wrens Nest Pub, service vehicles, pedestrian access) have now been dealt with. Highways, therefore, raise no objection to the proposals and recommend conditions. The proposal is therefore considered to be acceptable having regard to the NPPF and the adopted policies of the Local Plan.
- 8.28 The public's comments with regards to highway safety, parking etc are noted but in the absence of any objection from DCC it is not considered that a refusal on highways or parking grounds could be sustained.

Flood Risk and Drainage

- 8.29 The NPPF outlines at paragraph 157 that all plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. Furthermore, if it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied.
- 8.30 The need for an exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.
- 8.31 The application has been submitted with a Flood Risk Assessment (FRA) which states that an exception test is not required in this instance on the basis that the use is classed as less vulnerable. Consultation has taken place with the Lead Local Flood Authority (LLFA) on the submitted

information as well as additional information received during the course of the application.

8.32 The LLFA had requested further information be submitted to address technical matters on flood risk and surface water drainage. Following the submission of the revised FRA and drainage management plan, the LLFA is satisfied with the proposed discharge rate and has raised no objections.

8.33 Having regard to the submitted information and assessment against relevant policies and the NPPF the proposal is considered to be acceptable in relation to matters of flood risk and drainage. The proposal would therefore be in accordance with Local Plan policy and the NPPF.

8.34 The public's comments with regards to potential flooding are noted but again in the absence of objection from the statutory consultees a refusal on these grounds would not be sustainable.

Ecology

8.35 The NPPF at paragraph 174 identifies the need to enhance the natural and local environment through a number of objectives including minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 178 advises Local authorities to ensure that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Policy EQ5 identifies that biodiversity and geological resources will be conserved and where possible enhanced by ensuring that development proposals will not result in significant harm to biodiversity and geological interests. Policy EQ8 seeks to develop, protect and enhance networks of biodiversity and green infrastructure.

8.36 The site in general is of limited ecological interest, comprising a former pub surrounded by hardstanding and located in a built-up area (as noted by the DWT). Features of value include trees and scrub along the southern and eastern boundaries and the open water outside the southern boundary which is designated as Dinting Vale Reservoirs and Brook Local Wildlife Site (LWS).

8.37 It is noted that there are trees and scrub along the eastern boundary (shared with Wickes) are atop a retaining wall. It is clear from the submitted proposed block / site plan that this vegetation was to be removed. Whilst some vegetation removal appears to have been undertaken outside the southern boundary, this area is outside the proposed red line boundary and there is to be no development in this area. An area of unmanaged grassland was recorded in the north of the site supporting pyramidal orchids.

8.38 The DWT advised that the vegetation along the eastern retaining wall should be retained and that the grassland with orchids should either be retained or the turves translocated to a proposed area of grassland within the site. The DWT consultation response stated that if these measures could not be accommodated, then the DEFRA small sites metric should be used to determine the biodiversity losses or gain on site and ensure that sufficient appropriate landscaping is proposed to achieve a net gain. It is noted that the vegetation along the eastern retaining wall has already been removed but the applicant has not submitted details pertaining to the appropriate landscaping proposed to achieve biodiversity net gain. It is considered that this could be secured through an appropriately worded pre-commencement condition.

8.39 An appropriate level of protected species survey work has been undertaken, in accordance with best practice guidelines. No bat roosts were recorded during the two August 2021 bat surveys. However foraging bats were recorded using the eastern tree line. This data is considered valid for the current application, but if determination is delayed until the 2023 survey season (May-September), the bat surveys will require updating.

8.40 Conditions are to include a sensitive lighting strategy to avoid lightspill to the southern and eastern boundaries (including the LWS) and an ecological enhancement plan to include measures such as bat boxes, bird boxes, beneficial landscaping and the removal of *Cotoneaster horizontalis*. Subject to these conditions, the application would accord with Policy EQ5 of the Local Plan and Section 15 of the NPPF.

9.0 CONCLUSION AND PLANNING BALANCE

9.1 The starting point for the determination of any planning application is 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. Section 38(6) states that planning applications should be determined in accordance with the development plan, unless there are material considerations which indicate otherwise.

9.2 The sequential test concluded that the site is acceptable for the proposed use of the restaurant and drive thru, and this site was found to be acceptable in terms of impact to the wider area. The highways, drainage, and ecological implications of the site were also found to be sound.

