

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

23rd October 2023

Application No:	HPK/2022/0456	
Location	Land at, Dinting Vale, Dinting, Glossop, Derbyshire	
Proposal	Proposed residential development comprising 92 dwellings including areas of public open space, landscaping and associated works	
Applicant	Wain Homes	
Agent	Hourigan Planning	
Parish/ward	Simmondley Ward	Date registered 3 rd November 2022
If you have a question about this report please contact: Chris Turner chris@whitepeakplanning.co.uk		

REASON FOR COMMITTEE DETERMINATION

This application has been brought before the Development Control Committee because the development proposals comprise major development.

1. SUMMARY OF RECOMMENDATION

Approve subject to Section 106 Agreement and Conditions
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1. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 1.1 This is a greenfield site that lies within the built-up area boundary of Glossop, located to the south of Dinting Vale (A57) approximately 1 mile to the west of Glossop town centre and approximately 12 miles east of Manchester.
- 1.2 The application site comprises an irregular shaped area of grassland some 4.71 ha, located on the south side of the A57, adjacent to existing dwellings and woodland. The site is undulating with land levels gently lowering towards the north with a steeper downward gradient within the northern section. The site is used for the grazing of animals in particular horses and therefore is currently in equestrian use. Boundaries are predominantly rural fencing, with some sections in poor condition.
- 1.3 The locality of the site is as follows:
 - North – A57, housing, Dinting Primary School, Dinting Church. A local wildlife site is located along Glossop Brook (waterbody and main river) which is 50m north of the site.
 - South - unnamed water course flows in open watercourse adjacent to the southern site boundary beyond which there is further housing and then northwards in culvert through the historic landfill east of the site.

- East – Simmondley Lane historic landfill site is located adjacent to the whole of the eastern site boundary, alongside Dinting Scout Centre.
 - West – Hamlet containing 8 dwellings, and a railway line beyond which is elevated above the western boundary of the proposal site. The western edge bounds both the Green Belt and Gamesley Sidings Local Wildlife Site, adjacent to the whole of the western site boundary.
- 1.4 Within the site boundary there is the existing Adderley Place, also a Public Right of Way, and thought to be the line of a Roman Road. This essentially cuts the site in two main parcels of land.
- 1.5 The northern section (north of Adderley Place/ PROW) is overgrown with trees and shrubs. The topography within this area is sloping with ground levels descending northwards towards Dinting Vale (A57).
- 1.6 The southern portion of the site (south of Adderley Place/ PROW) is generally open grassland with ground levels descending from west to east. The land includes trees around the edge and within the centre of the site.

2. DESCRIPTION OF THE DEVELOPMENT PROPOSAL

- 2.1 Full consent is sought for the construction of 92 dwellings (reduced from 100 units) which would comprise the following:
- Housing types (all open market):
- 1 bedroom flat – 6
 - 2 bedroom house – 21
 - 3 bedroom house – 50
 - 4 bedroom house – 15
- 2.2 Affordable housing: None proposed.
- 2.3 The site would be served by vehicular access via a new junction off Dinting Vale (A57). The proposed housing development would comprise a linear grid settlement pattern with an irregular & organic edge.
- 2.4 In support of the application the applicant has provided a Planning Statement (Doc.4), Affordable Housing Statement (Doc.5), Viability Assessment (Doc.07), Education Assessment (Doc.9), Transport Assessment (Doc.18), Ecology Desk Study (Doc.32), Ecological Assessment (Doc.33), Landscape and Ecological Management Plan (Doc.31), Written Scheme of Investigation for Archaeological Works (Doc.17), Energy & Sustainability Statement (Doc.44), Tree Survey (Doc.45), and a Topographical Survey (Doc.47).

- 2.5 Revised documents include: Street Scenes (Doc.263, 263a), Proposed Site Sections (Doc 308), Design and Access Statement (Docs.132, 254), Design Evolution Statement (Doc.133), Arboricultural Impact Assessment (Doc.297), POS Plan (Doc. Xxx), Waste Management Plan (Doc.264), Proposed EV Charging Plan (Doc.255). Viability Assessment Addendum* (Doc.202), Heritage Impact Assessment (Doc.171), Travel Plan (Doc.243), Air Quality Assessment* (Doc.173, 241), Noise Assessment* (Doc.172), a Flood Risk Assessment* (Doc.162), Geo-Environmental Investigation Report* (Doc.176), Landscape & Visual Impact Appraisal/ LVIA* (Doc.178), and NDSS Compliance Schedule* (Doc.145).
- 2.6 Wildlife surveys have been submitted including a Breeding Bird Survey (179), Bat Activity Report (Doc.120), Reptile Survey Report (Doc.181), Invertebrate Survey Report (Doc.214), Invasive Non-Native Species (Doc.113), and study of Great Crested Newts (Doc.116).
- 2.7 This planning committee report will refer to the same document numbers as those used by the applicant, and a list of these documents can be found in the attached Annexe. The application can be viewed on the Council's webpages at:
<http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=257670>

3. RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history on this site.

4. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 High Peak Local Plan 2016

S1 – Sustainable development principles
S1a – Presumption in favour of sustainable development
S2 – Settlement hierarchy
S3 – Strategic housing development – deemed out of date so holds less weight
S5 – Glossopdale Sub-area Strategy

EQ1 – Climate change
EQ2 – Landscape character
EQ5 – Biodiversity
EQ6 – Design and place making
EQ7 – Built and historic environment
EQ8 – Green Infrastructure
EQ9 – Trees, woodland and hedgerows
EQ10 – Pollution control and unstable land
EQ11 – Flood risk management

H1 – Location of housing development
H2 – Housing allocations – Housing Allocations Adderley Place (Site G32 (Policy DS4))

DS4 – Adderley Place, Glossop (Policy H2 (Site G32))
H3 – New housing development
H4 – Affordable housing – (considered to be up to date in respect of this scale of development)
CF3 – Local infrastructure provision
CF4 – Open space, sports and recreation facilities
CF5 – Provision and retention of local community services and facilities
CF6 – Accessibility by public transport
CF7 – Planning obligations and community infrastructure levy

p204 – Parking provision requirements for residential properties

5.2 High Peak Supplementary Planning Guidance

High Peak Design Guide SPD (Feb 2018)
Glossop Design and Place Making Strategy (Dec 2011)
Housing Needs in the High Peak SPD (Nov 2007)
Landscape Character SPD (March 2006)
Planning Obligations SPD (Dec 2005)
Adopted Residential Design SPD (Dec 2005)
Designing out Crime SPD (June 2005)

Developer Contributions SPD (Draft Jan 2023, approved by Executive, waiting for full Council approval before adoption, expected in late 2023)

5.3 National Planning Policy Framework 2021

Section 2: Achieving sustainable development
Section 4: Decision making
Section 5: Delivering a sufficient supply of homes
Section 6: Building a strong competitive economy
Section 8: Promoting healthy and safe communities
Section 9: Promoting sustainable transport
Section 11: Making effective use of land
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

5. CONSULTATIONS CARRIED OUT

Site notice	Expiry date for comments: 03/08/2023
Neighbour letters	Expiry date for comments: 26/06/2023
Press Notice	Expiry date for comments: 06/07/2023

6.1 Publicity

6.1.1 As part of the consultation process immediate neighbours were notified about the original submission by letter dated 03/11/2022 and 18/12/2022, sent to 48 neighbours.

This was sent to residents on Adderley Place, Curlew Way, Swallow Fold, Woodside View, Dinting Vale, Rear of, Dinting Vale, Godders Gaff, the Scout Unit, and the adjacent Dinting Cricket Club. Four site notices were posted on 15/11/2022 and a press notice was published in the Glossop Times on 10/11/2022.

- 6.1.2 Following the submission of revised plans and supporting documents, immediate neighbours were notified by letter dated 05/06/2023 sent to 48 neighbours including residents on Adderley Place, Curlew Way, Swallow Fold, Woodside View, Dinting Vale, Rear of, Dinting Vale, Godders Gaff, the Scout Unit, and the adjacent Dinting Cricket Club. Four site notices were posted on 13/07/2023 and a press notice was published in the Glossop Times on 15/06/2023.

6.2 Responses

- 6.2.1 Approximately 433 representations have been received, including 374 following the original submission and the remainder (59) following submission of the revised scheme. No letters of support were received although some supportive comments were acknowledged within some letters of objection.

Support

- 6.2.2 Comments in favour are summarised below:

6.2.3 General

- Family occupancy could lead to 250-300 additional residents, helping to support local services.
- Sustainable economic impact for local shops.
- More consumer spending at Glossop high street thereby helping the town centre recover after the COVID-19 pandemic.

Objections

- 6.2.4 Concerns against are summarised below:

6.2.5 Location/ Siting

- The proposed access to the site is very close to a primary school
- Issues with air quality next to a primary school.
- A site on the outskirts of town will have far less impact on the traffic

6.2.6 Housing

- Too many houses being built
- Proposal does not provide homes for desperate local residents or first time buyers. These are for middle earners, and include no starter homes.
- No affordable housing is being included
- Affordable housing should be flats built upwards in lovely grounds with access via cycle paths and walkways.

- Another new estate is not wanted in this area

6.2.7 Residential Amenity

- Concern over boundary treatment and lack of acoustic fencing

6.2.8 Street scene

- Proposed dwellings at lower level than existing properties – issues with accuracy.

6.2.9 Sustainable Development

- Glossop is one of the worst supported areas for sustainable travel
- So many housing units is not sustainable for a small town like Glossop
- Lack of cycle paths
- Lack of safe crossing points
- Increase in greenhouse gases/ CO2 emissions.
- Loss of green space and areas of nature which should be a priority with regards climate change
- Proposed development fails to contribute to the boroughs declared climate emergency

6.2.10 Ecology & Wildlife

- Impact on local wildlife
- More Greenland being lost to housing would be a huge loss to the local community.
- Environmental impact on the natural habitat
- Wildlife (bats, deer, badgers, foxes, woodpeckers, deer, barn owls, birds & hedgehogs) will lose their natural habitat.
- Extra housing will further drive more people to the remaining wildlife patches along Green Bank Lane with its surrounding forest areas as they will have direct access to it.

6.2.11 Environment

- Loss of wildlife and green space.
- Proposed construction is on much loved nature space with plenty of wildlife.
- Concerned that more people moving to the area will affect the safety of the animals.
- More Greenland being lost to housing would be a huge loss to the local community.
- Wildlife and nature contribute to the current residents well-being.
- The land in question forms part of a green corridor for wildlife to cross Glossop, linking open access land South of Glossop to green corridors created by Trans Pennine Bridleway and Pennine Bridleway.
- The TransPennine Trail linking Gamesley Sidings via Green Lane to Glossop Road has never been completed to allow, at the very least, a safe segregated route for people wishing to travel by foot.
- Open space and natural beauty of Glossop is being eroded.
- The environmental impact would be vast based on the notion of each household having a minimum of two vehicles which they would require due to inadequate public transport services.
- Reduction in air quality would impact school children.
- Increase in traffic means increase of pollution.
- The space and natural beauty of Glossop is being eroded.

6.2.12 Flooding

- Flooding impacts.

- Loss of greenfield land will cause flooding in future.
- Further erosion of natural water drainage areas.
- The Glossop area has seen an increase in flooding due to new housing developments.
- Area is already boggy...water will either back up towards existing housing or flood down towards High Street West (A57).

6.2.13 Transport

- Increasing Traffic
 - A57 is already very congested traffic / cannot cope with more traffic.
 - Concerns over accuracy of traffic surveys/ monitoring
 - Adderley Place is not a public road and is not suitable for heavy traffic use.
 - Traffic delays (around schools).
 - No accommodation for schooling traffic structure.
 - Access to this development is unavailable.
 - Access road to development would cause increased congestion.
 - Even with a bypass, Glossop is full to capacity.
 - Drastic increase in traffic through peak and off-peak times.
 - Queuing traffic at rush hour and school drop off/collection times.
 - Traffic turning right into the development would prevent free flowing traffic along Dinting Vale.
 - Reduced air quality.
 - Temporary roadworks.
 - Light post-industrial traffic.
 - The A57 is already extremely crowded road and the increase in traffic will cause safety problems for young school children.
 - Before this application is approved, there should be agreed traffic/congestion easement built into the development, or as part of the local plan.
 - Investment in infrastructure.
 - Reduction in air quality from traffic would impact school children.
 - Accident risk due to volume and size of the vehicles using this route.
 - If planning permission is given, the entrance would have to be via Adderley Place to get the road structure in place. Adderley Place could not accommodate the size of vehicles required.
 - Concerns about residents accessing the PROW instead of the main junction with traffic lights.

6.2.14 Parking

- School times.
- No parking proposed.
- Negatively impact residents by reducing roadside parking capacity.
- At peak times the nearby primary school has experienced cars parked on pavements.
- Parked vehicles on both sides of the road.
- The access road location would require changes to parking restrictions to roads in proximity.
- Impact on parking for parents dropping off at Girlguides, adjacent to site entrance.

6.2.15 General

- Current road system is underfunded and overcrowded.

- No safe segregated route for people wishing to travel by foot
- Virtually no cycle paths or walking spaces that are safe in Glossop and building these houses with more space for parking does not address these issues.
- Public transport is unreliable.
- Fails to connect with any sustainable transport options.
- Impact of additional homeowner vehicles in terms of noise and level of disruption.
- Public transport is declining.

6.2.16 Access

- The exit and entrance road to the new housing estate is within 25 metres of the entrance to a primary school and church. If planning permission is given, the entrance would have to be via Adderley Place.
- Access to this development would seriously hinder the access for the local residents around Adderley place.
- Additional congestion to an already busy road.
- Overcrowded/roadside parking on Simmondley Lane and Dinting Lane.
- The only access to the site would be via a new road from the A57 Dinting Vale.
- The access road to Adderley Place and Simmondley Lane will become a rat run unless barriers are installed.
- Design & Access Statement concerns.

6.2.17 Safety

- Safety concerns for road users on Dinting Vale and school children.
- The current level of congestion...is dangerous.
- A57 through the town is dangerous for cycling.

6.2.18 Pollution

- Reduction in air quality would impact school children negatively.
- Exceedance of WHO limits.

6.2.19 Education

- Insufficient capacity/ overcrowding in local schools.
- Data was used from January 2022 – concerns over accuracy.
- The development will negatively impact children with special needs.

6.2.20 Local community / facilities

- Insufficient services to accommodate new development
- Lack of provision for services for current and new residents of Glossop
- No provision of NHS dentists
- A great loss of fields for recreation
- Increased pressure on school places, leisure facilities, fire service, and health services.
- No resources for the additional cars, school places, doctors or dentists.
- Current access to NHS services, A&E, are virtually non-existent in the area.
- The proposal fails to benefit the local area/ community.
- No facilities to accommodate key worker families that will move into these homes such as NHS doctors, dentists, schools.
- This application does not benefit Glossop.
- Emergency services are at breaking point.

6.2.21 Recreation

- Loss of walking routes.
- No access link for horses.

6.2.22 Infrastructure

- Insufficient infrastructure to support increase in population.
- Infrastructure in Glossop is inadequate.
- Road infrastructure.

6.2.23 General

- Climate change and pollution while planning on cutting trees down.
- Infrastructure in town cannot cope with another 100 houses, 250 cars, 200 school pupils and 300 people.
- Unsustainable pressure in the town.
- Local services should be improved before adding more residents.
- Expected months of frustration for residents repeated as gas and water pipes are hurriedly added to the already congested road network.

6.2.24 Relevant concerns of the neighbours have been addressed in this report.

6.3 Community Groups

6.3.1 Numerous responses were received from local groups in the area.

6.3.2 Concerns are summarised below:

Comments	
Intelligent Group Ltd	Received on 16/11/2022
ALFW New Century	<p>Received on 11/11/2022</p> <p>Platts Wood Nature Reserve is not given any consideration.</p> <p>The above water course submerges underground at the northwest corner of private land, crosses under Adderley Rd, and re-emerges within the Platts Wood Nature Reserve, which is in the same private ownership and given no consideration in the consultation process.</p> <p>No surface water schematics are currently available for consultation and consideration by the EA and the general public.</p> <p>A survey must be undertaken to provide sufficient data to identify specific locations of the culverts and allowance to be made for a wide set off zone of (16m) from the culverts that should be kept free of development.</p>

Holy Trinity Dinting Cricket Club	<p>Received on 16/11/2022</p> <p>Urge a stipulation that if planning is approved, at the cost of the developer 30m high net fencing should be erected along the boundary lines (inside the proposed development).</p>
Dinting Primary School	<p>Received on 30/11/2022</p> <p>Dinting C of E (VA) Primary School does not have any vacant spaces, oversubscribed and have a waiting list. Other issues raised include safety, pedestrian access, congestion, parking, tree planting, siting of bus stops,</p>
British Horse Society	<p>Received on 28/11/2022</p> <p>This development proposal could be instrumental in providing a vital link for the Pennine Bridleway, a national trail and promoted route inclusive of horse riders, cyclists, pedestrians, mobility scooter and wheelchair users supported by NPPF para 100.</p> <p>Jesse Norman in House of Commons debate on Road Safety, 5 November 2018: “We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders”. The lengths of the NCN managed by Sustrans, mentioned in the Travel Plan, include equestrians as there is a Paths for Everyone commitment.</p> <p>The highlighted area in the copy of the Site Layout plan shows the route that would be most appropriate to help link the Pennine Bridleway, avoiding the increasingly busy roads. This request has been shared with local bridleways groups, the Trans Pennine Trail Officer and the Derbyshire County Council Pennine Bridleway Officer.</p>
Holy Trinity Parochial Church Council	<p>Received on 07/12/2022</p> <p>Objection. Issues raised include consultation process, congestion, pollution, access to local church community activities, plus impact on natural habitat, wildlife and biodiversity.</p>

6.4 Consultees

6.4.1 Statutory/Non-Statutory Consultations – The Council consulted 27 internal/ external consultees on the original development proposal in November 2022, and this process was repeated following the applicant’s submission of revised plans on 19th May 2023.

6.4.2 Concerns are summarised below:

Consultee	Comments
Derbyshire Planning (Archaeology)	<p>Received on 17/11/2022</p> <p>Object (later resolved) to the application as it currently stands, as there is insufficient information to understand significance and impact in relation to potentially nationally important archaeological remains (NPPF para 194). An archaeological field evaluation is required utilising an appropriate non-intrusive geophysical technique.</p>
	<p>Received 22/06/2023</p> <p>The applicant has not addressed the deficiencies previously noted in relation to archaeological information to establish significance and impact in line with NPPF para 194, and I therefore maintain an objection as per previous comments, because there is still insufficient information to understand significance and impact in relation to potentially nationally important archaeological remains.</p>
	<p>Received 09/10/2023</p> <p>The existing embanked track through the site remains the highest potential route for the Brough-Melandra Roman road through the site. Because this is currently in use for access, and because trenching locations were limited to 6m from an existing gas main alongside the track, it has not proved possible realistically to investigate this route either in terms of the road <i>agger</i> itself or any associated side ditches.</p> <p>None of the trial trenching identified any archaeological remains. However because of these practical constraints it will be necessary to investigate potential impacts in this zone post-consent under NPPF para 205.</p> <p>Conditions should be attached to any planning consent to require a Written Scheme of Investigation for archaeological work prior to development and occupation of the proposed development.</p>
Derbyshire Strategic Infrastructure (Place)	<p>Received on 28/11/2022</p> <p>In the absence of a Community Infrastructure Levy, financial contributions (and a monitoring fee) should be secured via Section 106 planning obligations.</p> <p>Analysis of the current and future projected number of pupils</p>

	<p>on roll, shows that the normal area primary school would not have sufficient capacity to accommodate the 23 primary pupils arising from the proposed development.</p> <p>If there is insufficient capacity to accommodate the increase in pupils forecast to be generated by this proposed development and the development itself cannot enable the necessary provision, the County Council wishes to highlight that the proposed development may not provide for a sustainable form of development.</p> <p>Some of the 1-bed provision should be delivered either as bungalows or 'stacked bungalows', to ensure users with less mobility or with visual impairments can access level living.</p> <p>Requires provision of a route for non-motorized green travel of a continuous, pedestrian/cycle/horse riding route linking access points following the route with the least gradient. and provided at a width of 3m+ and segregated away from vehicular access within an overall 5m corridor.</p> <p>Requires a survey of all trees which are likely to be impacted upon by the proposed development, with details and categorisation results provided in an appropriate schedule.</p> <p>The County Council would wish to be a signatory to any legal agreements containing planning obligations that relate to County Council infrastructure and services.</p>
Derbyshire Planning (Flood Risk Management/ LLFA)	<p>Received on 23/07/2023</p> <p>As above but with the following exception:</p> <p>Analysis of the current and future projected number of pupils on roll, together with the impact of approved planning applications shows that the normal area primary school would have sufficient capacity to accommodate the 20 primary pupils arising from the proposed development.</p>
Derbyshire Planning (Flood Risk Management/ LLFA)	<p>Received on 24/11/2022</p> <p>Waiting for further information regarding the drainage strategy. Understand that a preliminary drainage strategy has been prepared and will wait to receive this before submitting initial comments. However no updated drainage strategy has been received.</p>
	<p>Received 28/06/2023</p> <p>Requested further information:</p> <ul style="list-style-type: none"> - Clarification of the drainage arrangements for the bell mouth of the access road.

	<ul style="list-style-type: none"> - Clarification as to whether tree pits will be incorporated, as previously suggested, and how they will be connected to the drainage system. <p>The letter from Betts Associates to the LLFA dated 7 July 2023 refers to 'significant watershed onto site' from outside the site boundary which will be captured by an interception drain which in turn will discharge into tiered basins. Where will these basins discharge to?</p> <hr/> <p>Received 11/09/2023</p> <p>LLFA has <u>no objection subject to conditions</u> requiring the following:</p> <ol style="list-style-type: none"> 1. A detailed design and associated management and maintenance plan of the surface water drainage for the site. 2. Details indicating how additional surface water run-off from the site will be avoided during the construction phase. 3. A verification report carried out by a suitably qualified independent drainage engineer.
Derbyshire Planning (Highways)	<p>Received on 01/12/2022</p> <p><u>Objection</u> (later resolved, other than gradient of access road). Overall, the layout does not meet the adopted requirements.</p> <p>S106 Financial contribution requested.</p> <p>The Transport Assessment has not undertaken a detailed assessment of the accident records in the area.</p> <p>The proposed visibility splay is unacceptable.</p> <p>Generic parking levels are inappropriate for this location and an evidence-based approach is needed.</p> <p>A greater level of cycle parking is needed. Bicycle parking locations are not acceptable.</p> <p>A Walking, Cycling and Horse-Riding Assessment (WCHRA) should be provided.</p> <p>TEMPRO scenarios are not recorded in the Transport Assessment, so they need to be provided. A test of 2031 should also be applied to capture the cumulative local plan growth expected.</p> <p>The applicant should undertake a local car ownership survey</p>

to evidence the rate based on current residential movements.

Highway Impact. Section 8 is not accepted, firstly the trip rate is too low, and secondly a 2031 assessment is needed based on the local plan year.

The Topographic survey and Geo-Environmental report confirm there is a significant gradient at the site access, which is unacceptable.

Suitability of the layout for use by a Large Refuse Vehicle of 11.6m length should be demonstrated by means of appropriate swept paths/turning head. Additionally, the vehicle oversail projects beyond the prospective highway which confirms the turning heads are insufficient.

Without benefit of details printed to scale, it isn't possible to ascertain the width of the proposed road widths, so carriageway widths should be shown and annotated based on street design speed.

There are no pedestrian crossing locations or tactile paving shown within the site.

The proposed highway drainage and road lighting should be submitted as part of the technical approval process.

A CLoS and JAT assessment should be provided.

The Travel Plan is unacceptable. It does not provide a base position of mode share, nor does it indicate what level of mode shift it wants to achieve. The lack of target makes the plan unlikely to be successful.

Overall, the layout does **not** meet the adopted requirements.

Received 06/07/2023

The Council's Highway Design Guide is being updated and although in draft form, it has not departed from the 1:20 for all streets, but consideration given to 1:12 with the road gradient into junctions should be set at 1:20 (5%) for the first 10m.

'Inclusive Mobility' DFT 2022 States: 'Generally, pedestrian environments should be level, which means that there should be no gradient in excess of 1 in 60. If a level route is not feasible, then gradients should not exceed 1 in 20. Even if a pedestrian route has no slopes in excess of 1 in 20, it is important that there are level sections, or 'landings', at regular intervals with accessible seating. A level landing should be provided for every 500mm that the route rises.

LTN/120 states: '5.9.7 states Cycle routes should be designed in such a way that the maximum gradient is 5% (1:20).

The internal road crosses a PRow, and further information has been requested.

The submitted documents do not provide any information of traffic speeds on A57, road safety analysis, evidenced visibility splay, local parking evidence, implications of A57 DCO, revised trip rates, further analysis of mini roundabout or consideration of refuse vehicles. Apart from a mention in the Design and Access Statement (D&AS) it does not show any vehicle tracking.

The County Council note the lack of connectivity is an issue.

In summary:

- a) Resubmission of a revised document which acknowledges that targets should be set once the initial residential travel survey baseline figures are established. A 10% gross target reduction in SOV should then be set. This replaces the use of the 2011 dataset and the 'no change' SOV target proposed.
- b) Confirmation that access arrangements for all to the site can be reasonably achieved in accordance with current accessibility guidelines. This includes, amongst others, regulation widths, gradients and resting places along the main access road.
- c) Provision of walkways to all dwellings.
- d) No information is provided regarding the interface with public highway at each end for cyclists/ pedestrians.

The site is in close proximity to a proposed Key Cycle Network route which is also part of the Trans Pennine Trail and the Pennine Bridleway with clear potential to take trips to the development off the highway and facilitate safe and sustainable trips to local destinations. As a minimum, the link to this route should be safeguarded; and a developer contribution should be secured to provide the link. In the event of a **S106**, the Travel Plan Monitoring fee is £1,265.00 pa x five years, total £6,325.00.

Trees have been placed within the footway, an obvious highway safety issue as they will reduce the width of the footway and impede all highway users.

- a) Off-street parking should be provided, each space being of 2.4m x 4.8m, increased in length to 6.5m where a space is in front of a garage.
- b) The size of the bays has not been provided.

	<p>c) Plots 60 to 62 may be an issue as they will be reversing in or out of the bay on a bend in the road.</p> <p>d) No parking space sight lines have been shown.</p> <p>e) The creation of one long dropped kerb to access the cluster of parking spaces could be a highway safety issue in terms walking or cycling over a long distance before passing the row of vehicles.</p> <p><u>The County Council would wish to see the highway issues addressed prior to determination</u>, 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/Notes which can be recommended to be appended to any consent issued.</p> <p>Received on 06/09/2022</p> <p>Comments were received in relation to the relocation of the bus stop, PROW, highways access gradient, and access to the existing substation.</p> <p>The only outstanding matters in the objection are:</p> <ul style="list-style-type: none"> a) The access road gradient and impact on inclusive access (which remains unresolved), and b) Street trees (which can be conditioned).
Local Highways	<p>Received on 01/12/2022</p> <p>It is understood that a revised assessment was to be prepared and submitted to take into account of the recently approved A57 link road, the model input parameters, traffic speeds, impact of the gradient of the access road, and further clarification around the model validation given the difference between actual monitored results and predicted baseline.</p>
Environment Agency (Statutory Consultee)	<p>Received 07/12/2022</p> <p>REFA were <u>unable to carry out a full detailed site investigation</u> due to protests from local parties preventing access to the site.</p> <p>The intrusive site investigation found very little evidence of made ground to be present on site.</p> <p>A desk study report recommends site investigation to investigate whether ground workings to the west or landfilling activities to the east have resulted in potentially contaminated made ground being deposited within the application site boundary.</p>

	<p>Works affecting historic landfills need to satisfy the Environment Agency that they have been undertaken as a recovery activity and that the material is no longer waste. In the absence of contrary evidence, the Environment Agency will presume it is still waste.</p> <p>Conditions are recommended for previously unidentified contamination.</p>
	<p>Received 08/06/2023</p> <p>No new comments, please see previous comments on 07/12/2022.</p>
<p>Derbyshire Wildlife Trust (DWT)</p>	<p>Received on 01/12/2022</p> <p><u>Insufficient information</u> has been provided at this time to enable the application to be determined.</p> <p>No species lists have been provided and it is not clear if full update botanical survey has been carried out.</p> <p>A strategy for both onsite and offsite compensation would be required to ensure compliance with local and national policy</p> <p>The pond's value should be recognised to amphibian populations present in that immediate area. If the pond cannot be retained and enhanced, its loss should be compensated for.</p> <p>Currently the proposed drainage strategy is comprised entirely of below ground measures, with no attenuation basins, swales, ponds etc. We strongly recommend that drainage solutions should create above ground features, which can provide the dual benefits for both drainage and biodiversity.</p> <p>A relatively large area of foraging habitat would be lost and the northern woodland would be completely severed by the access road, potentially forcing endangered species to cross the new road.</p> <p>Buffering of the woodland edges would help to mitigate some of the impacts</p> <p>Bird survey was not started until 20th June 2022, missing the months of March, April and May. This is contrary to best practice guidance and means spring breeders will be unrecorded, therefore the value of the site is potentially underestimated.</p> <p>A further bird survey should be undertaken with at least one</p>

survey per March, April and May, to conform with guidance and ensure a full impact assessment can be made.

Support the recommendations for additional inspection prior to felling / soft fell approach.

However, the bat report concludes that some trees identified to display 'moderate' bat roost potential during the initial ecological appraisal will be retained, whereas it appears from the Arboricultural Impact Assessment, that all will be lost.

The woodland edge habitat is likely of importance to foraging and commuting bats and other wildlife and an unlit buffer zone of semi-natural habitat should be retained along the full length of this boundary - advise at least 10 m.

The woodland to the east should also be buffered sufficiently and these buffer zones could also provide scope to retain onsite grassland habitats and reduce the overall net loss.

Currently, proposals will result in almost all the existing habitats being lost, with no significant buffers to the woodlands. The layout should be revised to a more sensitive design that accommodates appropriate buffers, dark corridors and opens space.

The invertebrate surveys were undertaken at the end of the survey season, which means spring and early summer species would be unrecorded.

Insufficient mitigation has been proposed to address impacts to the invertebrate communities present and it is unlikely that Bumblebee *Bombus Ruderatus* will survive at the site once the habitats are destroyed.

Further early season invertebrate surveys may be justified to fully assess the assemblage supported on site.

No buffer is provided to Gamesley Sidings LWS to mitigate for impacts of noise, light and other disturbance.

The Arboricultural Impact Assessment discusses pruning back the woodland edge trees as they overhang gardens by 75 %. This is not considered acceptable and the presence of a Local Wildlife Site should be factored into the site design.

Little consideration appears to have been given to the impacts on green infrastructure, as per the requirements of Policy EQ8 of the Local Plan.

Further botanical information is required to demonstrate that

habitats have been adequately valued and a strategy to address the predicted net biodiversity loss

The layout fails to demonstrate consideration of the mitigation hierarchy.

The further survey and assessment works discussed above should be completed and the scheme reviewed, with the aim to first avoid, then mitigate and finally compensate for impacts.

At this time, the Derbyshire Wildlife Trust intend to submit a holding **objection** until sufficient information has been submitted.

Received 22/06/2023

The following data has not been supplied:

- A copy of the biodiversity net gain metric. We cannot fully review the calculations which are fundamental to the assessment. The LWS report acknowledges that the grassland in the south of the site could comprise MG5c / lowland meadow but that there is insufficient data to determine this. It is entirely reasonable to request quadrat data to determine the grassland types, in line with the UKHabs Habitat Definitions guide. Currently, no further survey data has been submitted to provide evidence for the choices made in the metric.
- Additional botanical survey, namely quadrat data to confirm grassland habitats are accurately characterised. There is no accompanying map to show the location of the condition assessment quadrats, nor species lists for the offsite habitats. Also, although the BNG report includes a section dismissing the likelihood that acid grassland is present, no empirical data is given to support this.
- Additional invertebrate survey and assessment to determine impacts to the nationally scarce large garden bumblebee recorded on site and design appropriate mitigation.

The trading rules are not met. Trading rules are a fundamental principle in the metric, which ensure that higher value habitats are not replaced with lower value habitats.

Whilst the headline figures indicate a predicted net gain, we would advise that the metric has not been properly interpreted in line with user guidelines and that a true net gain cannot be claimed.

The previous BNG Assessment calculated a loss of -9.43 habitat units (including on and offsite areas). The current calculations based on the revised layout are a gain of +6.32 units. Given that the layout is little changed, with the exception of a buffer in the west and some SuDS, this is a large change

and it would appear to be influenced heavily by the planting of trees. Whilst tree-lined streets are encouraged and can help maintain some connectivity for bats and to some extent badgers, they will essentially be roads and cannot be fully termed ecological corridors.

No detail has been provided as to how the proposed habitats would be created / enhanced on the offsetting site. No detail has been provided on soil type / pH, moisture content, nutrient levels etc. and therefore little confidence has been given that grassland of equivalent character and value can be created to compensate for that to be lost.

A 10m buffer to Gamesley Sidings has been added, which is welcomed. However, it will include a 3m footpath and swale, which will reduce the area of grassland. The impact of the swale creation on tree roots should also be considered but we do acknowledge that this could provide additional habitat for amphibians. It is not clear whether the grassland will be retained as per the BNG report or lost and re-seeded as per the Landscape Plan Rev. B. Given the footpath and swale creation, we would anticipate retention would not be possible.

No further invertebrate survey data has been provided or meaningful proposals to mitigate the impacts to the nationally scarce large garden bumblebee

Impacts have **not** been avoided or significantly reduced through a meaningful re-design. Whilst some minor mitigation measures have been incorporated these do not go far enough to adequately mitigate the impacts to rare species and notable habitats. Offsite compensation proposals still result in a net loss of valuable LWS quality / S41 grassland (and other habitats) and little confidence is given that the offsite habitats can be created to the same quality of those that will be lost.

Received 04/07/2023 from CEO of DWT

Derbyshire Wildlife Trust objects to the current proposals for the development of land at Dinting Vale, Glossop, as set out in the documents submitted for the above application.

We do not consider that the current proposals have been able to demonstrate how the development will sufficiently avoid, mitigate and compensate for biodiversity impacts at the site. We therefore do not consider that the development in its current form is able to comply with national and local planning policies relating to the protection and enhancement of Biodiversity, namely the NPPF 2021 and Policy EQ5 of the High Peak Local Plan, along with local policies S1 and S5.

	<p>The Trusts main grounds for objection are as follows:</p> <ul style="list-style-type: none"> • A Lack of Adequate Data • The Trading Rules of the Biodiversity Metric are not satisfied. • Loss of a Site which qualifies as a Local Wildlife Site • Loss of Notable Grassland • Impacts to Nationally Scarce Bumblebee <p>No further invertebrate survey data has been provided or meaningful proposals to mitigate the impacts to the nationally scarce large garden bumblebee. This is a Species of Principal Importance (S41, NERC Act 2006) and classed as Nationally Scarce (Nationally Notable) B. It is only the second record for Derbyshire that we are aware of and it has declined by over 80% across its UK range. Insufficient mitigation has been proposed to address impacts to the invertebrate communities present and considered it unlikely that <i>Bombus ruderatus</i> would survive at the site once the habitats are destroyed</p> <p>Received 11/07/2023</p> <p>The 30-year management plan and BNG strategy is still outstanding. There is a net loss overall and there is bespoke compensation.</p> <p>Received 26/07/2023</p> <p>Maintain <u>objection</u>. Do not consider that the current proposals have been able to demonstrate how the development will sufficiently avoid, mitigate and compensate for biodiversity impacts at the site. Main grounds for objection: Net Biodiversity Loss and unsatisfied Trading Rules; Loss of Habitats of Principal Importance (Section 41 NERC Act 2006); Loss of a Site which qualifies as a Local Wildlife Site.</p> <p>Further information provided by the applicant allayed the DWT's concerns on two points and the Trust withdrew its objection to: impacts to nationally scarce bumblebee and a lack of adequate data.</p>
DWT	<p>Received 08/09/2023</p> <p>Conditions are required to ensure the necessary mitigation and compensation is delivered:</p> <ul style="list-style-type: none"> - Biodiversity net gain – offsite - Landscape and Biodiversity Enhancement and Management Plan (LBEMP) – Onsite - Construction Environmental Management Plan (CEMP: Biodiversity) - Lighting

DWT	<p>Derbyshire Wildlife Trust confirms that the applicant has improved the development proposal with sufficient mitigation.</p> <p>Conditions / S106 Agreement should secure 1) onsite LBEMP 2) offsite BNG offsetting agreement and management/monitoring scheme 3) the bespoke compensation strategy, including habitat creation, management and monitoring.</p>
FPCR (Landscape & Visual)	<p>Received 06/01/2023</p> <p>Positives:</p> <ol style="list-style-type: none"> 1. Pedestrian connectivity seems well thought through. 2. Outward facing residential block structure is good practice. 3. The general principles of the primary street and perpendicular secondary streets are a logical solution for the development south of the PRoW. A loose outward facing edge suited to the topography works well too. 4. Positioning dwellings to back-on to the western boundary is logical and an efficient use of land. 5. Use of corner turner dwellings is welcomed. 6. End of street focal building vistas seem to have been achieved throughout. 7. The use of stone walling and grey tiles in principle is appropriate*. 8. The use of stone door/ window headers and sills and stone framing around main entrances is welcomed*. 9. Generally, the proportions and subdivisions of casement windows is suitable for the High Peak, though the use of grilles is unnecessary and not advised. 10. Providing stone walling to the sides of rear gardens facing the public realm is good practice and welcomed*. <p>However:</p> <ul style="list-style-type: none"> • No topography plan is included. • Landscape Value has not been specifically addressed. • No criteria for susceptibility to change, value, combined sensitivity, or magnitude of change are included within the appraisal. • Heritage is not covered. • No mention or evidence of an iterative design process. • Potential effects and proposed mitigation are not clearly set out no overall judgements are included. • Proposed mitigation is not clearly described. • A comprehensive management plan should be secured by condition.

- The appraisal identifies landscape and visual receptors but does not assess the likely effects upon them.
- Lack of detailed assessment and overall judgements of effects.
- No visualisations are included.
- No definition of landscape susceptibility (an assessment of landscape value and landscape susceptibility).
- Although the LVA states that its intention is not to give it is expected, for a scheme of this size, to include overall judgements upon both the landscape and visual receptors that have been identified as part of the appraisal.
- The appraisal should be developed further to be robust and to enable the findings to form part of the overall consideration of the planning balance.