9.3 The design was found to be appropriate in terms of its overall scale and form, although an alternative materials pallet has been suggested. Subject to this change it is concluded that there would still be some harm to the significance of the adjacent Conservation Area, but that this would be at

the lower end of “less than substantial”. Under these circumstances, the public economic benefits are found to outweigh this minimal harm.

9.4 Therefore, the development will not result in any other material negative impact on the use and character of the area and would not materially harm neighbouring residential amenity in accordance with the adopted policies of the High Peak Local Plan.

9.5 Overall, it is concluded that the proposal accords with the provisions of the High Peak Local Plan and relevant NPPF policies. The other matters raised in public comments are noted but it is not considered that any other material considerations are raised which lead to a different conclusion. Accordingly it is recommended for approval

10 RECOMMENDATION

A. That planning permission be granted subject to the following conditions:-

1.The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended)

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- **12200-AEW-8325-0001 B A4 1:1250 Location Plan**
- **12200-AEW-8325-0002 A A3 1:500 Block Plan**
- **12200-AEW-8325-0003 B A1 1:200 Existing Site Plan**
- **12200-AEW-8325-0004 J A1 1:200 Proposed Site Plan**
- **12200-AEW-8325-0005 A A1 1:100 Proposed Building Elevations**
- **12200-AEW-8325-0006 A A1 1:100 Existing Internal Layout and Roof Plan**
- **12200-AEW-8325-0009 A A1 1:100 Advertisement Elevations**
- **12200-AEW-8325-0012 - A1 1:100 Existing Building Elevations**
- **12200-AEW-8325-0013 - A1 1:100 Existing Building Plan**
- **12200-AEW-8325-0015 A A1 1:200 Landscape Plan**

3. Notwithstanding any description of the materials in the application, no construction of the external walls and roof of the development shall be undertaken until precise details, to include samples, of the materials to be used have been submitted to, and approved in writing by, the Local Planning Authority. All roofing and external facing materials used in the construction of the development shall conform to the materials thereby approved.

Reason:- In the interests of the satisfactory appearance of the development upon completion and the character and appearance of the site and surrounding environment.

4. No development shall take place, with the exception of site investigation and remediation works until conditions 1a to 1d have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 1d has been complied with in relation to that contamination.

a) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;**
- (ii) an assessment of the potential risks to:**
 - human health,**
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,**
 - adjoining land,**
 - groundwaters and surface waters,**
 - ecological systems,**
 - archaeological sites and ancient monuments;**
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).**

This must be conducted in accordance with DEFRA and the Environment Agency's "Land Contamination Risk Management" (LCRM) guidance.

b) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part

2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

d) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 4a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 1b, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 4c.

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

6. In the event that contamination, including any suspected asbestos containing materials (e.g. bonded cement), is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exist to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and is subject to the approval in writing of the Local Planning Authority.

Reason:- To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks.

7. The development hereby permitted shall not be brought into use until a “high level” of odour control consistent with the approved EMAQ conformity report (CDM Partnership, “Odour Control Assessment (rev 00)”, dated 28 April 2022) is installed and utilised on the cooking ventilation system. The ventilation/extraction equipment shall thereafter be maintained and operated in accordance with the approved details.

Reason: To ensure that cooking odours outside the premises are minimised in the interests of the amenity of occupiers of nearby properties.

8. Prior to the approval being brought into use, all heating and ventilation plant installed in connection with the development shall be installed in accordance with a specification for the reduction of environmental noise, submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that noise outside the premises are minimised in the interests of the amenity of occupiers of nearby properties.

9. To restrict the intensity of the illumination on either or both amenity/public safety grounds:

Any artificial lighting associated with the development shall conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone – E3 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01-21; and thereafter maintained for the life of the development.

Reason: To protect the local amenities of the local residents by reason of excess of luminance.

9. Unless prior permission has been obtained in writing from the Local Planning Authority, all noisy activities shall be restricted to the following times of operations.

- 08:00 - 18:00 hours (Monday to Friday);**
- 08:00 - 13:00 hours (Saturday)**
- No working is permitted on Sundays or Bank Holidays.**

In this instance a noisy activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason: To avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

10. Before any other operations are commenced an extended vehicular access shall be created onto Glossop Brook Road in accordance with the application drawings, laid out, constructed and provided with visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centre line of the access, to the extremities of the site frontage abutting the highway in both directions. The land in advance of the sightlines shall be maintained for the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.