The proposed site access breaks through an existing bus shelter and bus stop. The character of this site entrance needs clarifying.

Site access. If new planting is proposed, is this practical on a very steeply engineered slope? How will this landscape area be managed and encouraged to flourish over time and add to the quality of the site entrance?

An unattractive view of closed board fence and rear gardens/ rear elevations faces the site entrance. There is an opportunity here to design a new north-facing frontage on top of this hill. Upgrading the PRoW to one of the new streets would help increase the block depth here.

Received 06/07/2023

Some materiality choices have clearly been influenced by the local character which is positive. However, little other consideration has been given to the distinct local landscape and architectural character. The ecological green links proposed are disconnected and thus do not work – they need joining up to connect the woodlands surrounding the site and include new tree planting within. In addition, it is felt that, on first glance, the proposed development fails to meet HPBC's Local Plan *Policy EQ6 Design and Place Making*.

Thought should be given to the proposed design and character of the western edge.

The revised street network is convoluted and provides no street hierarchy or street character which limits the ability of the development to create a 'sense of place' or help users in

wayfinding.

Little to no visitor parking which will cause indiscriminate parking that is likely to inhibit movement through the site.

Lack of any material variety on the Hardstanding Plan. It is unclear what 'black tarmac with stone setts' means. Streets need breaking up with alternative materials such as at junctions, 'squares', or areas of traffic calming.

The block paving for the PRoW is welcome but it is unclear what this is i.e. colour, material type, surface finish. Hoggins should be avoided for paths.

Regarding the northernmost area of the proposals, a commitment to replanting the engineered slopes is welcomed as this will, in time, provide a visual screen of the rear gardens/ acoustic fence on the northern edge. A maintenance plan for the landscaping here should be conditioned to ensure this new planting reaches maturity.

Street trees should generally be located in a designated verge, min. 2m wide.

The submitted LVIA (LVA) Review appears to be the same LVIA (LVA) report prepared by TPM, albeit updated to reflect details of the amended scheme. Therefore, our review, dated January 2023, remains unchanged.

FPCR has submitted a sketch showing areas to improve the development proposal.

FPCR Landscape

Received on 30/08/2028

Overall, the appraisal is relatively high level but is considered to be adequate for and proportionate to the size of scheme proposed and for the purpose of accompanying a planning application. As mentioned at 3.10, for completeness and to be robust, the appraisal could include the outstanding assessments however this is not critical to the decision making process or to form part of the overall consideration of the planning balance.

FPCR Design

Received on 01/09/2023

A detailed response on design comments was received, with the main areas of concern being:

- Tree pits
- A lot of tarmac will be used
- Significant level changes between rear gardens
- Dimensions to the proposed site layout

	<p>- Peppercorn house type is deemed inappropriate</p> <p>In all other respects, the design was considered to be an improvement on previous iterations and was acceptable,</p>
High Peak Access	<p>Received on 06/12/22</p> <p>Requested that the development be revised to demonstrate compliance with Building Regulation M4(2) to meet the requirements of High Peak Local Plan Policy H3 (e) and the HELNA 2022. Now resolved.</p>
Natural England (Statutory Consultee)	<p>Received on 21/12/2022</p> <p>No objection.</p>
	<p>Received 15/06/2023</p> <p>No objection.</p>
Network Rail (Statutory Consultee)	<p>Received on 06/12/2022</p> <p>No objection in principle.</p>
	<p>Received 05/06/2023</p> <p>LPA/developer are advised that unauthorised works adjacent to the railway boundary could impact the operation of nationally significant infrastructure.</p> <p>The developer is to submit directly to Network Rail asset protection, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway.</p> <p><i>The developer is to provide a suitable trespass proof fence adjacent to the boundary with the railway.</i></p> <p>Scaffolding which is to be constructed within 10 metres of the Network Rail / railway boundary must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffolding must be installed.</p> <p>If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted.</p> <p>All roads, paths or ways providing access to any part of the railway undertaker's land both temporary and permanent, must</p>

	<p>remain open and unblocked (24/7, 365 – around the clock) both during construction works and as a permanent arrangement.</p> <p>The applicant must ensure that the proposal drainage does not cause flooding pollution or soil slippage, vegetation or boundary issues on railway land.</p> <p>The applicant will agree all excavation and earthworks within 10m of the railway boundary with Network Rail.</p> <p>The Council and the developer are to determine the most appropriate measures to mitigate noise and vibration from the existing operational railway to ensure that there will be no future issues for residents once they take up occupation of the dwellings.</p> <p>No trees shall be planted next to the boundary with the railway land and the operational railway, except for evergreen shrubs.</p> <p>No works are to commence until agreed with Network Rail. Early engagement with Network Rail is strongly recommended.</p>
<p>NHS Derby and Derbyshire CCG</p>	<p>Received on 25/11/2022</p> <p>The development would result in an increased patient population.</p> <p>S106 funding should be used to provide additional capacity at any practice in the vicinity of the development, which may be through the extension of one of more existing site, or a new building.</p>
<p>Gas Pipelines & Electricity Pylons (Statutory Consultee)</p>	<p>No response.</p>
<p>Derbyshire Police (Crime Prevention Design)</p>	<p>Received on 25/11/2022</p> <p>No reasons to object to the application in principle. However, a number of concerns have been raised with regard to natural surveillance, location of fencing, and lighting provision.</p> <hr/> <p>Received 19/06/2023</p> <p>The prominent Willow house at plot 1 has no presence at the beginning of the site gateway. Similarly the Witchazel type at plot 2 is a weak corner proposition.</p>

	<p>The Foxglove house at plot 32 has a primarily untreated side elevation with entrance door very close to, and undefined from a passing peripheral footpath route. An improved side treatment and boundary definition is needed.</p> <p>There are five shared garden access routes, of which only one is communally secured at a point which is visible from the street edge. The other four shared routes are unsecured.</p> <p>The adopted road scheme is now shown, and excludes the private driveways for houses and the apartment block. These areas will need a supplemental lighting scheme, with a preference for solar powered columns to extend the spread of light to the adjacent walkways</p>
Peak & Northern Footpaths Society	No response.
Ramblers Association	No response.
Tameside and Glossop CCG	No response.
United Utilities Asset Protection	<p>Received on 28/11/2022</p> <p>Request that the applicant provides a detailed drainage plan.</p> <p>Need to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact (surface water and waste water).</p> <p>A public sewer crosses the site and will not permit building over it. Require an access strip for maintenance or replacement.</p> <p>Recommends the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.</p>
HPBC Arboricultural Officer	<p>Received on 24/11/2022</p> <p>Object to this proposal due to the large negative impacts on the current tree cover of the site. There will be long-term impacts that will be felt long into the future due the inability to replace lost tree benefits. The development will also result in permanent ongoing negative impacts on the retained woodlands from the future owner/occupiers of many of the proposed dwellings due to the placement of dwellings close to</p>

	<p>trees and woodlands. This conclusion is also confirmed by the applicant's own Arboricultural consultant.</p> <p>No mitigation on site is either proposed or possible to make up for the loss that would be caused by this development.</p> <p>A significant section 106 payment/ agreement will be required to ensure the lost tree benefits are recreated elsewhere in the Glossop area</p> <p>The application should be <u>refused</u>.</p>
	<p>Received 29/06/2023</p> <p>On the grounds of tree loss it is recommended that the scheme is <u>refused</u> based on it not adhering to the below policies. However, should Development Control be minded to grant consent based on the balance of benefits from the proposal then the following conditions and section 106 will be required.</p> <ol style="list-style-type: none"> 1. Protection of existing trees/hedgerows and planting locations (demolition & construction) 2. Tree monitoring plan 3. Tree planting and soil rooting volume condition 4. Existing tree/shrub/hedge retention
<p>HPBC Arboricultural Officer</p>	<p>Received on 16/08/2023</p> <p>The updated scheme, is a dramatic improvement on the previous scheme, however from the point of view of its overall impact on trees and woodlands and the scheme's inability to mitigate that damage I provide an <u>objection</u> to this proposal.</p> <p>The negative impacts on the site have been reduced from the previous scheme, however the remaining impacts are significant and they will be felt long into the future due the inability to replace the lost tree benefits. This conclusion is also confirmed by the applicant's own arboricultural consultant.</p> <p>The scheme will see the removal of a large proportion of high quality trees. British Standard 5837:2012, recommends that trees/ woodlands categorised as A class should be retained, whilst B class trees should also be retained where possible. The proposal will see the removal of nearly a hectare of A and B class trees from the site.</p> <p>The Council's policies require a 2 for 1 replacement for each tree removed for a development. The Tree Report confirms</p>

	<p>that 1.0319 hectares of trees are proposed for removal with further hedge removals on top, which they have equated to 2.1718 hectares required for replacement planting to mitigate the loss.</p> <p>Should Development Control be minded to grant consent for this scheme then a significant S106 payment/ agreement will be required to ensure the lost tree benefits are recreated elsewhere in the Glossop area. Any section 106 agreement for trees to be planted off site should not just be restricted to 125 large trees but rather a mix of species and sizes.</p> <p>Conditions are recommended in relation to street trees, species mix, proximity to buildings lines, site layout during development, and general tree protection.</p>
HPBC Conservation	<p>Received on 07/12/2022</p> <p>No comments.</p>
HPBC Environmental Health - Contaminants	<p>Received on 23/11/2022</p> <p>No objection subject to specified conditions.</p> <p>The submitted contamination reports recommend additional intrusive site investigation, including ground gas assessment. For these reasons and to protect the health of the public and the wider environment a contamination condition (requiring further assessment) will be recommended.</p> <p>The submitted site layout plan needs to resubmitted, to make it absolutely clear where acoustic fencing is proposed.</p> <p>Model construction conditions will be recommended (see below).</p>
HPBC Environmental Health – Air Quality	<p>Received on 23/11/2022</p> <p>It is understood that a revised assessment is to be prepared and submitted. The revised assessment will need to be considered prior to the determination of the planning application to ensure that the proposed development will not result in a significant adverse impact on the Dinting Vale Air Quality Management Area (AQMA).</p>
	<p>Received 13/07/2023</p> <p>Environmental Health is unable to consider removing the <u>objection</u> until further clarification is provided.</p>

DCC HA still have outstanding concerns regarding the transport assessment/ Technical Note. This is fundamental to the AQ assessment

Clarification is sought:

- The applicant's response on the effect of the A57 Link Road needs to be supported with the actual traffic data or a reference.
- The traffic data used in this assessment sensitivity test needs to be clarified and validated.
- Speed data for free-flowing traffic conditions should be supported with graphical detailing showing exactly the areas where the differing speeds were applied.
- The impact of the gradient on road traffic emissions should be supported with graphical detailing showing exactly the areas where either the gradient was applied.

Received 11/09/2023

Objection withdrawn.

Conditions relating to noise, land contamination, demolition and construction.

Supports the recommendation by County Highways for conditions relating to Electric vehicle charging, secure cycle shelter provision and the implementation of a travel plan.

Predicted increase on air quality at monitoring points. Recommends that a contribution of £150 per proposed property to support and implement actions associated with the revised action plan for the area, namely the real time monitoring of NOx and PM10 data and possibly to support a further feasibility study into local sustainable travel in the area. This should either be as a condition of the planning permission or secured via a s.106 agreement.

Consideration should be given to providing off-street parking.

HPBC Housing Strategy

Received 12/10/2023

It is appreciated that the site has constraints and acknowledged that due to the viability issues the applicant is unable to deliver a policy compliant affordable housing contribution.

If site viability wasn't an issue, the policy expectations would be a 30% affordable housing delivered on site and based on a

	<p>total of 92 dwellings, would equate to 28 affordable homes.</p> <p>HPBC Housing Strategy is content to accept £193,250 which the viability allows as an offsite contribution in lieu towards the provision of affordable housing in the Glossopdale area.</p>
HPBC Operational Services (Leisure/ Recreation)	<p>Received on 20/12/2022</p> <p>Lack of play facilities. The nearest existing play space is some distance away and small in size. It's therefore felt that additional play provision should be provided on the site.</p> <p>Would expect to see the on-site play area integral to the design and layout, ideally located centrally with properties facing on to it, providing good casual supervision.</p> <p>S106 contributions are requested towards enhancements of existing facilities within a 2km radius of the development.</p>
	<p>Received 20/06/2023</p> <p>Comments generally remain the same as the attached document.</p> <p>Any on-site play provision should have good walking access links from all parts of the development and if it is likely that children from adjacent existing housing could use this new play area, how will the layout ensure that connection and accessibility? The open space at the south of the site, adjacent to the footpath link, could be suitable?</p>
	<p>Received on 30/06/23</p> <p>Acknowledged inclusion of the fitness trail, which it is considered fits in well with the site, having a more natural feel and with a linear alignment. Suggestions for improvements to the facilities were made, which have been subsequently incorporated into the design.</p>
HPBC Regeneration - Economic Development	No response.
HPBC Regeneration - Planning Policy	<p>Received on 24/11/2022 –</p> <p>Advises negotiating with the developer in relation to developer contributions, potentially informed by a third-party view of the submitted Viability Assessment. In determining the application, the issue of viability / priorities for developer contributions will</p>

	be key.
HPBC Service Commissioning team	No response.
HPBC Waste (Operational Services)	Received on 06/12/2022 Bin Store provision for the apartments must be of a suitable size to accommodate the housing type and need.
Trans Pennine Trail National Office & Sustrans	Received on 24/11/2022 Issues have been identified relating to pedestrian, and cycle movement in addition to bridleways. Additionally, footways should be a minimum of 3m wide, and there is no provision for relocation of the bus stop sign. It is requested that the route via the unadopted road to the east of the site is upgraded from just walking provision only and extended to meet the connecting bridleway at Gamesley and safe crossing at the entrance/exit to the site is provided for sustainable transport users.
	Received 26/06/2023 The sustainable transport exit to the southwest of the site still doesn't link to any onward connections - a sustainable transport route should be provided that connects into existing infrastructure. The route through the woodland still needs to be provided to accommodate walkers, cyclists and equestrians. A detailed map is requested to clearly show enhanced connectivity with a pedestrian and cycle route through the development. Sustainable transport should form part of the conclusion to indicate the developer's commitment to green transport. The Trans Pennine Trail and Sustrans cannot support this application until the lack of a connecting sustainable transport offer is provided.
Derbyshire Public Right of Way Officer (PROW)	Received on 28/09/2023 The existing private vehicular rights along FP 50 introduce a lot of problems into this application, such as preventing new residents from driving/ cycling along it, to cut through to and from Simmondley Lane. The access to the apartments running

	<p>along the footpath is a problem that can be solved relatively easily, by moving the access so that it runs directly from the proposed new road. Current plans would significantly increase the number of vehicles coming into conflict with pedestrian users of the public footpath along that section. Also, the applicant has not yet given any details of how they intend to manage that conflict.</p> <p>A PROW condition can be dealt with via agreement, prior to being discharged. The discharge of the condition would rely on the applicant coming up with a satisfactory solution to the issue of managing the aforementioned conflict.</p> <p>The fact that it is unlikely that the new road will become publicly maintainable, could well result in less protection for FP50. The footpath needs to be an undesirable alternative to the new road (for vehicles), far into the future. If the new road is not satisfactorily maintained, then over time FP50 could become equally desirable to drive along. No new application plans have been submitted that attempt to ensure that FP50 will be protected, if the new road is not to be adopted.</p> <p><u>Objection</u> to the proposals on behalf of PROW.</p>
	<p>Received on 28/09/2023</p> <p>Satisfied with the amended layout, that moves the access to the apartments from along FP 50 to a position directly off the proposed new road.</p>
	<p>Received on 28/09/2023</p> <p>Notes that 'In the event the roads are NOT adopted, they will be managed and maintained by a management company that will be under legal obligations to undertake the same.' If this takes place, with clear expectations of the minimum standard of maintenance required, then a condition relating to appropriate signage, and any other discouragements, to protect FP 50 from development traffic would be acceptable. In this case, the <u>objection is withdrawn.</u></p>
<p>Robert Largan MP</p>	<p>Received on 05/12/2022 and 07/12/2022</p> <p>Concerns submitted by constituent – bypass, closeness to Dinting Primary School, environment, green field site, and grid-lock.</p> <p>Concerns submitted by constituent - new road facing the school, children with special needs, children attending primary school at Dinting vale, road accidents, nervous even walking outside my front door, possibility of added cars to this road is</p>

	very worrying.
Cllr Stewart Gardner Simmondley Ward,	No response.
Cllr John Haken Simmondley Ward,	No response.

7. OFFICER COMMENT

7.1 Development Plan

- 7.1.1 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.
- 7.1.2 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 emerging Local Development Scheme is at a very early stage and therefore holds little weight. Therefore, the development plan is chiefly 'High Peak Borough Council Local Plan (2016)'.
- 7.1.3 High Peak Local Plan is up to date except for two policies that relate to this application: S3 (Strategic housing development) and, partly, H4 (Affordable Housing). Policy H4 is considered only partially out of date in respect of the lower threshold for small sites. The policy requirement for 30% affordable housing on larger sites is still considered to be up to date.
- 7.1.4 The site also forms part of the Appendix 3 schedule sites within the Council's Statement of Five Year Housing Land Supply (as at 1st April 2022), dated September 2022. Within this, it is noted that the site forms part of the Council's Accelerated Housing Delivery Programme.

7.2 Principle of Development

- 7.2.1 Policy **S2** Settlement Hierarchy of the adopted Local Plan directs new development towards the most sustainable locations in accordance with the settlement hierarchy.
- 7.2.2 Policy **H2** of the adopted Local Plan allocates the site for housing development, specifically covered by site specific Policy **DS4** Adderley Place, Glossop. This greenfield site lies within the built-up area boundary for Glossop as identified in the Local Plan and is part of a housing allocation under policy **DS4** (Adderley Place – Site G32). Consequently, with the site forming part of site-specific housing allocation, it is considered that the principle of development is acceptable, subject to the criteria within

the policy, compliance with all other policy and material considerations.

7.2.3 The development application site covers approximately two-thirds (4.7ha) of the whole Local Plan allocation (6.3ha). It excludes the southeastern part of the site allocation which is owned by High Peak Borough Council. In terms of housing numbers, the Local Plan allocation is for 130 dwellings in total, so the 92 dwellings proposed for this part of the site is considered to be acceptable provided that access to the remainder of the site is not compromised.

7.2.4 The Policy **DS4** allocation provides specific measures required in relation to development of the site which include:

- Provision of new access, with substantial access improvements on to the A57, and a transport assessment
- Provision of the required proportion of affordable housing (currently 30%)
- Contributions towards infrastructure, services and other community needs as required;
- Contamination and ground condition survey and site-specific Flood Risk Assessment in accordance with the findings of the High Peak Viability Assessment: Level 2 Strategic Flood Risk Assessment;
- Provision of a comprehensive landscaping plan, including the retention of mature trees;
- An archaeological evaluation.
- A wildlife survey should be undertaken following consultation with Derbyshire Wildlife Trust

The above site-specific criteria will be discussed in more detail in relevant sections of this report.

7.3 Housing Mix

7.3.1 NPPF Section 5 relates to delivering a sufficient supply of homes. Paragraph 59 identifies that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forwards where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

7.3.2 The Statement of Five Year Housing Land Supply (as at 1st April 2022) concludes that the Council can currently demonstrate 6.28 years supply of housing land including a 5% buffer and meeting the shortfall within the next five years using the agreed Liverpool Method approach. Accordingly, for decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay within the context of NPPF paragraph 11.

7.3.3 Local Plan Policy **H3** requires new development to provide a housing mix to meet the needs of a range of household types, taking into account the surrounding character of the area. New dwellings should provide adequate internal spaces for the intended number of occupants and commensurate with the Nationally Described Space Standards (NDSS).

7.3.4 The revised plans show a total of 92 dwellings provided by way of a mix of 1, 2, 3, and 4 bedroom properties. Policy **H3** of the adopted Local Plan requires new residential development to address the housing needs of local people by, amongst a number of criteria, providing a range of market and affordable housing types and sizes that can reasonably meet the requirements and future needs of a wide range of households. This policy also sets out the need to provide housing that takes account of the characteristics of the existing housing stock in the surrounding locality. However, the proposals as submitted fail to include any housing for affordable purposes as required in Policy **H4**. (This will be returned to in the relevant section below) As noted above, Policy **H4** has only been deemed partially out of date and the principle of affordable housing on large sites remains and reflects the requirements in Policy DS4, the Draft Developer Contributions SPD 2023 and the Local Plan Early Engagement Document, and supported by an up to date High Peak District Council Housing and Economic Land Needs Assessment (September 2022) (HELNA).

7.3.5 The following housing types and tenure mix is proposed:

- 1 bedroom flat – 6
- 2 bedroom house – 21
- 3 bedroom house – 50
- 4 bedroom house – 15

- Market ownership – 92
- Affordable rented – 0

7.3.6 There is a good range of 1-4 bed properties proposed, although no bungalows are provided which are considered adequate for retirement homes or level access living.

7.3.7 With regard to the provision of bungalows, the County Council have previously stated that they would prefer that the 1 bed units are delivered as bungalows or 'stacked bungalows'. There is a provision of 1 bed units in the form of the proposed Chinley apartment block where each apartment has its own separate access and is therefore similar to 'stacked bungalows'. The applicant states they have utilised ground floor apartments for elderly provision elsewhere in the Borough including at their development at Forge Road, Chinley.

7.3.8 The County Council requested that dwellings meet M4(2) standards. The applicant has confirmed that the scheme now provides M4(2) dwellings throughout the layout in accordance with the HELNA. The scheme was significantly amended to address these comments and amended plans were submitted on 19 May 2023 to show that 47 of the dwellings would comply with M4(2) standards. This amounts to 51% of the dwellings and therefore complies with the recommendations in the HELNA with regards to M4(2).

7.3.9 The HELNA provides an updated analysis of the housing mix required across the Borough as well as providing a more fine-grained assessment of the recommended housing mix across each of the Local Plan Sub-Areas. This includes Glossopdale within which this application site is located. Accordingly, the HELNA is deemed to be a "successor document" to the SHMA as referenced in Policy **H3** and it should therefore be taken into account when determining the application.

7.3.10 HELNA recommendations with a market adjustment are also provided. This results in a 15% reduction in the number of smaller (1-2 bed) dwellings and a commensurate increase in the number of 3 and 4 bedroom properties to reflect *“the very pronounced socio-economic shock precipitated by the pandemic and the strong (and what appears to be a permanent) shift towards homeworking and the need for larger properties to accommodate this.”* (HELNA, para 12.34).

	1-bed	2-bed	3-bed	4-bed	5+ bed
2014 SHMA	10%	45%	35%	10%	n/a
Market - HELNA Glossop	7%	37%	46%	9%	1%
Market - HELNA Glossop (with market adjustment)	6%	31%	49%	12%	1%
Social - HELNA Glossop	41%	36%	22%	1%	0%
Social - HELNA Glossop (with market adjustment)	35%	31%	28%	7%	0%
% of existing housing stock in Simmondley ward	1%	13%	46%	34%	6%
Indicative application mix (all market)	6.5%	22.8%	54.3%	16.3%	0%

7.3.11 As can be seen above, the proposed indicative mix would:

- Align with the need for 1-bed market properties recommended in the HELNA and proportionately increase these property types in the Simmondley Ward.
- Under-provide 2-bed properties in the context of the HELNA recommendation. However, this significantly improves the proportion of these properties in the Ward, which is beneficial as existing proportions are relatively low. The proportion of 3-bed properties is above HELNA recommendations.
- Over-provide in relation to 4-bed properties in the context of HELNA recommendations but this can be supported given the relatively high percentage of larger properties already within the ward.

7.3.12 The above data and analysis indicates that the indicative mix is broadly in line with requirements. Use of the market adjustment scenario for benchmarking is considered preferable as this takes account of the increase in demand for larger properties in response to post-pandemic working patterns and related home-working requirements.

7.4 Affordable Housing

7.4.1 In accordance with Policy **H4** of the adopted Local Plan, sites having more than 25 units are required to provide 30% affordable housing of which a target of 80% should

be allocated for rented purposes, unless otherwise justified through a financial appraisal. Affordable housing is also a specific requirement under site specific policy **DS4**, which requires provision of the required proportion of affordable housing.

- 7.4.2 The NPPF defines affordable housing as housing for sale or rent, for those whose needs are not met by the market. It defines the different types of affordable housing, which include affordable housing for rent, starter homes, discount market sales housing and other affordable routes to home ownership, which for example can include shared ownership.
- 7.4.3 The High Peak HELNA (Sept 2022) highlights the need for affordable housing in terms of social rent, affordable rent, and forms of affordable home ownership as set out in the NPPF. Additionally, the Local Plan specifically highlights the importance of affordable housing in the 'Strategic Housing Needs Survey' and the 'Affordable Housing Viability Assessment'.
- 7.4.4 Based on 92 dwellings the 30% requirement would equate to 28 units. However, the applicant has not proposed any affordable housing. The applicant has submitted an affordable housing statement (Doc.05), viability assessment (Doc.07), and viability assessment addendum (Doc.202) which argued that affordable housing provision is not viable. The Council has appointed an independent review of the applicant's viability assessment via external consultants Brunton Knowles, which concluded that there will be a development surplus that could contribute towards affordable provision. Housing Policy & Strategy has been consulted and concluded that, if the entire project surplus was directed to providing affordable housing, 4 affordable rent and 1 shared ownership units could be delivered on site. It is requested that affordable housing is provided on-site as HPBC normally only takes a commuted sum in exceptional circumstances.
- 7.4.5 Given the level of funds that has been calculated that the development can support for planning obligations, off-site mitigation and affordable housing, the application will be unable to meet the full affordable housing levels sought in policy. Policy DS4 requires the development to be subject to compliance with other relevant Local Plan policies. Whilst the 30% affordable housing requirement of Policy DS4 is not met, Policy H4 allows for viability issues to be considered. In that respect these matters have been settled and officers are satisfied that evidence has been provided by way of financial appraisal to justify reduced provision, in accordance with Policy H4.
- 7.4.6 Whilst the applicant has not met this requirement of policy **DS4**, they have expressed a willingness to work with the Council to provide funds to support affordable housing. This matter is considered further in the section below on S106 contributions.

7.5 **Layout and Street Scene**

- 7.5.1 Policies **S1** and **EQ6** of the adopted Local Plan seek to ensure that development is well designed and of a high quality that responds positively to its environment whilst contributing towards local distinctiveness and a sense of place. New development should take account of the distinct character, townscape and setting of the area and secure high quality and locally distinctive design and amenity. These policies reflect guidance contained within the NPPF and particularly paragraph 124 which recognises

the importance of creating high quality buildings and places, with good design being a key aspect of sustainable development. The adopted Supplementary Planning Document on Residential Design 2005 also provides guidance on the approach to new residential development, and the factors which contribute toward local distinctiveness.

- 7.5.2 The SPD Residential Design Guidance 2005 recognises the need to ensure that new development is accessible to everyone and the importance of creating places which are welcoming and inclusive. The adopted High Peak Design Guide 2018 sets out that new development should follow the pattern of development within a settlement and contain a variety of building forms which reflect the rhythm, balance and palette of materials of the surrounding area.
- 7.5.3 The NPPF highlights that good design is a key aspect of sustainable development and should contribute positively to creating places which people wish to live and work. Paragraph 130 requires development to function well and add to the overall quality of the area for the lifetime of the development. It should respond to local character and history and be visually attractive as a result of good architecture, layout and appropriate landscaping. Paragraph 134 of the Framework advises that permission should be refused for development that is not well designed and where it fails to reflect local design policies and local design guidance, including supplementary planning documents.
- 7.5.4 The National Design Guide highlights the government's priorities in the form of 10 important characteristics of context, identity, built form, movement, nature, public spaces, usage, buildings, resources, and lifespan.
- 7.5.5 The site lies in an area that is predominantly residential in character particularly towards the north, east and south, although alongside the western boundary is Gamesley Sidings Local Wildlife site plus Dinting Woods Local Wildlife site further to the north-west. Across the site the existing ground levels vary, sloping downwards to the north and rising toward the south.
- 7.5.6 Within the Adderley Place hamlet there is a group of existing dwellings comprising a stone-built terrace, partly rendered, plus a bungalow and one large detached property. The surrounding residential development is predominantly two-story and ranges from Victorian/ Edwardian stone terraced houses to the north, to late 20th century red/yellow brick suburban detached houses to the south around Valley Road. As such there is a variation of housing types and designs in the immediate locality.
- 7.5.7 The proposed housing development would be served by a cul-de-sac from the principal road at Dinting Vale (A57), and comprise predominantly yellow/buff brick built two storey detached, semi-detached (including mews), and terraced units, plus one block providing flats (although no bungalows are proposed), having a generally well balanced approach to the visual character of this area and reflective of the wider area of Glossop.
- 7.5.8 There are no prescribed density levels or standards set out in the Local Plan. NPPF Paragraph 127 states that planning decisions should ensure that development is

sympathetic to local character, history, the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). When assessing planning applications, it is the impact on the character of a locality, amongst a number of matters, which determines appropriate levels of development. The overall density of the revised scheme would be 19.5 dwellings per hectare.

- 7.5.9 The applicant has submitted a Design and Access Statement (Doc.132), Design Evolution Statement (Doc.133) and Landscape and Visual Impact Appraisal (Doc. 239) in support of the application. This has been assessed by external consultants FPCR . This looks at landscape susceptibility, quality, value, sensitivity, magnitude of change, and judgement criteria.
- 7.5.10 The applicant has largely successfully provided an outward facing development (with the exception of plots 03-08 in the north parcel), and a more linear block structure characteristic of the High Peak style.
- 7.5.11 There would be four different proposed boundary treatment types. One would be ball top railings measuring 1.2m in height, positioned alongside the western cycle route/ walkway). The other three fencing styles are 1.8m in height, which include stone walls (some curved) alongside garden boundaries where they adjoin the street scene, and close boarded fencing mainly between gardens. Acoustic mitigation is proposed along the northern side of the apartment block and plot 01, facing the A57 and site entrance, plus the rear boundaries of plots 3-8. Mitigation is in the form of acoustic fencing, with enhanced glazing or trickle vents.
- 7.5.12 The proposed development is of an appropriate scale, height, and massing. The landscape appraisal is relatively high level but is considered to be adequate for and proportionate to the size of scheme proposed. The proposed mitigation is clearly described within the appraisal along with the Design and Access Statement accompanying the application. The site layout appears to show the boundary vegetation retained as far as is practicable with new planting along the western edge of the site adjacent to Adderley Place, Avening, and Woodside View . Existing retained and new tree planting is proposed along the northern edge of the new housing, as well as along the public right of way crossing the site. This, together with the internal tree planting throughout the layout, will help 'break-up' the roofscape in the wider, more elevated, views. A predominantly 'green' pedestrian and cycle route links the public footpath with the residential area to the south along the western edge is and an exercise trail is incorporated within the eastern edge, both of which are positive features and welcomed as part of the overall scheme design.

7.6 Impact on Crime & Safety

- 7.6.1 Local Plan policy **S1** emphasises the importance of achieving a high standard of amenity for all existing and future occupants of land and buildings, ensuring communities have a healthy, safe and attractive living and working environment. Similarly, policy **EQ6** requires that public and private spaces are well-designed, safe, attractive, complement the built form and provide for the retention of significant landscape features such as mature trees and requires that developments are designed to minimise opportunities for anti-social or criminal behaviour and promote safe living environments.

- 7.6.2 The revised plans have been improved to create more natural surveillance on the north elevation of plot 01 overlooking the site entrance, and also with plots 03-09, and 31 overlooking the public open space around the PROW and ponds/swales.
- 7.6.3 Similarly, the design of the Chinley apartment block has been improved to create more natural surveillance overlooking the area of open space on the east side, although the doorway on the western elevation remains poorly overlooked. However, on balance it is considered that the proposed design is a significant improvement on the original and now meets the requirements of Policies S1 and EQ6.

7.7 Design and Appearance

- 7.7.1 Local Plan policy **EQ6** requires new development proposals to enhance and respect the character and distinctiveness of local communities, and achieve good design in new development. The Council's Adopted Residential Guide SPD2 2005 highlights that the appearance of proposed development and its relationship to its surroundings are material considerations in determining planning applications. This is supported in the NPPF which seeks to ensure that planning decisions deliver, amongst a number of factors, a high standard of amenity for existing and future users.
- 7.7.2 The applicant proposes a total of 9 different dwelling designs (Doc.146, 151-157, 160-161, 195-196, 209-210), adding a degree of variation whilst ensuring that an overall consistent design appearance is achieved. Almost all houses would have a gabled roof form, and some larger dwellings would have a front gable. The artificial chimneys shown on the original designs were previously discarded, then largely reinstated due to their positive visual contribution. The apartment block, would have an external appearance similar to a two-storey terrace form with gable ends. The gabled roof style is a particularly common feature in Glossop, and therefore this roof form is considered to be acceptable. The properties all have a broadly consistent approach to window design, with cottage windows on the front elevations, including stone headers with and cills.
- 7.7.3 The block of apartments, named Chinley, would have two storeys and be positioned at the east side of the site, with an external appearance similar to a terrace, therefore when viewed in the context of the wider site the height will not form a visually prominent building. Mock chimneys have been incorporated in order to break up the structure and give it a more aesthetically visually interesting appearance, whilst also helping it to blend in alongside the existing short terrace at Adderley Place.
- 7.7.4 Designs have been received for the detached garages and the Chinley cycle store, which are considered to be acceptable.
- 7.7.5 The housing designs have been assessed with regard to visual appearance in the context of their relationship within the site and in relation to existing housing around the site. The Council's Residential Design SPD2 explains that garages should not dominate the façade of a house, and the High Peak Design Guide states that the pitch should match the parent building. Garages should be designed to look subservient to the main dwellinghouse. Additionally, the Dark Peak area of High Peak is characterised by village style architecture and suburban style housing with over-dominant garages is

not considered to be appropriate. Whilst the Peppercorn house design (Doc.154) shows a garage that projects approximately 3.25m forward of the building line of the main house which does not accord with High Peak policy and design guidance, only six units of this house design is being proposed (out of 92) with only one being within visibility of the main entrance road. As such this is not considered to be so unacceptable in the planning balance, and it is considered that visual appearance of the proposed development is broadly in line with policy EQ6.

7.8 Impact on Residential Amenity

- 7.8.1 Local Plan policy **EQ6** requires new development proposals to achieve a satisfactory relationship to adjacent development taking into account matters such as overlooking, shadowing, overbearing effects, noise and light pollution. The Council's Adopted Residential Guide SPD 2005 highlights that overlooking distances will need to protect amenity particularly within or at the back of the block/plot, and advises that a distance of 21m between habitable windows of adjacent properties should be achieved to provide an acceptable level of amenity. This is supported in NPPF paragraph 127 which seeks to ensure that planning decisions deliver, amongst a number of factors, a high standard of amenity for existing and future users.
- 7.8.2 The applicant has submitted an Interface Distances Plan (Doc.136) alongside a Story Heights Plan (Doc.145) which has been assessed with regard to amenity distances between the proposed housing and existing housing adjacent to the site boundary, and these distances are considered to be acceptable.
- 7.8.3 All proposed dwellings would be newly built structures between 2 - 2.5 stories, and all rear gardens are proposed to have fencing at 1.8m in height. However, across the site the existing ground levels vary, being most significant at the block between plot numbers 53-60 (to the north) and 38-45 (to the south). This also appears to be applicable between plots 9-12 and 28-31 and the applicant has provided a cross-sectional drawing to show this. This has a direct impact on amenity distances between directly facing habitable windows. The Council's Residential Design SPD2 explains there should be a distance of 21m between habitable room windows of adjacent properties and where changes in levels on site are evident or where taller buildings are present, these distances should increase by 1 metre for every 0.5 metre difference in height. On this basis a separation distance of 27m is required in this case. This block has a proposed separation distance of 22m and 21.5m respectively which could otherwise be considered unacceptable, if no mitigation was to be provided. However, the policy does allow for some design flexibility which can be considered relevant in the case of amenity distances between new build dwellings such as proposed.
- 7.8.4 In response to FCPR and officer concerns, the applicant has provided amended drawings that show mitigation measures to help overcome the potential over-looking and privacy issues arising from the shorter separation distances. These comprise additional trellis to increase the height along the relevant boundary fencing and the addition of planting. It is also considered that a condition to restrict permitted development rights to these dwellings is needed to avoid this issue being exacerbated in the future through extensions and loft conversions.
- 7.8.5 The design of the apartment block includes outdoor amenity space for the lower flats

but not yet the upper storey flats. That applicant has agreed to provide the upper storey flats with Juliet balconies. As such, it is considered that the proposed development provides an acceptable minimum degree of outdoor amenity space for all residential units.

7.9 Recreation and Open Space

- 7.9.1 Local Plan policies **CF3**, **CF4**, **CF5** set out the Council's policy on local infrastructure, open space, sports and recreation facilities, and local community services/facilities. **CF3** highlights the need to secure new transport infrastructure, including for walking and cycling and support provision of sports related infrastructure. **CF4** states the need to improve the quantity, quality and value of play, sports and other amenity green-space provision through requiring qualifying new residential developments to provide or contribute towards public open space and sports facilities, further supported in the Developer Contributions SPD. **CF5** specifies that new facilities should preferably be located within defined built up areas where they are most accessible.
- 7.9.2 The applicant has provided recreation provision in the form of a 'Trim Trail' around the south-eastern edges of the site, which would include a range of child-friendly play equipment grouped together at the southern-most end of the site, with natural surveillance from plots 72-77. This would be provided close to the footpath linking to existing residential streets via Swallow Fold and Valley Road, further benefiting the wider community close to the site. As such this aspect of the proposed development is considered to be acceptable and is supported by the Council's Leisure and Recreation Officer.

7.10 Transport and Access

- 7.10.1 Policy **S5** (Glossopdale Sub-Area Strategy) - states that Transport Assessments in support of developments in the Glossopdale area should be scoped with Highways England (now National Highways) and the highways authority in order to determine whether the assessment should consider impacts on A57/A628 junction and to identify mitigation measures as appropriate. (NB the A57 link road was approved by the Secretary of State in November 2022).
- 7.10.2 The applicant has submitted evidence of correspondence with National Highways stating "*the updated TRICS data still shows that it is unlikely there will be a significant impact on the Strategic Road Network (SRN), and I am therefore content that no further assessment will be required at the junction of the A57 and the A628. So long as there is no significant change in the proposals between now and the time the planning application is submitted*".
- 7.10.3 Policy **CF6** of the adopted Local Plan sets out the need to ensure that development can be safely accessed in a sustainable manner. This is further supported by the National Planning Policy Framework, particularly paragraphs 9, 109, 110, and 113.
- 7.10.4 The proposed development would involve the construction of a new highway access off Dinting Vale (the A57) to the north of the site. The rights of residents on Adderley

Place to use the existing access to Simmondley Lane are not affected, and new residents will be discouraged from driving down Adderley Place. The main access would be close to Dinting Primary School. However access off the A57 is specifically mentioned in the site-specific policy **DS4** and is therefore considered to be acceptable in principle. DCC Highways has not raised any objections to the general location of the proposed access.