Reason: To ensure safe and suitable access for all users, in the interests of highway safety, recognising that initial preparatory works could bring about unacceptable impacts / inconvenience for existing highway users / nearby residents.

11. The proposed parking shall be provided in accordance with the application drawing for a vehicle to be parked. Once provided, the space shall be retained free from any impediment to its designated use for the life of the development.

Reason: To ensure safe and suitable access for all users, in the interests of highway safety, recognising that initial preparatory works could bring about unacceptable impacts / inconvenience for existing highway users / nearby residents.

12. There shall be no gates or other barriers on the access/driveway.

Reason : To ensure safe and suitable access for all users, in the interests of highway safety, recognising that initial preparatory works could bring about unacceptable impacts / inconvenience for existing highway users / nearby residents.

13. The proposed access/driveway shall be no steeper than 1:12.

Reason : To ensure safe and suitable access for all users, in the interests of highway safety, recognising that initial preparatory works could bring about unacceptable impacts / inconvenience for existing highway users / nearby residents.

14. No development shall start until a Highway Construction Management Statement / Plan has been submitted to and approved in writing by the Local Planning Authority. The statement / plan shall include details specifically relating to:

- a) parking for vehicles of site personnel, operatives and visitors**
- b) site accommodation**
- c) storage of plant and materials**
- d) any proposed temporary traffic management.**

e) Only the approved details shall be implemented, which shall be maintained throughout the construction period.

Reason: To ensure safe and suitable access for all users, in the interests of highway safety, recognising that initial preparatory works could bring about unacceptable impacts / inconvenience for existing highway users / nearby residents.

12. Notwithstanding the details submitted with the application, prior to the development being brought into use a detailed landscaping scheme, showing both hard and soft landscaping proposals, materials for external surfaces and all boundary treatments, shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include, the planting of locally native trees and shrubs of local provenance, including a planting schedule setting out species, numbers, densities and locations, the creation of areas of hardstanding, pathways, etc, areas to be seeded with grass, and other works or proposals for improving the appearance of the development. The scheme shall be carried out in accordance with the approved drawings not later than the expiry of the next planting season following commencement of the development, or within such other time as may be approved with the Local Planning Authority. The landscaped areas shall be subsequently maintained to ensure establishment of the approved scheme, including watering, weeding and the replacement of any plants, or areas of seeding or turfing comprised in the approved landscaping plans, which fail within a period up to 5 years from the completion of the development.

Reason: Reason: In the interests of visual amenity and the satisfactory appearance of the development upon completion.

13. No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive), and in this case only following careful inspection by a competent person immediately prior to removal in order to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds.

Reason:- In the interests of the protection of important landscape features which contribute to the character and appearance of the area, biodiversity and protected species

14. No development shall take place including any site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access until such time that temporary tree protection barriers and advisory notices are erected for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and

Construction – Recommendations or the prevailing standard and these shall be retained in position for the duration of the period that development takes place. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires.

Reason:- In the interests of the protection of trees which contribute to the character and appearance of the area and biodiversity

15. No development shall commence until such time that a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. It should include the following although this list is not exhaustive

- (1) Details of habitat creation and species enhancements;**
- (2) Updated BNG calculation using latest Defra metric;**
- (3) Appropriate planting/ seeding specifications.**
- (4) Long-term habitat management plan.**