- 7.10.5 Given the natural topography of the area, the main site access road being proposed has, in part, an unacceptable gradient of 1:10 for pedestrians instead of the minimum requirement of 1:20 and thus goes against the Active Travel principles of inclusive access and sustainable development. This would create a barrier for some highway users, particularly, for example, the elderly, disabled, and parents with young children. The applicant has included levelled pedestrian refuges along the access that will allow users to have a break if necessary. Notwithstanding this, it is considered that the proposal conflicts with the relevant High Peak Local Plan Policies relating to new residential developments and the NPPF. However, the applicant has engaged in discussions with HPBC to try to achieve an acceptable solution to improve the gradient for pedestrians, looking at various different options, some of which would have achieved an acceptable gradient for pedestrians but consequentially resulted in a significantly greater loss of trees which in turn is considered unacceptable. A further complication is that there are significant access constraints due to the level, in particular the relatively short distance between the A57 which has a fixed position, and the level of the PROW together with the Gas main, the latter being difficult to move or lower without adding a very significant cost to the scheme that the applicant states would then make the proposal unviable. This means that the highways objection relating to Active Travel inclusive access remains unresolved.
- 7.10.6 However, although the main site access highway would not meet the standards for an acceptable gradient to meet inclusive travel, alternative pedestrian access is possible via an acceptable gentle gradient along the PROW, providing access eastwards to Simmondley Place in the direction of Glossop town centre, existing pedestrian access is also available to the south-east via Swallow Fold, and the applicant has agreed to provide S106 funding to support creation of a sustainable travel connection to the south-west at Gamesley Sidings, with a purpose-built path for horse riders, cyclists and pedestrians linking directly to the long-distance Trans Pennine Trail and once fully developed the Pennine Bridleway, one of seventeen National Trails. It is therefore considered that this provides a reasonable degree of mitigation that can be considered to offset the gradient issue at the main site access. Further, the applicant has made reference to another development in the Borough that was permitted with gradients of 1:10, namely the 107 dwellings off Linglongs Road in Whaley Bridge (Application Reference: HPK/2017/0247). This reflects the nature of the Borough's topography, where the ideal maximum gradient might not always be achievable.
- 7.10.7 Whilst the gradient of the new access road will not be optimal for pedestrians and cyclists, other design options for the site are potentially more damaging to woodland and there is an alternative option for pedestrians to access the site from the direction of the town centre. Furthermore, there is no suggestion from Highways that there is any issue of safety arising from the proposals. On balance, therefore, the proposed access road is considered acceptable.

- 7.10.8 The applicant has provided a Transport Assessment (Doc.18) including junction analysis and improved visibility splay. Subsequently, other information has been provided, including street design speed analysis, and improved gradients especially at the site entrance.
- 7.10.9 The development proposal is unusual in that it incorporates a junction involving a new highway crossing over an existing PROW. However, the applicant has improved the scheme by providing two pedestrian priority crossings and moving the vehicular access to the flats to a location directly off the main access road so that it no longer utilises the PROW. Consequentially this means that new residents have no need to use any part of the PROW for vehicular access, other than to cross it.
- 7.10.10 Guidance in 6C's Delivering Streets and Places Design Guide (DSP) supports the need for street trees. The applicant has proposed trees within the streetscene that would be located within tree pits, which is considered would enhance the street scene. The precise location of street trees will be a matter to be conditioned.
- 7.10.11 The applicant has provided a Travel Plan. This reviews the existing transport facilities at the development site and identifies a range of measures for implementation by the travel plan coordinator to reduce overall car usage and promote the use of sustainable transport modes. In response to Highways' concerns, a revised Travel Plan (Doc.243) has been provided, which is considered acceptable. This matter can, therefore, be conditioned.
- 7.10.12 Parking requirements are explained in the High Peak Local Plan (page 209) which would normally require a typically higher level of parking provision than currently proposed based on house types. The applicant proposes that all 1-bed flats would have 1 parking space, and all 2+ bed properties would have two parking spaces. In light of current government policy on climate change and sustainable development a lower level of provision is considered to be acceptable. The Council's parking standards also require 1 cycle parking space per unit if no garage or shed is provided, and it is considered that the applicant has submitted a Cycle storage plan (Doc.131) that shows adequate provision for this. The applicant has improved provision with all properties now having direct pedestrian access between the highway and the front door without obstruction by frontal parking, and supports inclusive design principles.
- 7.10.13 DCC Highways have engaged in meetings with the applicant to resolve a number of issues. Overall, the submitted highways drawings are now considered acceptable, with the exception of the gradient of the access road, as discussed elsewhere.

7.11 Highway Access to Remainder of Housing Policy Allocation Site

- 7.11.1 Looking at the proposed layout plans, there are two cul-de-sac heads on the eastern boundary which are close to but not immediately adjacent to the remainder of the allocation site. The applicant has agreed that a clause within the S106 obligation can be used to facilitate access to the remainder of the DS4 allocation land for any future proposal.

7.12 Public Right of Way (PROW)

- 7.12.1 The site boundary encompasses the route of Adderley Place/ PROW 50 which is classed as a 'footpath' providing a legal public right of way for pedestrian movement, but not cyclists or vehicles. Existing residents at Adderley Place appear to have existing private rights over this PROW although this legal position is not a matter for the consideration of this planning application. The County's PROW officer has confirmed that the PROW cannot be relied upon for vehicular access, but equally it cannot be blocked off without a diversion order. Similarly, this also means that vehicular access to/from the apartment block also cannot be via PROW 50 and the applicant has been made aware of this.
- 7.12.2 Additionally, design of the highway/ PROW junction is important to ensure that pedestrians using the PROW are provided with a separate footpath across the junction to ensure there is no conflict with vehicular users using this part of the PROW to access the existing dwellings on Adderley Place.
- 7.12.3 Highway safety remains an issue as the PROW would continue to be accessible to all road users even if vehicular access is discouraged but not prevented, therefore presenting a potential safety issue of additional vehicles using the footpath. The applicant has improved the development proposal by (a) providing alternative access to the apartment block directly off the new access road instead of via the PROW, and (b) agreed to a condition requiring a scheme to be submitted to discourage new residents from using the private road (Adderley Place). The County PROW officer has withdrawn their objection, subject to an appropriate condition being in place. It is therefore considered that the proposed development is acceptable with regards to the Public Right of Way.

7.13 Landscape considerations

- 7.13.1 Policy **EQ2** of the adopted Local Plan seeks to protect, enhance and restore the landscape character of the Plan Area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the Plan Area. Amongst a number of criteria, development should be informed by and sympathetic to the distinctive landscape character as identified in the Landscape Character Supplementary Planning. This is backed up by paragraph 127 of the NPPF.
- 7.13.2 The site lies within the 'Settled Valleys Pastures Landscape Character Area' as defined within the Council's adopted Landscape Character Supplementary Planning Document. Within this area the landscape is defined as containing moderate to steep lower valley slopes dissected by tree belts, scattered hedgerows, and small irregular and scattered farmsteads. Overall, the landscape is noted for its pastoral and enclosed landscape with views filtered by trees.
- 7.13.3 The consultee for design & landscape matters (FPCR) has conducted an assessment of the application and notes that the appraisal includes a brief methodology which references GLVIA3. This includes consideration of landscape value, a full assessment of landscape susceptibility, quality, value, sensitivity, magnitude of change and judgement criteria.

- 7.13.4 Concerns were raised about the housing within the north parcel being positioned facing away from the main site entrance and hillside. It is acknowledged that there are limitations in terms of site constraints due to the position of the PRow, gas main below, and the steep slope to the north. Although it would normally be preferable for housing to face a site entrance and hillside, on balance it is considered acceptable for these dwellings to face south where the front elevation would integrate well with the PRow and public open space around the proposed swales.
- 7.13.5 The applicant was made aware of a number of other design matters particularly along the western edge corridors and ecological green links east-west across the site. Improvements have been submitted with regard to rainwater goods, fascia's, windows, garage doors and cruciform detail. Other design matters could be conditioned such as materials or colour scheme. As such it is considered that the proposed development meets the requirements of Policy EQ2 and associated SPD guidance.

7.14 Flooding matters

- 7.14.1 Policy **EQ11** advises that the Council will support development proposals that avoid areas of current or future flood risk and which do not increase the risk of flooding elsewhere. Where possible development should promote the reduction of flood risk by seeking to reinstate the natural flood plain, the de-culverting of watercourses and limiting of surface water runoff to greenfield rates via the use of sustainable drainage techniques.
- 7.14.2 NPPF paragraph 155 states that inappropriate development in areas should be avoided by directing development away from areas at highest risk (whether existing or future). Additionally, paragraph 169 highlights that major developments should incorporate sustainable drainage systems, taking into advice from the LLFA.
- 7.14.3 The applicant has submitted a Flood Risk Assessment (Doc.162) which shows the site lies almost entirely within Flood Zone 1, the area which has the lowest risk of flooding. As such it is considered that there is low risk of flooding.
- 7.14.4 The applicant has submitted a preliminary drainage design drawing (Doc.220), and the Lead Local Flood Authority (LLFA) has requested further clarification which the applicant has since provided. The LLFA has recommended conditions requiring a detailed design and associated management and maintenance plan, details indicating how additional surface water run-off from the site will be avoided during the construction phase, and a verification report carried out by a suitably qualified independent drainage engineer.
- 7.14.5 The applicant has proposed sustainable drainage systems integrated with open space and green infrastructure. This is further supported by current Environment Agency guidance for climate change. The applicant has attempted to mitigate the impact of the development by proposing tiered swales/ drainage basins on site just south of the PRow and alongside the western boundary, although these are artificial, and the design could have made use of the existing dried-up water body on site alongside new swales for additional capacity. The applicant has provided a landscape plan that demonstrates that the SUDs ponds will have value to wildlife and include aquatic and

marginal planting. It is considered that the proposed development meets the requirements of Policy EQ11.

7.15 Environment and Pollution

- 7.15.1 Policy **EQ10** sets out the Council's policy on pollution control with regards to air pollution, watercourses, noise, vibration, light intrusion, land contamination, or other nuisances causing or harm to amenity, health or safety.
- 7.15.2 The Council's pollution and environment officer had previously objected to the proposed development on grounds of air quality and required clarification of details about the sensitivity test, congestion, lack of supporting traffic data, speed data, impact on gradient on road traffic emissions, and request for graphical data. This was subsequently provided and, together with a S106 financial contribution to mitigate against the impact of air quality, covering the cost of real time monitoring of NOx and PM10 data and to support a further feasibility study into local sustainable travel in the area, has allowed the air quality objection to be withdrawn.
- 7.15.3 The noise assessment identifies low risk with regard to noise, although the Council's pollution and environment officer recommends acoustic fencing specified by condition. The applicant has provided acoustic fencing along the north side of the northernmost properties that are closest to the site access, and this will help to mitigate against the predicted additional noise from vehicles entering the site via an uphill gradient.
- 7.15.4 It is also noted that there is a known historic landfill on the housing site/ adjacent to the eastern boundary. The Council's Environmental Health team has requested pre-conditions requiring a ground investigation and risk assessment and associated subsequent remediation schemes if required. As such it is considered that the proposed development is acceptable with regards to Policy EQ10.

7.16 Sustainable Development

- 7.16.1 Policy **S1** sets out sustainable development principles including making effective use of land, minimizing the need to travel, Protecting and enhancing the natural and historic environment, minimizing the risk of damage to areas of importance for nature conservation, and ensuring that there is suitable mitigation for a net gain in biodiversity and the creation of ecological networks This is backed up by NPPF paragraph 11.
- 7.16.2 Local Plan policy **S1a** establishes a presumption in favour of sustainable development as contained within the NPPF. However, NPPF paragraph 182 states that the presumption in favour of sustainable development does not apply where the project is likely to have a significant effect on habitats.
- 7.16.3 Policy **EQ1** Climate Change highlights that the Council will adopt strategies to mitigate and adapt to climate change. In addressing the move to a low carbon future for High Peak, the Council will plan for new development in locations and ways that reduce greenhouse gas emissions and adopt the principles set out in the energy hierarchy.

- 7.16.4 NPPF Paragraph 8 identifies that there are three overarching and mutually dependent objectives to achieving sustainable development including economic, social and environmental considerations. These are to be applied to local circumstances of character, need and opportunity of each area. Which are interdependent and need to be pursued in mutually supportive ways, these include:
- 7.16.5 A. an **economic** objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- 7.16.6 B. a **social** objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of the present and future generations; and by fostering a well designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well being; and
- 7.16.7 C. an **environmental** objective – to contribute to protecting and enhancing our natural, built and historic environment; including making the effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 7.16.8 The applicant has submitted an ‘Energy and Sustainability Statement’ (Doc.44) which states that when constructed to the building fabric specification proposed by the applicant there would be a 31% carbon reduction on the development, achieved on all plots using passive measures such as improved insulation and improved heating and ventilation controls. It is proposed that the dwellings will be constructed following a fabric first approach to meet, and exceed where possible, the current Building Regulations, with insulation standards, thermal bridging and air leakage improved beyond the minimum compliance levels. In addition, consideration will be given to building design, passive solar design and energy efficiency site layouts, where possible, and all properties would be fitted with electric vehicle charging points (Doc.134).

7.17 Ecology and Wildlife considerations

- 7.17.1 Policy **EQ5** identifies that biodiversity resources will be conserved and where possible enhanced by ensuring that development proposals will not result in significant harm to biodiversity and geological interests.
- 7.17.2 Additionally, the proposed development site is within the immediate context of Gamesley Sidings Wildlife Site and the policy highlights the importance of conserving and enhancing regionally and locally designated sites. Mitigation measures should ensure as a minimum no net loss and wherever possible net gain for biodiversity.
- 7.17.3 Policy **EQ8** seeks to develop, protect, and enhance networks of biodiversity and green infrastructure. Site-specific policy **DS4** highlights the importance of wildlife. Similarly, Policy S1 focuses on sustainable development principles and minimising the risk of

damage to areas of importance for nature conservation and/or landscape value, both directly and indirectly by ensuring that there is suitable mitigation for a net gain in biodiversity and the creation of ecological networks.

- 7.17.4 This is further supported in the NPPF at paragraphs 170, 175, and 180. NPPF paragraph 180 states that local authorities should apply the following principle (amongst others): "*a) 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*".
- 7.17.5 The site does not lie within any statutory or non-statutory designated wildlife site of international, national, or local recognition, although it lies immediately to the west of Gamesley Sidings Local Wildlife Site and must therefore be considered in that context. In support of the planning application, ecological surveys relating to endangered species, bats (Doc.111, 120), birds (Doc.179), invertebrates (Doc.214), and invasive non-native species (Doc.113) were submitted identifying potential ecological constraints. The Council consulted with Derbyshire Wildlife Trust (DWT) who concluded that there are significant ecological impacts due to the projection that a relatively large area of foraging habitat would be lost and the northern woodland would be completely severed by the access road, potentially forcing endangered species to cross the new road.
- 7.17.6 The applicant has submitted a 'Biodiversity Net Gain (BNG) Strategy and 30 Year Management Plan' (Doc.231). It includes a strategy for offsite compensation, providing an offsetting solution located at Chinley High Peak (about 10 miles south) which comprises two parcels of land, one larger rectangular site, and one smaller triangular site). However, this concludes that the development proposals (with the inclusion of the off-site offsetting area within Chinley High Peak) would likely result in a net loss of approximately 2.09 area biodiversity units (-4.81%). This loss of biodiversity is contrary to Policy EQ5.
- 7.17.7 Trading rules are a fundamental principle in the metric, which ensure that higher value habitats are not replaced with lower value habitats. The DWT ecologist concludes that the trading rules are not met and that the proposed development would result in the loss of two very high distinctiveness habitats.
- 7.17.8 The applicant has improved the design to help mitigate the impact by providing 10m wide woodland buffering alongside the Gamesley Sidings Local Wildlife site, and creating a footway /cycle route alongside, and this distance is considered to be acceptable.
- 7.17.9 The DWT ecologist has stated that the proposed development would result in the unacceptable loss of two UK Habitats of Principle Importance: Lowland acid grassland (U4a), and Purple moor-grass and rush pasture (M23b). However, at the time of writing, the applicant is working with the DWT ecologist to provide mitigation to achieve the best possible biodiversity balance and also proposes the translocation of two priority habitats to an off-site bespoke location at Chinley. Provisional costs have been submitted and a strategy has been agreed with DWT. These measures will be encapsulated within the Section 106. As such it is considered that the applicant has gone as far as it reasonably can to satisfy policies on biodiversity and habitat

protection.

- 7.17.10 As mentioned elsewhere in this report it is considered that, if left unresolved, the proposed development would have a significant negative impact on habitats resulting in a predicted net loss of biodiversity units. However, at the time of writing, the applicant is working with DWT to provide best possible biodiversity balance and also proposes the translocation of UK priority habitats to an off-site location. Provisional costs have been submitted and a strategy has been agreed with DWT. This will be regulated through the Section 106 agreement. As such it is considered that, on balance, the applicant has satisfied policies on sustainable development.
- 7.17.11 The viability report has been received which shows there is capacity for S106 payment/planning obligations to mitigate against the impact on biodiversity and wildlife. The applicant has stated their willingness to provide funding to purchase biodiversity credits and fund the translocation of the two UK priority habitats. This is dealt with further below.

7.18 Impact on Trees

- 7.18.1 Policy **EQ9** Trees, woodland and hedgerows explains that the Council will protect existing trees, woodlands, and hedgerows, ancient woodland, veteran trees, and ancient or species-rich hedgerows from loss or deterioration. In particular, policy DS4 highlights the retention of mature trees.
- 7.18.2 This will be achieved by:
- Requiring that existing woodlands, healthy, mature trees and hedgerows are retained and integrated within a proposed development unless the need for, and benefits of, the development clearly outweigh their loss.
 - Requiring new developments where appropriate to provide tree planting and soft landscaping, including where possible the replacement of any trees that are removed at a ratio of 2:1.
 - Resisting development that would directly or indirectly damage existing ancient woodland, veteran trees and ancient or species-rich hedgerows.
- 7.18.3 Policy **EQ1** Climate Change states that the Council will adopt strategies to mitigate and adapt to climate change. In addressing the move to a low carbon future for High Peak, the Council will plan for new development in locations and ways that reduce greenhouse gas emissions and adopt the principles set out in the energy hierarchy.
- 7.18.4 A low carbon future for High Peak will be achieved by requires new development to be designed to contribute to achieving national targets to reduce greenhouse gas emissions by using tree planting and landscaping to reduce likely energy consumption and resilience to increased temperatures.
- 7.18.5 Policy **EQ2** Landscape Character mentions that the Council will seek to protect, enhance and restore the landscape character of the Plan Area for its own intrinsic beauty and for its benefit to the economic, environmental and social well-being of the

Plan Area.