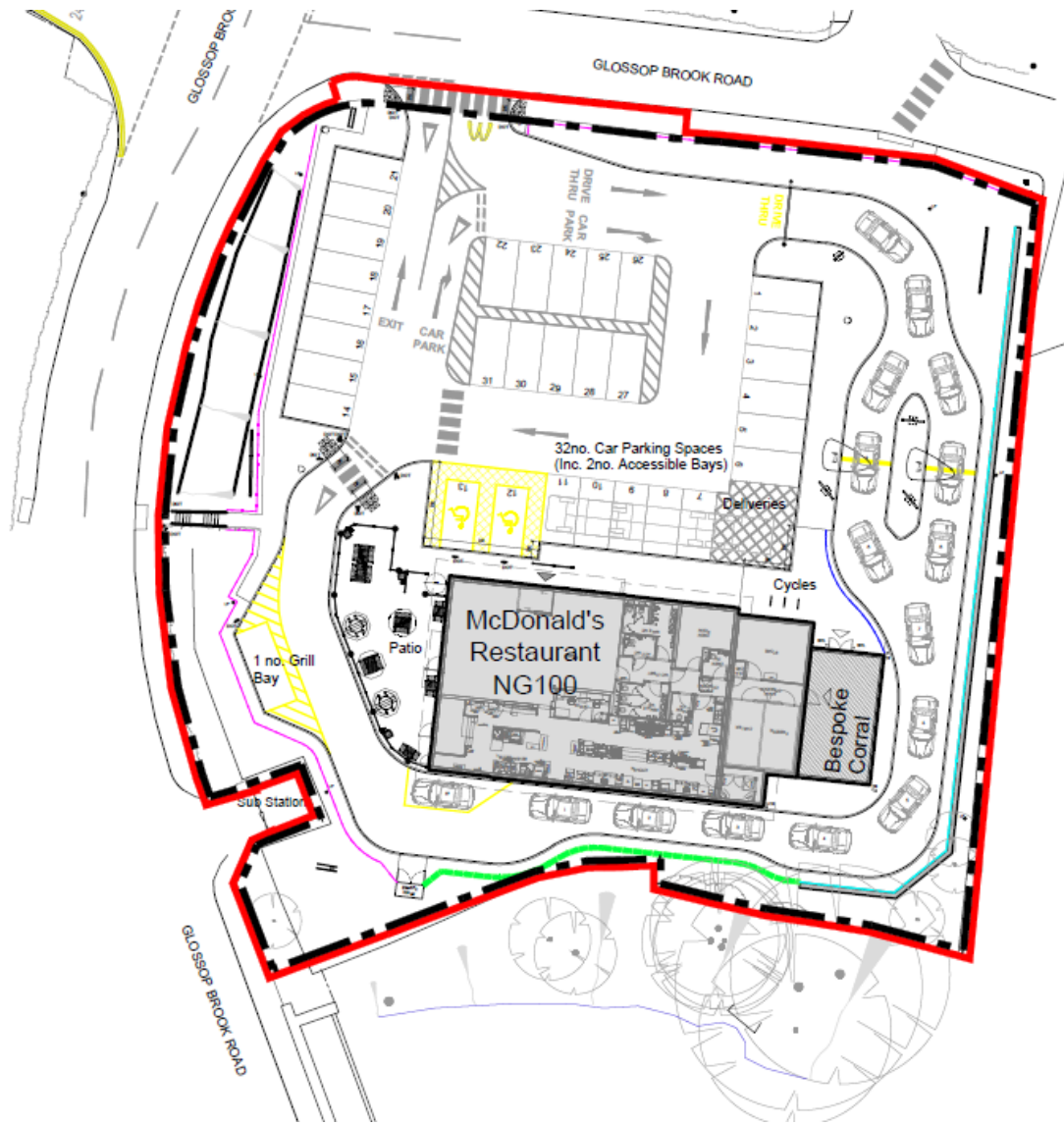
The development shall be carried out strictly in accordance with the approved LEMP

Reason:- In the interests of biodiversity enhancement and to ensure a new gain in biodiversity

16. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 4210323-1200, Rev P1 Dated 27/01/21 prepared by Galnville. For the avoidance of doubt surface water must drain at the restricted rate of 5 l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding. Advisory notes on drainage, water and wastewater services, and UU assets also provided.

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





0 10 20 30 40 50m
Scale 1:1250

NOTES

- All dimensions and levels are to be checked on site.
- Any discrepancies are to be reported to the architect before any work commences.
- This drawing shall not be reproduced without express written permission from ARS.
- This weekly drawings and monthly boundaries are produced using all reasonable endeavours. ARS cannot be responsible for the accuracy or scale discrepancy of these plans supplied to them.
- All works are to be undertaken in accordance with Building Regulations and the latest British Standards.
- All proprietary materials and products are to be used strictly in accordance with the manufacturers recommendations.