- 7.18.6 This will be achieved by requiring that development has particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, such as trees and woodlands, hedgerows, walls, streams, ponds, rivers, ecological networks or other topographical features.
- 7.18.7 Policy **EQ5** Biodiversity specifies that the biodiversity and geological resources of the Plan Area and its surroundings will be conserved and where possible enhanced by ensuring that development proposals will not result in significant harm to biodiversity or geodiversity interests.
- 7.18.8 NPPF paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment by:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
 - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
 - c) minimising impacts on and providing net gains for biodiversity,
 - d) including by establishing coherent ecological networks that are more resilient to current and future pressures

Policy **EQ9** explains that the Council will protect existing trees, woodlands and hedgerows and in particular ancient woodland, veteran trees and ancient or species rich hedgerows from loss or deterioration. This reflects the NPPF which identifies at paragraph 175 (c)

- 7.18.9 The applicant has submitted a tree survey (Doc.45), tree constraints plan (Doc.46), and arboricultural impact assessment (Doc.191). There are mature trees throughout the site. All the affected woodlands contain mature trees whilst mature individual trees outside of woodlands are also proposed for removal.
- 7.18.10 Across the application site, there are two principal bands of trees, which can be divided north/south of Adderley Place/ the PROW. The northern (smaller) section comprises thick vegetation and a steep gradient sloping down northwards towards Dining Vale. All the trees in this section are Category A trees.
- 7.18.11 The southern (larger) section of the site which is relatively more level but sloping uphill westwards towards the Gamesley Sidings Wildlife woodland Area/ Green Belt. This section comprises trees and shrubs mainly grouped in the centre of the site in a relatively linear position and bounding the site. The trees in this section are predominantly Category A and Category B trees.
- 7.18.12 The Council's policies require a 2 for 1 replacement for each tree removed for this development proposal. The Council's arboriculturist has stated that it is currently not possible to give an accurate number to what that would equate to here. The Impact Assessment confirms that the following individual trees will be removed:

- Individual trees 7
- Trees in groups 140
- Total 147

- 7.18.13 Beyond this a further 3 tree groups will be partially felled. Those groups contain 65 trees, and the Arboricultural Method Statement (AMS) suggests it is likely that G3 will see approximately 35 trees removed. There will also be 0.93 hectares of woodland removed, which could equate to 350-400 trees in this area – this of course sets aside the increased benefits and habitats provided by them by being in woodland.
- 7.18.14 Current proposals show that 106 trees will be planted with additional shrubs and hedgerows. However, this proposal falls exceptionally well short of the required figure, whilst the replacements will also fail dramatically in their ability to recreate the lost habitats, benefits and niches provided by the current woodlands.
- 7.18.15 Officers consider that a realistic replacement planting figure in line with the Council's 2 for 1 policy could amount to something between 1,066-1,166 trees.
- 7.18.16 Protection of the trees extends to their roots, the soils and their associated flora and fungi therefore damage to the ground around trees by compaction, changes in ground level, or the water table are critical to the health of trees. Reducing the impact can therefore be achieved by ensuring that as much ground around the trees is left undisturbed. With respect to the potential impact on those trees to be retained, the applicant has proposed a no build zone around the trees and a plan which confirms that no ground level changes are proposed. Within these areas, which are primarily in areas of public open space, the root protection zones will meet the minimum requirements set out in British Standard 5837:2012 but extend further to ensure that an enlarged area will be kept free from development and any associated ground works.
- 7.18.17 The updated scheme is a dramatic improvement on the previous scheme, from the point of view of the interaction of the proposed houses/gardens with the existing woodlands/trees.
- 7.18.18 The proposed new access road would cause fragmentation of Deciduous Woodland" within the northern parcel of the site. However, the applicant has proposed mitigation in the form of wildlife tunnels, toad crossings/kerbs, in addition to bird and bat boxes and these will be conditioned.
- 7.18.19 The Council's arboricultural officer recommended that there needs to be a buffer included in the scheme which should be at least 10 metres. This would allow for a mature branch spread and only small overhangs to the gardens. The applicant has provided some mitigation by submitting a revised layout incorporating a buffer of 10m although closer inspection shows this to be 9m due to the footpath/cycle route position and width. However, on balance this is considered acceptable given the cycle lane helps to encourage sustainable travel provided that the link is adequately connected to the wider strategic network.
- 7.18.20 Overall, the Council's arboricultural officer objects to this proposal, without further mitigation. Garden trees do not count towards this, and street trees only count if the

highway is adopted (which is currently not expected due to the access gradient). It is emphasised that a significant section 106 payment/ agreement would be required to ensure the lost tree mitigation is recreated elsewhere in the Glossop area.

- 7.18.21 The Council's policies require a 2 for 1 replacement for each tree removed for a development. It is not currently possible to give an accurate number to what that would equate to here. However the TEP Tree Report confirms that 1.0319 hectares of trees are proposed for removal with further hedge removals on top, which they have equated to 2.1718 hectares required for replacement planting to mitigate the loss. However, no mitigation on site is either proposed or possible to make up for the loss that would be caused by this development. The Arboricultural Report then goes on to confirm that the only solution would be to agree a suitable off-site scheme. It is recommended that the section 106 agreement for trees to be planted off site be for a mix of species and sizes, allowing HPBC to plant suitable trees in particular planting locations in the Borough.
- 7.18.22 Conditions are recommended in relation to street trees, species mix, proximity to buildings lines, site layout during development, and general tree protection.
- 7.18.23 The viability report has been received which shows there is capacity for S106 payment/ planning obligations to mitigate against the loss of trees. The applicant has stated their willingness to provide funding for replacement trees.

7.19 Impact on Archaeology

- 7.19.1 Policy **EQ7** sets out that the Council will conserve heritage assets in a manner appropriate to their significance. With respect to archaeological matters, this policy requires evidence proportionate to its significance to be submitted to understand the potential impact of a proposal. NPPF para 194 states that the applicant is required to describe the significance of any heritage assets affected, including any contribution made by their setting, to submit an appropriate desk-based assessment and a field evaluation. This is further emphasised in policy **DS4** which requires an archeological evaluation.
- 7.19.2 Accompanying this application is a Written Scheme of Investigation (Doc.324) for Archaeological Works, which the County Archaeologist considers to be an appropriate methodology for the field evaluation.
- 7.19.3 During consideration of the application, the County Archaeologist advised that to be compliant with NPPF para 194 an archaeological evaluation would be required due to expected presence of a Roman road on the application site, between the Roman sites of Brough and Melandra. This evaluation is required to establish archaeological significance and impact. Moreover, the geophysical survey would also need supplementing with trial trenching to establish hard and fast data on preservation and levels. The LPA advised the applicant that the geological survey covering the remainder of the site should be conducted with the advice of the Council's ecologist DWT.
- 7.19.4 NPPF para 205 requires developers to record and advance understanding of the significance of any heritage assets to be lost. A geological survey has been completed

on site via agreement between the applicant (as landowner), the Council's Archeologist, and Derbyshire Wildlife Trust, to conduct geological trenching in seven sections of interest during September 2023. An interim report has been received, which identifies that this did not identify any archaeological remains. However, due to practical constraints, it has not been possible to test pre-determination outside the line of the existing track (Adderley Road) principally due to the on-going access requirements and an existing gas main alongside the track, and post-consent conditions were requested for a further Written Scheme of Investigation to be submitted prior to development and occupation.

- 7.19.5 As such, the County archaeologist is satisfied, and it is therefore considered that the proposed development meets policy EQ7 on archeological criteria subject to conditions.

7.20 Planning Obligations (Section 106)

- 7.20.1 Local plan policy **CF7** requires new development to provide or meet the reasonable costs of providing on-site or off-site infrastructure, facilities and/or mitigation necessary to make a development acceptable in planning terms.
- 7.20.2 Contributions towards infrastructure, services and other community needs have been highlighted by relevant consultees. Planning obligations are dependent on the outcome of the viability review, which has been assessed by external consultants and the applicant has agreed to S106 planning obligations to mitigate against the impact of the proposed development.
- 7.20.3 The proposed development has been assessed with regard to its impact on community services/ facilities. Consultees have responded to state that in terms of education provision there is sufficient capacity at both primary and secondary schools. However further capacity is required with regard to stock contributions to libraries, and sustainable travel improvements. Contributions have also been requested to support mitigation against the loss of trees, habitat loss and impact on biodiversity.
- 7.20.4 The viability exercise carried out by the Council's consultants concluded that there was a development surplus of some £793,000, which is insufficient to cover a significant portion of the requirements calculated by the consultees. The applicant's stance is that the scheme does not generate a surplus and therefore cannot support any Section 106 Contributions. However, they have accepted the position of the Council's consultants on a without prejudice basis in order to progress the application.
- 7.20.5 Given the agreed level of the Section 106 'pot' is lower than the total required to entirely satisfy the consultees, officers have had to weigh up the differing financial requirements in order to best allocate the available funds. This process has been informed by the Council's draft SPD (soon to be adopted) and the matters arising from site specific issues, such as particular mitigation measures needed to off-set negative impacts.

- 7.18.1 This is a specific requirement under Policy **DS4**. Affordable housing is required on sites of 25 units or more. Although the applicant has not specifically provided any affordable housing, they have expressed a willingness to work with the Council to provide funds to support affordable housing.
- 7.18.2 Taking into account the various demands for mitigation, the S106 pot is not sufficient to provide on-site affordable housing. Therefore, a financial contribution in lieu of on-site provision is considered acceptable in this case. Officers propose that a sum of £193,000 is appropriate, which very approximately equates to a three-bedroom house for rent.

Highways contribution:

- 7.18.3 A payment will be required to cover the travel plan monitoring fee annually over the next five years. This amounts to £6,325.
- 7.18.4 Section 278 Agreement covers the creation of a new junction off the A57/ Dining Vale, to include the relocation of bus stops and a speed camera. This is an essential requirement to make the proposed development workable and sits outside of the S106.

Habitat loss & biodiversity contribution

- 7.18.5 The applicant has provided provisional cost estimates of the bespoke mitigation measures needed to properly compensate for the losses of habitats of very high distinctiveness i.e. the acid grassland and rush pasture. This work will take place at two sites in Chinley, as described earlier in this report, and estimated to cost as follows:
- Earth works at Chinley: £16,000
 - Import of materials to alter soil substrate to support translocation: £10,000
 - Turf translocation: approx. £20,000
 - Other habitat enhancements, including vegetation strimming, scrub clearance, planting: approx. £10,000
 - 30 years of management and monitoring approx. allow for £5,000 a year - £150,000
- 7.18.6 Given the potential impacts on habitats would lead to an 'unacceptable loss', and the fact that the mitigation process has to be carried out in its entirety, officers consider that the full package of measures as outlined here should be incorporated into the S106. This amounts to approximately £56,000. The physical works will be carried out by the applicant. The fee for management will be split between the applicant's on-going cost, and funding for the Council's monitoring.
- 7.18.7 In terms of the biodiversity balance, the applicant's consultants have calculated that 10.65 credits would be required to achieve no net loss. The Council's Environment Bank is anticipated to be in place within the next 18-24 months and, given the likely timescales for implementing the proposed housing on site, it is considered acceptable that the development contributes towards this. The actual cost of credits have yet to be

fixed and are estimated at being between £28,000 and £35,000 per unit. Thus, the 10.65 credits would cost between £298,000 and £372,750.

7.18.8 With the competing calls on the S106 pot, it is considered that the application cannot support the full 10.65 credits to avoid a biodiversity net loss, without absorbing funds from elsewhere, such as affordable housing. In seeking to strike a balance, officers are suggesting a contribution equivalent to 5.65 credits, using the mid-range cost of £31,500, leading to a contribution of £177,975.

7.18.9 Furthermore, the habitat compensation contributions are, of necessity, estimated at this stage. It is proposed, therefore, that the total combined contribution for habitat works and BNG credits is capped at £383,975. Once the habitat works at Chinley have been undertaken and audited, the remainder of the contribution, after management/monitoring costs, can then be allocated for BNG credits. The timing of this may well be beneficial, given the likely 2025 timescale for the Borough's Environment Bank.

Arboricultural/ Trees contribution

7.18.10 A significant S106 payment will be required to ensure the lost tree benefits are recreated elsewhere in the Glossop area. The Council's arboriculturalist has proposed the following compensation:

Small:	80
Medium:	84
Large	84
Total:	248

7.18.11 This planting has been costed at £136,800, with a further £39,680 as a commuted sum to cover the first 20 years of management.

7.18.12 However, as with the other areas of contributions, a further assessment has had to be made regarding the amount of funds that can be allocated to tree re-provision in the context of the overall pot. Officers have taken the view that, rather than a 2-for-1 re-provision, a 1-for-1 replacement can justifiably be sought. This equates to a planting cost of £68,400, together with a commuted sum for maintenance of £19,840. A further £4,000 has been included in the tree planting contribution.

Sustainable Travel / Countryside Services contribution

7.18.13 The south-west corner of the site lies approximately 240m from Gamesley Sidings, with purpose-built paths for horse riders, cyclists and pedestrians linking directly to the long-distance Trans Pennine Trail and once fully developed the Pennine Bridleway, one of seventeen National Trails. It will additionally support woodland ecology and the creation of a path that helps concentrate visitor use in select areas.

- 7.18.14 By using a calculation of £258/m for a 3m wide shared use walking and cycling path, the cost estimate would be £61,920 to meet costs to link the site with Gamesley Sidings to achieve these aims.

Libraries contribution

- 7.18.15 A stock-only contribution of £6,460 is sought. As with other matters, this has had to be reduced, and £4,000 is proposed.

Health contribution

- 7.18.16 Funding is requested to provide additional capacity at any practice in the vicinity of the development, which may be through the extension of one of more existing site, or a new building. Derby and Derbyshire NHS Integrated Care Board requested a financial contribution of £90,000 based on 100 dwellings. This would be £82,800 for the currently proposed 92 units, pro rata.

- 7.18.17 It is proposed to secure £40,000 to provide additional healthcare capacity.

Air Quality contribution

- 7.18.18 Environmental Health has sought a contribution of £150 per proposed property to support and implement actions associated with the revised Action Plan for the area, namely the real time monitoring of NOx and PM10 data and possibly to support a further feasibility study into local sustainable travel in the area. This amounts to £13,800.

- 7.18.19 In line with other reductions, it is proposed that £6,000 of the overall fund is allocated to air quality management.

S106 Monitoring Contribution

- 7.18.20 The applicant is willing to enter into a Section 106 to comply with Local Plan Policy **CF7** (Planning Obligations) and the NPPF.

- 7.18.21 In line with the revised Community Infrastructure Levy Regulations 2010 (as amended) Regulation 122 2(a), the County Council will seek a monitoring fee towards the monitoring and reporting of S106 contributions. The fee will be based on the cumulative number of triggers to be monitored for County Council obligations x £77.00.

8. PLANNING BALANCE AND CONCLUSIONS

8.1 The Planning Balance

- 8.1.1 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.

- 8.1.2 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 currently consists of the High Peak Local Plan 2016. The development would meet the requirements of Policies **H1** of the Development Plan.
- 8.1.3 High Peak Local Plan is up to date except for two policies that relate to this application: S3 (Strategic housing development) and, in part, H4 (Affordable Housing). As noted above, Policy H4 is considered up to date in respect of requirement for 30% affordable housing on larger sites, which aligns with the site allocation provisions for the "required proportion of affordable housing" in Policy DS4.
- 8.1.4 The adopted Local Plan and NPPF highlights increasing housing supply as a key objective. This proposed development would make a significant contribution to housing supply generally although there is no affordable housing proposed. The proposal has been referred to external consultants for a viability review, which concluded that the development could generate a surplus of £793,000 that could appropriately be directed towards off-site mitigation and wider benefits.
- 8.1.5 The proposed development would be located within the built-up boundary of Glossop town within a sustainable location, and not within the Green Belt, although it is previously undeveloped and therefore a greenfield site. However, the site is allocated for housing in the Local Plan. As such the principle of housing development is already established subject to site-specific requirements under policy **DS4**.
- 8.1.6 As discussed above, Local Plan policy **DS4** allocation allows for approximately 130 dwellings (on a slightly larger site than the application site) and lists specific measures required in relation to development. These are outlined below together with a brief summary of analysis as explained in further detail elsewhere in this report.
- **Access** - A new access is provided on Dinting Vale. Concerns remain regarding the site entrance gradient, although this would be offset by funding for a Sustainable Travel connection, and provision for encouraging pedestrian use of the PROW. No concerns have been raised regarding highway or pedestrian safety.
 - **Housing** - No affordable housing has been provided, although it is proposed to include a payment equivalent to one dwelling in lieu as part of the Section 106 obligation.
 - **Services** - Contributions towards infrastructure, services and other community needs is required, and these aspects have been included in the proposed Section 106 obligation.
 - **Geology/ Flood Risk** - A Ground Investigation Report and Flood Risk Assessment have been submitted and considered to be acceptable subject to conditions.
 - **Trees** - A landscape plan has been submitted, which includes the provision for street tree planting. The development proposal would result in the loss of mature trees and it is proposed that a financial contribution equivalent to approximately 1-for-1 compensation has been included in the Section 106 obligation, although this is below the 2 for 1 policy requirement.

- **Archaeology** - An archaeological evaluation that has included the excavation of trial trenches has been conducted and the County archaeologist is content that this matter can now be suitably conditioned for post-approval investigation.
- **Wildlife** - evidence shows that that the proposal would not achieve a biodiversity net gain and would result in the loss of two UK priority habitats. However, the applicant has stated their willingness to provide funding to provide credits to compensate this and proposals to translocate the habitats to a new location.

- 8.1.7 The proposal would increase the supply and choice of housing in the Glossopdale Area although there is no on-site affordable housing proposed. The weight that can, therefore, be attributed to the housing benefit is somewhat diminished by the absence of affordable housing, although a financial contribution will help mitigate this. There would be economic benefits from the construction of the housing and an associated increase in spending on services and facilities in the local area.
- 8.1.8 The grassland buffer strip in the east will include tree planting and play features (or similar), which again reduces the area of grassland retention/ creation, but does, however, provide a community focus point and activities for children both within the proposed development and nearby existing residents.
- 8.1.9 The NPPF and SPDs are material considerations which carry significant weight. Assessment against their policies and principles points to the potential policy conflicts arising from the proposal. However, the applicant has demonstrated a willingness to consider the concerns of officers and consultees and has made notable changes to the proposal to overcome these.
- 8.1.10 Concern remains regarding the gradient of the main site access. The applicant worked proactively with the local authority to consider alternative options before being discounted due to the impact on a greater impact of tree loss. By way of mitigation the applicant proposes to offset the Active Travel issue with funding for a Sustainable Travel connection to the south, the Key Cycle Network, the Trans Pennine Trail, and once fully developed the Pennine Bridleway beyond. Additionally, a condition will require provision for encouraging pedestrian use of the existing PRow which provides alternative pedestrian access via a gentle gradient. As indicated in the report, some these concerns have been partially overcome through conditions, and through the provisions of a Section 106 Agreement. Additionally, although every case is different, the applicant has highlighted that there is a precedent for a 1:10 gradient at the Linglongs Road housing development in Derbyshire (HPK/2017/0247).
- 8.1.11 Overall, in considering the planning benefits of the proposal, it is considered that the applicant has provided satisfactory mitigation so that the benefits of delivering this allocated housing site, which forms part of the Council's 5 year supply, outweighs the disbenefits. The site is afforded housing designation in the development plan, there are other material considerations that would support the proposed development, offset by planning obligation contributions to mitigate against the impact on biodiversity, wildlife, and loss of trees. An interim archaeology report has been received with a final report to follow, and pre-conditions will be included to require an archaeological Written Statement of Investigation including a temporary no-dig zone.
- 8.1.12 Although the scheme proposal is on land specifically allocated for housing within an edge of town location, there is no affordable housing being proposed. However, the

applicant has agreed that planning obligations funding can be used to support provision of some affordable housing, although limited funds are likely to mean this provision is small. Consequently, on balance it is considered that the proposed development is broadly consistent with the adopted development plan policies and the NPPF when taken as a whole, and there are no other material considerations that indicate planning permission should be refused. As such it is recommended that this scheme should be approved subject to conditions and planning obligations.

8.2 Conclusion

- 8.2.1 The principle of this form of development is accepted as the site is allocated for housing in the development plan, subject to the measures listed in Policy DS4. The applicant has engaged proactively with the local planning authority and submitted a number of improvements to the development proposal as part of the planning application process, including submitting proposals for mitigation for biodiversity, wildlife, trees, and sustainable transport, plus a raft of design improvements.
- 8.2.2 The gradient of the access road remains greater than Highways' standards require in new developments, and the scheme fails to provide affordable housing, one of the measures set out in Policy DS4. Policy H4 provides that applications can be assessed on viability grounds where affordable housing provision is lower than policy requirements, which has been carried out in this case. The Council's consultants are satisfied that the appropriate total funds are being sought through a Section 106 agreement. The scheme would also fail to fully mitigate against bio-diversity and tree loss.
- 8.2.3 However, it is considered that all other material considerations have been resolved prior to determination via improvements, mitigation, conditions, or planning obligations.
- 8.2.4 Therefore, although there are disbenefits to the application, on planning balance, the benefits of delivering this allocated housing site, which forms part of the Council's 5 year supply, outweighs the disbenefits. Accordingly, this development scheme is recommended for approval subject to a S106 agreement and conditions as listed below.

9. RECOMMENDATION

A. APPROVE subject to Section 106 Agreement to secure:

Ecology /BNG

- **Propose this to be capped at £ 383,975 and spent in priority:**
 - i. **Bespoke habitat compensation, carried out by the developer at Chinley:**
 - a. **Capital cost, estimated: £56,000**
 - b. **Maintenance for 30 years: £150,000**
 - ii. **BNG Credits, contribution to HPBC Environment Bank: £177,975**

Tree compensation (contribution to HPBC)

- **planting: £72,400,**
- **maintenance: £19,840,**

Affordable housing

- Proposed payment in lieu £193,250 (very roughly equivalent to a 3-bed house for rent)

Other matters

- Travel plan monitoring, 5 years: £6,325
- Libraries: £4,000
- Sustainable travel, south west link: £61,920
- Air quality £6,000
- Health: £40,000
- LPA Monitoring fee, £5,000

Total £789,000,

Other matters in the S106 TBC including

- Securing a link to any future development to the east.
- Provision for management of open spaces / highways

And the following conditions:

TIME & STANDARD

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

Reason: To comply with the requirements of Section 91 Town & Country Planning Act 1990.

2. Condition: This decision relates only to drawings numbered TBC

and the development shall not be carried out except in accordance with the drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the High Peak Local Plan listed.

AMENITY & DESIGN

3. Pre-Condition: Prior to the commencement of development, details of the materiality of architectural detailing including details of suitable alternatives to boxed eaves, retaining walls / terracing to rear gardens, details of materials for shared surfaces, and protection for street trees including in private front gardens, to be submitted to and approved by the Local Planning Authority.

Reason: To meet the requirements in the Local Plan, Residential Design SPD, and NPPF.

4. Pre-Condition: No development shall take place until details and samples of all external materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure a satisfactory development in accordance with Policies EQ6 and S1 of High Peak Local Plan, the Landscape Character SPD 2006, Residential Design Guide SPD 2005, and Peak Design Guide SPD 2018.

5. Pre-Condition: Residential Amenity - Prior to the commencement of development, a scheme providing details of trees and trellis fencing along rear boundaries of dwellings less than 26m apart, and timescales for implementation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details / timescales and maintained for those purposes at all times thereafter.

Reason: In the interests of residential amenity and to ensure a satisfactory development pursuant to Policies EQ6 and S1 of High Peak Local Plan, the Landscape Character SPD 2006, Residential Design Guide SPD 2005, and Peak Design Guide SPD 2018, and the National Planning Policy Framework.

6. Pre-Occupation Condition: Before the first occupation of the dwellings hereby permitted the windows for bathrooms and toilets shall be fitted with obscured glazing and shall be permanently retained in that condition thereafter.

Reason: To protect the privacy of adjoining occupiers and to accord with Policies EQ6 of the High Peak Local Plan, Residential Design Guide SPD 2005, and Peak Design Guide SPD 2018.

7. Condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revising, revoking and re-enacting that Order with or without modification), there shall be no enlargement or extension of the dwellings hereby permitted (Plots 9-13, 27-31, 33, 38-45, 48, 52-60, 62, 65, 76, 81, and 86), including any additions or alterations to the roof, without express planning permission first being obtained from the Local Planning Authority.

Reason: To satisfactorily protect the residential amenities of nearby occupiers. To comply with Policies EQ6, Residential Design Guide SPD 2005, and Peak Design Guide SPD 2018, and the National Planning Policy Framework.

POLLUTION & CONTAMINATION:

8. Pre-Condition: No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of acoustic boundary treatment to be erected, this shall include details of any boundary treatments along the western boundary close to the railway line. The boundary treatment shall be completed before the building(s) are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity, in accordance with Policies EQ6 and EQ10 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

9. Pre-Condition: No topsoil is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material should be submitted to and agreed in writing by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks in accordance with Policies EQ6 and EQ10 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

10. Pre-Condition: Prior to commencement of development, the Local Planning Authority should be provided with:

a) 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:

- a. a survey of the extent, scale and nature of contamination;**
- b. an assessment of the potential risks to:**
 - i. human health,**
 - ii. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,**
 - iii. adjoining land,**
 - iv. groundwaters and surface waters,**
 - v. ecological systems,**
 - vi. archaeological sites and ancient monuments;**
- c. 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 and for formation of the highway access, 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 before commencement of development other than that required to carry out remediation and for the formation of the access road.

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 15a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 15b, 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 1c.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters (including the underlying Secondary A aquifer), property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks in accordance with Policies EQ6 and EQ10 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

11. Condition: NSD14 Acoustic fencing shall be utilised in the rear gardens of Plots 1 and 3 to 8 for noise mitigation, and shall be of solid construction, with good quality timber (no warping, knot holes or damage) of at least 20mm thickness in all places, including where the boards overlap. Boards shall continue across the front of posts to minimise gaps and incorporate wide overlaps (minimum 25mm) to allow for timber expansion and contraction whilst minimising the possibility of gaps appearing over time. Fencing shall have a superficial mass not less than 10 kg/m². Noise mitigation shall thereafter be maintained for the life of the development. Notwithstanding the above one gap of 100mm above ground level and 100mm wide should be provided on each rear garden side for the benefit of wildlife to move freely in safety.

Reason: Noise mitigation shall thereafter be maintained for the life of the development in order to protect the amenities of future occupiers and wildlife biodiversity, in accordance with Policy H1, EQ10, and EQ5 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

DRAINAGE & FLOODING

12. Pre-Condition: No development shall take place until a scheme for the provision of an undeveloped buffer zone alongside the watercourse has been submitted to and

approved in writing by the Local Planning Authority. The scheme shall include:

- a. Plans showing the extent of the buffer;
- b. Details of planting;
- c. A management plan showing how the buffer zone shall be protected during development and maintained and protected after completion.

The development shall be carried out in accordance with the approved scheme and buffer zone shall thereafter be managed and maintained in accordance with the approved management plan.

Reason: To ensure a satisfactory standard of drainage and in the interests of the amenities including biodiversity of the area, in accordance with Policies EQ6, EQ5 and EQ10 of the High Peak Local Plan Policies 2016.

13. Pre-Condition: No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:

- a. LDE. (31/03/2023). Flood Risk Assessment, 680312-R1(02)-FRA Rev 02,
- b. Betts Associates. (07/07/2023). Section 104 Drainage Design, WAI25-XX-BET-ZZ-XX-DR-C-1001-P01,
- c. Betts Associates. (2023) Letter to Derbyshire LLFA, 7 August, including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team,
- d. And DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2015),

have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided to the Local Planning Authority, in advance of full planning consent being granted.

14. Pre-Condition: Prior to commencement of the development, the applicant shall submit for approval to the LPA details indicating how additional surface water run-off from the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the LPA, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development.

15. Pre-Condition: Prior to the commencement of development, details of a sustainable surface water drainage scheme (SuDS) and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- a. An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- b. A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations);
- c. Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD; (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
- d. Foul and surface water shall drain on separate systems. The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

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 promote sustainable development, secure proper drainage., to manage the risk of flooding and pollution, and in the interests of the amenities of the area, in accordance with Policy EQ10 of the High Peak Local Plan Policies 2016.

16. Pre-Condition: "Prior to the first occupation of the development, a verification report carried out by a suitably qualified independent drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure that the drainage system is constructed to the national non-statutory technical standards for sustainable drainage and CIRIA standards C753.

RAIL

17. Pre-Condition: A method statement and risk assessment must be submitted to the Local Planning Authority for review and approved in writing prior to works commencing on site.

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

18. Pre-Condition: Prior to the commencement of the development details of scaffolding works within 10m of the railway boundary, to be submitted to the Local Planning Authority for approval in writing.

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

19. Pre-Condition: Prior to any vibro-impact works on site, a risk assessment and method statement shall be submitted to the Local Planning Authority for approved in writing.

Reason: To prevent any piling works and vibration from de-stabilising or impacting the railway.

20. Pre-Condition: Prior to the commencement of the development details of the disposal of both surface water and foul water drainage directed away from the railway shall be submitted to the Local Planning Authority for approved in writing.

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

21. Pre-Condition: Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out within 20m of the railway boundary shall be submitted to the Local Planning Authority.

Reason: To protect the adjacent railway and its boundary.

22. Pre-Occupation Condition: Prior to occupation of the site the developer is to provide a suitable trespass proof fence adjacent to the boundary with the railway; the fencing details to be submitted to the Local Planning Authority for approval in writing.

Reason: To protect the adjacent railway from unauthorised access

CONSTRUCTION

23. Pre-Condition: Construction Management Plan/ CMP - No development shall take place, including any works of demolition, until a construction management plan / construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan / statement shall be adhered to throughout the construction period. The plan / statement shall provide for:

- i. construction times**
- ii. parking of vehicles for site operatives and visitors,**
- iii. storage of plant and materials and site accommodation,**
- iv. wheel washing facilities,**
- v. measures to control the emission of dust and dirt during construction,**
- vi. routes for construction traffic,**
- vii. method of prevention of mud / debris being carried onto the public highway/PRoW,**
- viii. proposed temporary traffic management / restrictions,**
- ix. arrangements for loading / unloading and turning vehicles within the site,**
- x. roadside fencing / hoarding,**
- xi. construction compound details, and**
- xii. details of site registration under the Considerate Contractors scheme.**

No development shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the

standards that estate streets serving each phase of the development will be completed.

Reason: To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and in the interests of highway safety and amenities of the area, in accordance with Policy CF4 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

24. Pre-Condition: A Landscape and Biodiversity Enhancement and Management Plan (LBEMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The aim of the LBEMP is to provide details for the creation, enhancement and management of habitats and species on the site post development, in accordance with the proposals set out in the updated Biodiversity Metric and Landscaping Plans. The LBEMP should combine both the ecology and landscape disciplines and shall be suitable to provide to the management body responsible for the site. It shall include the following:-

- a) A copy of an updated metric, once the offsetting scheme has been approved.
- b) Description and location of features to be retained, created, enhanced and managed, as per the approved biodiversity metric.
- c) Aims and objectives of management, in line with desired habitat conditions detailed in the metric.
- d) Appropriate management methods and practices to achieve aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including a 30-year work plan capable of being rolled forward in perpetuity).
- g) Details of the body or organization responsible for implementation of the plan.
- h) A monitoring schedule to assess the success of the habitat creation and enhancement measures at intervals of 1, 2, 3, 4, 5, 10, 15, 20, 25 and 30 years.
- i) Monitoring reports to be sent to the Council at each of the intervals above.
- j) A set of remedial measures to be applied if conservation aims and objectives of the plan are not being met.
- k) Detailed habitat enhancements for wildlife, in line with British Standard BS 42021:2022.
- l) Details of offset gullies and drop kerbs in the road network to safeguard amphibians.
- m) Detailed specifications for open water habitats to provide biodiversity benefits.
- n) Requirement for a statement of compliance upon completion of initial planting and enhancement works.

The LBEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Reason: In the interests of sustainable development and the natural environment, in accordance with Policy DS4, S1, EQ1, EQ2, EQ5, EQ6, EQ8, EQ9, and CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

25. Condition: CDD01B - Construction – Dust No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust

suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority.

Reason: To mitigate the impact of the construction traffic generated by the proposed development on the adjacent residential streets, and materials storage arrangements for the duration of the construction period and that the adopted highways are kept free of deposited material from the ground works operations, in the interests of highway safety pursuant to Policy CF6 and the National Planning Policy Framework.

26. Condition: CDD02 - Construction & Demolition: Waste Disposal - Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. There shall be no fires lit on the site for purpose of disposing of demolition materials. Any open fires that arise shall be extinguished without delay.

Reason: To protect the natural environment and existing watercourses from pollution in accordance with policies S1, and EQ1 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

27. Condition: NSD12 - Best Practical Means - The best practicable means, as defined in Section 72 of the Control of Pollution Act 1974 to reduce noise and vibration from the site to a minimum, shall be employed at all times during construction.

Reason: To maintain the residential amenity of the residents surrounding the site and pursuant to policy EQ10, of the High Peak Local Plan Policies 2016.

28. Condition: NSD02B - Noise Construction: Piling - No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays.

Reason: In the interests of the amenity of residents of neighbouring residential properties in accordance with policy EQ6 of the High Peak Local Plan Policies 2016.

29. Condition: NS02A - Construction & Demolition Works: Time Of Operations - Unless prior permission has been obtained in writing from the Local Planning Authority, all noise-generating activities shall be restricted to the following times of operations.

- 07:30 - 18:00 hours (Monday to Friday);
- 08:30 - 14:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this condition, a noise-generating 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: In the interests of the amenity of residents of neighbouring residential properties in accordance with policy EQ6 of the High Peak Local Plan Policies 2016.

HIGHWAYS

31. Pre-Condition: Unless otherwise approved in writing by the Local Planning Authority, the development shall not be commenced until, for the proposed new junction off the A57, a detailed scheme of highway improvement works for the provision of a footway/ verge margin and associated safe pedestrian crossing points, together with a programme for the implementation and completion of the works has been submitted to and approved in writing by the Local Planning Authority.

The new junction shall be provided with visibility sightlines extending from a point 2.4 metres from the carriageway edge, measured along the centreline of the access, for a distance of 64metres and 46metres to the right and left when exiting respectively measured along the nearside carriageway edge in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. The area in advance of the visibility sightlines being levelled, forming part of the new street constructed as footway and not forming part of any plot or other subdivision of the site.

No part of the development shall be brought into use until the required highway improvement works have been constructed in accordance with the approved details.

The proposed new site access road between Dinting Vale (A57) and the Public Right of Way is to be maintained to an adoptable standard (save for the gradient) for the lifetime of the duration of the occupation of the development.

Reason: In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

32. Pre-Condition: Prior to commencement of construction, excluding access works, groundworks and other preliminary works to be agreed with the local planning authority, a travel plan shall be submitted to and approved in writing by the local planning authority, to include a base position of mode share, level of shift, and appropriate targets to the satisfaction of the Local Planning Authority and be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority. The Approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets

Reason: In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

33. Pre-Condition: No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: In the interests of highway safety, in accordance with Policies CF6, and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

34. Pre-Condition: The development hereby approved shall not be commenced until

the vehicular access off Dinting Vale in accordance with the approved drawings, has been created and completed up to at least base course level and is provided with the visibility splays in accordance with the approved plans. The access shall then be completed up to adoptable standard (other than gradient) before the first occupation of the dwellings, with the visibility splays being permanently kept free of all obstructions over 0.6m in height above carriageway level thereafter. The new road will then be maintained to this standard for the duration of the occupation of the approved development.

Reason: In the interests of highway safety, in accordance with Policies CF6, and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

35. Pre-Condition: Prior to the commencement of the development an independent Stage 2 Road Safety Audit must be submitted to and approved by the Local Planning Authority in accordance with GG119 - Road Safety Audits or any superseding regulations. The design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site. A programme for the delivery of that scheme and its interaction with delivery of any identified schemes under the section 38/278 Agreement must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site. Each item of the on/off-site highway works must be completed in accordance with the approved engineering details and programme prior to first occupation of the approved dwellings, or at another time to be agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with Policies CF6, and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

36. Pre-Condition: Notwithstanding any information submitted, no development shall take place, with the exception of the site clearance, until construction details of the turning head and footways (including layout, levels, gradients, surfacing and means of surface water drainage) have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

37. Pre-Condition: Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto the highway. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding in accordance with Policies S1, and EQ11 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

38. Pre-Condition: Unless otherwise agreed by the Local Planning Authority upon demonstration that the estate roads cannot and will not be adopted, no development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to

and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

Reason: To ensure that there are adequate arrangements for future management and maintenance of the proposed streets in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework

39. Pre-Condition: Prior to the commencement of development, a scheme providing details of the pedestrian access / cycle access, relocation of two bus stops, speed camera, school zigzags, parking restrictions, materials, and timescales for implementation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details / timescales and maintained for those purposes at all times thereafter.

Reason: In the interests of highway safety, in accordance with Policy DS4, S1, EQ6, and CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

40. Pre-Condition: Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road, structure or apparatus which will support or lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development must only be carried out in compliance with the approved engineering drawings.

Reason: To ensure that the adopted highways are kept free of deposited material from the ground works operations pursuant to Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework

41. Pre-Occupation Condition: No dwelling hereby permitted shall be occupied until the new estate streets, footways, and cycleways between each respective plot and the existing public highways have been constructed in accordance with the details approved. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or abutting the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surface course within twelve months from the occupation of such dwelling, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

42. Pre-Occupation Condition: The dwellings, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking/ loading and unloading/ manoeuvring of residents/ visitors/ service and delivery vehicles,

located, designed, laid out and constructed all as agreed in writing with the Local Planning Authority prior to implementation and maintained throughout the life of the development free from any impediment to its designated use. In the case where interim turning arrangements are constructed these must remain available until any permanent turning head is available, in accordance with the approved designs.

Reason: In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

43. Pre-Occupation Condition: No individual dwelling in the development hereby approved shall be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The bicycle storage area shall be maintained for this purpose thereafter.

Reason: To support the principles of sustainable development and inclusive access pursuant to Policies S1, and CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

44. Pre-Occupation Condition: The proposed Electric Vehicle infrastructure shall be provided prior to first occupation of each dwelling in accordance with detail in the approved drawings (Doc.134).

Reason: To support the principles of sustainable development and inclusive access pursuant to Policies S1, and CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

45. Condition: The garage spaces provided shall be kept available for the parking of motor vehicles at all times. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the garage/car parking space(s) hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason: To support the principles of residential amenity pursuant to Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

46. Condition: No gates, including any part of their opening arc shall be permitted to open out over public highway limits. Any gates should therefore be set back an appropriate distance from the carriageway edge or be physically prevented from opening over the adjoining highway.