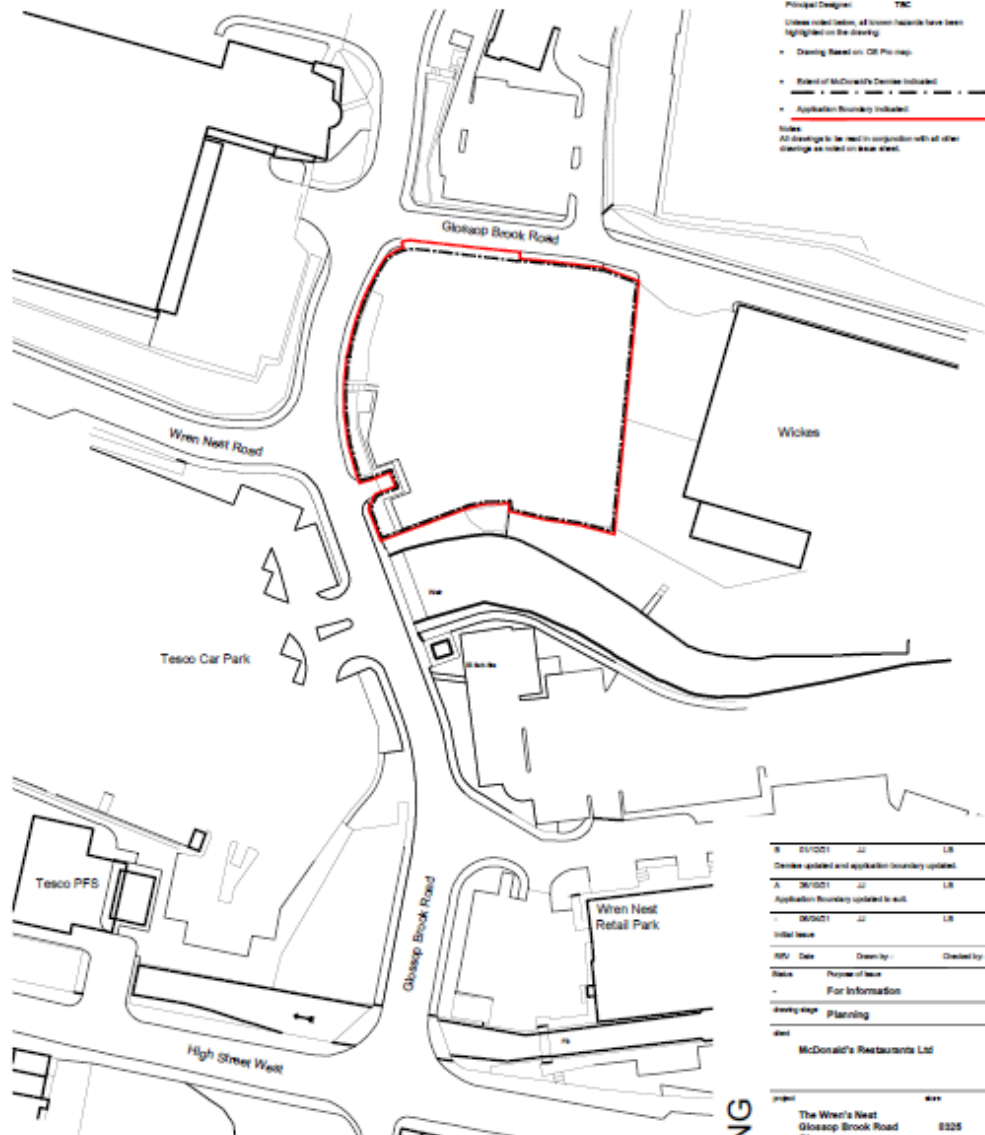
CDM 2015

Client (holder of title) AR Design Workshops
Principal Designer: **TMC**

Unless noted below, all items (materials) have been highlighted on the drawing.

- Drawing Based on: CD Package
- Block of McDonald's Design Indicated:
- Application Boundary Indicated:

Notes:
All drawings to be read in conjunction with all other drawings as noted on these sheets.



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Location Plan

PLANNING

0	01/02/21	JL	LR
Details updated and application boundary updated.			
A	26/02/21	JL	LR
Application boundary updated to suit.			
-	26/02/21	JL	LR
Initial Issue			
REV	Date	Drawn by	Checked by
-	-	-	-
Status: For Information			
Drawing: WWP Planning			
Client: McDonald's Restaurants Ltd			
Project: The Wren's Nest Glossop Brook Road Glossop 9225			
Drawing title: Location Plan			
REV	Date	Drawn	Checked
0	06/02/21	JL	LR
Weight	1:1250	checked	LR