Reason: To support the principles of sustainable development and inclusive access pursuant to Policy CF6 of the High Peak Local Plan 2016.

PROW

47. Pre-Condition: Prior to the commencement of development, a scheme to discourage new residents from using the private road (Adderley Place/ PROW 50) for vehicular access, including timescales for implementation, shall be submitted to and

approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details/timescales and maintained for those purposes at all times during the lifetime of the occupation of the development.

Reason: In the interests of highway safety, in accordance with Policy S1, EQ6, and CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

ECOLOGY & WILDLIFE:

48. Pre-Condition: No development shall take place until measures to protect badgers from being trapped in open excavations and/or pipe and culverts is submitted to and approved in writing by the local planning authority. The measures shall include:

- a. Creation of sloping escape ramps for badgers which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day
- b. Open pipe-work larger than 150 mm outside diameter should be blanked off at the end of each working day. The development shall be carried out in accordance with the approved details.

No occupation of any dwelling hereby approved will occur until the approved measures have been implemented.

Reason: To provide adequate safeguards for the protection of any protected species existing on the site, in accordance with Policy EQ5 of the High Peak Local Plan 2016 and paragraph 17 and Section 11 of the National Planning Policy Framework.

49. Pre-Condition: No development shall take place until a Street Lighting Plan is submitted, to the satisfaction of the Local Planning Authority.

No occupation of any dwelling hereby approved will occur until the approved measures have been implemented.

Reason: To provide adequate safeguards for the protection of any protected species existing on the site, in accordance with Policy EQ1, EQ5, and EQ10 of the High Peak Local Plan Policies 2016.

50. Pre-Condition: No development shall commenced until a detailed Landscape and Ecological Mitigation and Management Plan for all retained habitats within the development site has been submitted to and approved in writing by the Local Planning Authority. The plan should incorporate the details provided in the ecological appraisals and the content of the plan should include the following:

1. Description and evaluation of features to be managed / enhanced or created. This should include:-
 - i. Management of northern and eastern boundaries
 - ii. Management and maintenance of pond, ditch and open space
 - iii. Hedgerow and tree management and enhancement
 - iv. Bird boxes
 - v. Bat boxes
 - vi. Wildlife tunnels/ Toad crossings/ kerbs
2. Ecological trends and constraints on site that might influence management.
3. Aims and objectives of management.

4. Appropriate management options and methods for achieving aims and objectives.
5. Timescales
6. Prescriptions for management actions.
7. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - i. Details of the body or organisation responsible for implementation of the plan.
 - ii. Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured as by the developer with the management body(ies) responsible for its delivery
 - iii. Details where the results from monitoring show that conservation aims and objectives of the plan are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details and for the lifetime of the development, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To provide adequate safeguards for the protection of any protected species existing on the site, in accordance with Policy EQ5 of the High Peak Local Plan 2016 and paragraph 17 of the National Planning Policy Framework.

51. Condition: No tree/shrub clearance work shall be carried out between 1 March and 31 August inclusive in any year, unless the site has been surveyed in advance for breeding birds and a scheme to protect breeding birds has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To provide adequate safeguards for the protection of any protected species existing on the site, in accordance with Policy EQ5 of the High Peak Local Plan 2016 and paragraph 17 and Section 11 of the National Planning Policy Framework.

TREES & LANDSCAPING

52. Pre-Condition: Trees - No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those time.

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing landscaping important landscape features, in the interests of visual amenity, reducing flood risk, and for the benefit of biodiversity in accordance with policies EQ5 and EQ11 of the Adopted High Peak Local Plan 2016 and the National Planning Policy Framework.

53. Pre-Condition: Prior to the commencement of the development, a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, has been submitted to and approved by the local planning authority. The Landscape Management Plan shall be carried out in accordance with the approved plan. The schedule of landscape maintenance should be for a minimum period of 3 years.

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features, in the interests of visual amenity, in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

54. Pre-Condition: Protection of Existing Trees/Hedgerows And Planting Locations (Demolition & Construction)

No operations (including initial site clearance) shall commence on site in connection with development hereby approved until a suitable scheme (Arboricultural Method Statement) for the protection of existing trees and hedgerows has been submitted and its installation on site has been approved in writing by the Local Planning Authority.

All protection measures must fully detail each phase of the development process taking into account demolition/site clearance works, all construction works and hard and soft landscaping works. Details shall include the following:

- a. Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with BS5837*, with tree works proposals. All trees must be plotted on a site plan**, clearly and accurately depicting trunk locations, root protection areas and canopy spreads.**
- b. A plan** detailing all trees and hedgerows planned for retention and removal.**
- c. A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998*.**
- d. Timing and phasing of works**
- e. Site specific demolition and hard surface removal specifications**
- f. Site specific construction specifications (e.g. in connection with foundations, bridging, water features, surfacing)**
- g. Access arrangements and car parking**
- h. Level changes**
- i. Landscaping proposals**
- j. A tree protection plan** in accordance with BS5837* detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent & temporary hard surfaces.**
- k. Soil remediation plans, where unauthorised access has damaged root protection areas in the construction exclusion zones.**
- l. All other areas detailed in the Arboricultural Method Statement Heads of Terms Plan from drawing D9131.003 of the TEP Arboricultural Impact Assessment - 9131.001 – April 2023.**

All tree protection methods detailed in the approved Arboricultural Method Statement shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

***Using the most recent revision the of the Standard**

**** Plans must be of a minimum scale of 1:200 (unless otherwise agreed by the Local Planning Authority)**

Reason: To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of the local environment, air quality and adapting to and mitigating climate change in accordance with policies EQ1, EQ2, EQ5 and EQ9 of the Local Plan.

55. Pre-Condition: Tree planting and soil rooting volume condition - Prior to the commencement of development, a suitable scheme of proposed tree planting, including street trees, and tree pits shall be submitted to and approved by the Local Planning Authority prior to the first use of the development hereby approved.

- a. Full planting specification - tree size, species, the numbers of trees and any changes from the original application proposals.**
- b. Locations of all proposed species.**
- c. Comprehensive details of ground/tree pit preparation to include:**
 - i. Plans detailing adequate soil volume provision to allow the tree to grow to maturity**
 - ii. Engineering solutions to demonstrate the tree will not interfere with structures (e.g. root barriers/deflectors) in the future**
 - iii. Staking/tying method(s).**
 - iv. Five year post planting maintenance and inspection schedule.**

All tree planting must be carried out in full accordance with the approved scheme in the nearest planting season (1st October to 28th February inclusive). The quality of all approved tree planting should be carried out to the levels detailed in British Standard 8545, Trees: from nursery to independence in the landscape - Recommendations.

Any trees which die, are removed, uprooted, significantly damaged, become diseased or malformed within five years from the completion of planting, must be replaced during the nearest planting season (1st October to 31st March inclusive) with a tree/s of the same size, species and quality as previously approved.

Reason: To ensure appropriate tree protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of the local environment, air quality and adapting to and mitigating climate change in accordance with policies EQ1, EQ2, EQ5 and EQ9 of the Local Plan.

56. Condition: Existing Tree/ Shrub/ Hedge Retention

a. No existing trees, shrubs or hedges within the site which are shown to be retained on the approved plans (Plan/Drawing: Drawing no. D9131.002 of the TEP Arboricultural Impact Assessment - 9131.001 – April 2023) shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the Local Planning Authority.

b. Any trees, shrubs or hedges indicated on the approved scheme (including the scheme for off-site planting) which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species

and size which shall be first agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate landscape protection in the interests of protecting the visual amenity of the area, contributing to the quality and character of the local environment, air quality and adapting to and mitigating climate change in accordance with policies EQ1, EQ2, EQ5, EQ9 and EQ11 of the Local Plan and paragraph 118 of the National Planning Policy Framework.

57. Pre-Condition: The development hereby approved shall be constructed in accordance with a suitable Tree Monitoring Program.

a) Prior to the commencement of development (including ground works and site clearance), the following shall be submitted to and approved by the Local Planning Authority:

A tree monitoring program to include:

- i.** Confirmation of who shall be the lead arboriculturist for the development.
- ii.** Confirmation of the Site Manager, key personnel, their key responsibilities and contact details.
- iii.** Details of induction procedures for all personnel in relation to arboricultural matters.
- iv.** A detailed timetable of events for arboricultural supervision concerning all tree protection measures within the approved Tree Protection Plan, to include:
 - Routine site inspection on a schedule not greater than 6 weeks between each visit.
 - Prestart meeting with a High Peak Borough Council Tree Officer.
 - Prestart treeworks and creation of new woodland edges.
 - Initial implementation/installation of the tree protection measures.
 - Any alterations of tree protection measures due to construction phases.
 - Approved incursions into construction exclusion zones.
 - Installation of no-dig roads and paths in root protection areas.
 - Final removal of the tree protection measures
- v.** Procedures for dealing with non-approved incursions into the construction exclusion zones as detailed in the approved Arboricultural Method Statement.

b) Within 1 week of each arboricultural site visit on the approved timetable a report containing the following details shall be submitted to the Local Planning Authority:

- i.** Results of each site visit by the lead arboriculturist with photos attached.
- ii.** Assessment of the retained and planted trees including any necessary remedial action as a result of damage incurred during construction.

c) Within 3 months of first use of the development hereby approved, a report containing the following details shall be submitted to and approved by the Local Planning Authority:

- i.** Assessment of the retained and planted trees including any necessary remedial action as a result of damage incurred during construction.

The proposed trees are to be maintained for a minimum period of 5 years from first occupation.

Reason: To ensure appropriate tree protection in the interests of protecting the visual

amenity of the area, contributing to the quality and character of the local environment, air quality and adapting to and mitigating climate change in accordance with policies EQ1, EQ2, EQ5 and EQ9 of the Local Plan.

BIODIVERSITY & WILDLIFE

58. Pre-Condition: Biodiversity provision at Chinley - Prior to the commencement of development, a scheme providing details of biodiversity offsetting off site and timescales for implementation shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Derbyshire Wildlife Trust. The scheme shall be carried out in accordance with the approved details / timescales and maintained for those purposes at all times thereafter.

Reason: In the interests of sustainable development and the natural environment, in accordance with Policy DS4, S1, EQ1, EQ2, EQ5, EQ6, EQ8, EQ9, and CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

59. Pre-Condition: Biodiversity Net Gain: Offsite - Before the development is commenced (including any vegetation clearance, ground works or the introduction of machinery and materials to site), a scheme for the offsetting of biodiversity impacts at the site, including bespoke compensation measures, shall be submitted to and approved in writing by the Local Planning Authority. This should be supported by an updated biodiversity metric for the site, costings and appropriate legal agreements to guarantee third party delivery of ongoing habitat management requirements. The Offsetting Scheme shall include:

- a. Identification of offsetting site or sites.**
- b. Details of the offsetting requirements of the development, in accordance with an updated version of the current Defra biodiversity metric, demonstrating a net gain;**
- c. Details of the bespoke compensation requirements to sufficiently address the losses of Lowland Dry Acid Grassland and Purple Moor & Grass Rush Pasture.**
- d. The provision of evidence of arrangements to secure the delivery of offsetting measures, including a timetable of delivery; and**
- e. A management and monitoring plan, to include for the provision and maintenance of the offsetting measures for a period of not less than 30 years from the commencement of the scheme. The management and monitoring plan is to include:**
 - i. Description of all habitat(s) to be created/restored/enhanced within the offsetting scheme, including expected management condition and total area;**
 - ii. Review of any ecological constraints;**
 - iii. Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulfur);**
 - iv. Detailed design and working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location or proposed works;**
 - v. Type and source of materials to be used, including species list for all proposed planting and abundance of species within any proposed seed mix;**
 - vi. Methodology for habitat translocation, if necessary;**
 - vii. Identification of persons responsible for implementing the works;**
 - viii. A timetable of ecological monitoring to assess the success of all habitat creation/enhancement. Ecological monitoring reports should be submitted to the LPA at**

Years 1,2,3,4,5,10,15,20,25 and 30.

The inclusion of a feedback mechanism to the Local Planning Authority, allowing for the alteration of working methods/management prescriptions, should the monitoring deem it necessary.

The arrangement necessary to secure the delivery of the offsetting measures shall be executed prior to written approval by the Local Planning Authority. The offsetting scheme shall thereafter be implemented in accordance with the requirements of the approved scheme.

Reason: In the interests of sustainable development and the natural environment, in accordance with Policy DS4, S1, EQ1, EQ2, EQ5, EQ6, EQ8, EQ9, and CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

60. Pre-Condition: Construction Environmental Management Plan (CEMP: Biodiversity) - No development shall take place (including demolition, ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.**
- b) Identification of “biodiversity protection zones”.**
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.**
- d) The location and timing of sensitive works to avoid harm to biodiversity features.**
- e) The times during construction when specialist ecologists need to be present on site to oversee works.**

- f) Responsible persons and lines of communication.**
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.**
- h) Use of protective fences, exclusion barriers and warning signs.**

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of sustainable development and the natural environment, in accordance with Policy DS4, S1, EQ1, EQ2, EQ5, EQ6, EQ8, EQ9, and CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

61. Pre-Occupation Condition: Lighting. Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This shall avoid lightspill to woodland edges and areas of open space and retain dark corridors where necessary. Details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers shall be provided. Such approved measures will be implemented in full prior to any occupation of dwellings.

Reason: In the interests of sustainable development and the natural environment, in accordance with Policy DS4, S1, EQ1, EQ2, EQ5, EQ6, EQ8, EQ9, and CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

RECREATION

62. Pre-Occupation Condition: Unless otherwise agreed in writing by the Local Planning Authority, no occupation shall commence until the proposed Trim Trail, Locally Equipped Area for Play (LEAP) is completed to the satisfaction of the Local Planning Authority. The LEAP shall be in accordance with the document "The Requirements of a Locally Equipped Area for Play". The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory landscaped setting in the interests of amenity and to enable the provision of the on site play contribution for the development in accordance with Policy EQ6 and CF4 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

ARCHEOLOGY

63. No development – including enabling works along the line of Adderley Rd – shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and

- a. The programme and methodology of site investigation and recording.**
- b. The programme for post investigation assessment.**
- c. Provision to be made for analysis of the site investigation and recording.**
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.**
- e. Provision to be made for archive deposition of the analysis and records of the site investigation.**
- f. Nomination of a competent person or persons/organization to undertake the works set out**
- g. within the Written Scheme of Investigation**

Reason: To ensure the protection and enhancement of archaeological assets in accordance with Policies S1, and EQ7 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

64. No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (65)."

Reason: To ensure the protection and enhancement of archaeological assets in accordance with Policies S1, and EQ7 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

65. Pre-Occupation Condition: The development shall not be occupied until the site investigation and post investigation reporting has been completed in accordance with

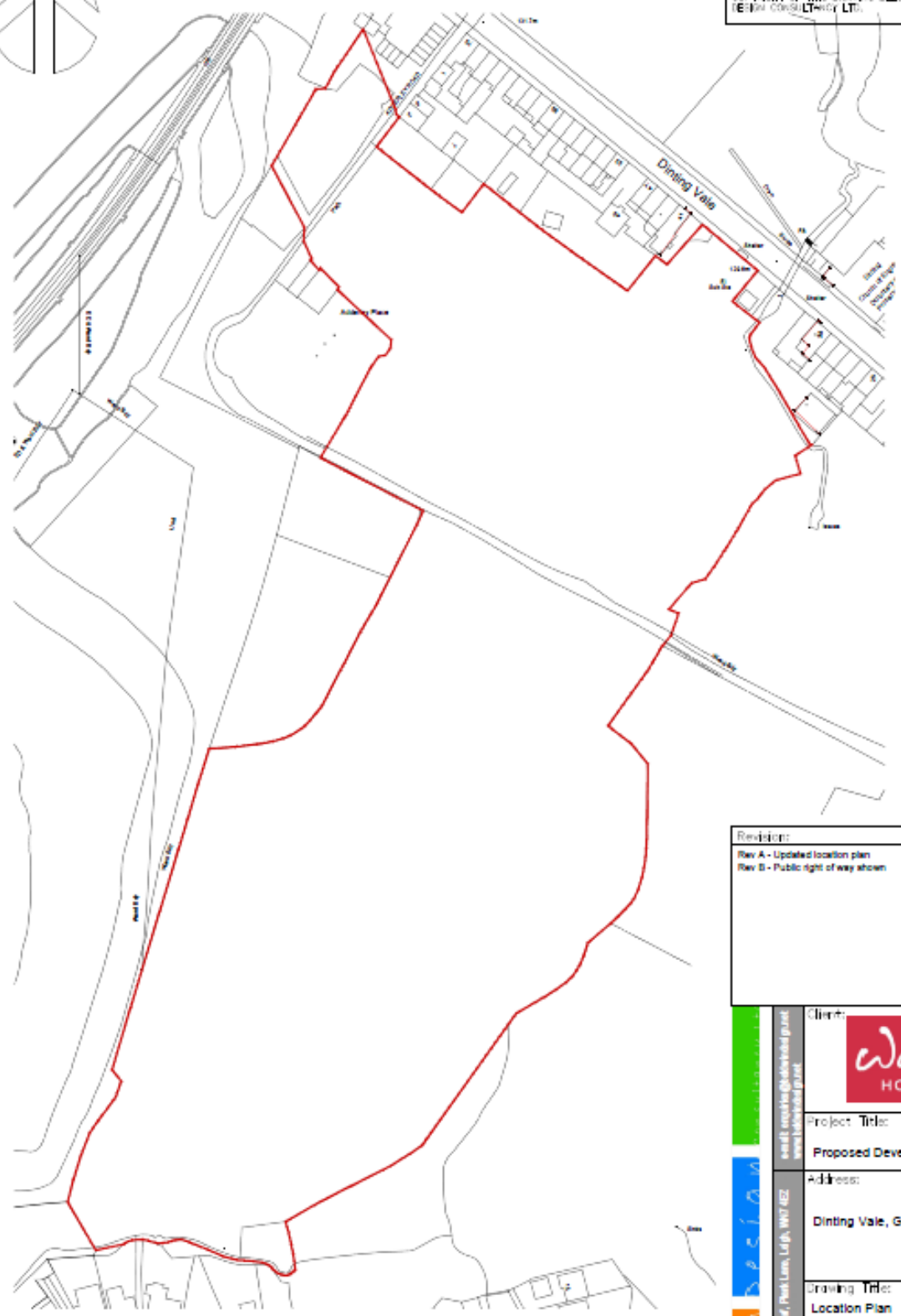
the programme set out in the archaeological Written Scheme of Investigation approved under condition (65) and the provision to be made for publication and dissemination of results and archive deposition has been secured.

Reason: To ensure the protection and enhancement of archaeological assets in accordance with Policies S1, and EQ7 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

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/informatives/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 Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.



IMPORTANT NOTE:
 COPY/PRINT OF THIS DRAWING IS VALID ONLY TO THE
 EXTENT CONSISTENT WITH THE ORIGINAL.



DINTING VALE, GLOSSOP



Revision	By	Date
Rev A - Updated location plan	MS	29.05.23
Rev B - Public right of way shown	SG	10.10.23

Wain Homes	Client:	
	Project Title:	Proposed Development
Wain Design	Address:	Dinting Vale, Glossop
	Drawing Title:	Location Plan
Wain Planning	Drawing No:	WHDWLP/01
	Date:	14/05/2022
Scale:	1:1250	Paper Size: A3
Rev:	B	

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