

17<sup>th</sup> June 2024

**HPBC DEVELOPMENT CONTROL COMMITTEE**

**UPDATES REPORT**

**HPK/2022/0495 and HPK/2023/0323 - Land At Linglongs Road, Whaley Bridge, Derbyshire**

Neighbour (1):

1<sup>st</sup> correspondence:

“On my points about bollards, it might be worth me taking this opportunity now to clarify that others may disagree with me, and that bollards may ultimately be the best solution to meet the stated and necessary aims. (There have already been examples of residents of the new estate parking in this area, albeit without any signage in place.) My concern is primarily about fettering the applicant's options by insisting on the inclusion of bollards in the final scheme, if there is a better option to be found without the drawbacks I mentioned”.

“It is clear that you have taken on board the consultation responses you have received, and have responded proactively by altering the proposed wording of the relevant conditions. The result is a much more sensible and balanced proposal - it is greatly appreciated, and I believe it will contribute positively to the eventual outcome here. If only a similar approach could have been taken at earlier stages of the process at this site!

On the supporting documents:

1) Landscape Management/Maintenance Schedule Rev D, section 1.16 (second occurrence), refers to "Communal Visitor Parking (opposite plot 58)". Please can you ensure that this area is properly classified as parking exclusively for residents of Macclesfield Road in any binding documents - consistent with the overarching principle outlined in paragraph 7.26 of your report. Further, I would suggest that consideration be given to extending the definition of "stored vehicles" (LMS 1.16 iv) to explicitly include campervans, and possibly also large commercial vehicles, to ensure the achievement of the principles of Local Plan Policy EQ6 ("requiring that development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, [...] overbearing effect, [...] or other adverse impacts on local character and amenity").

2) Also, although perhaps only a technical issue, please can I draw your attention to plan 466/ED/CMS2 Rev E referenced in the proposed revised conditions. I am concerned that it may not be possible for the parking for residents of Macclesfield Road to be provided in the stated timeframe/phasing in accordance with this plan, as it appears to illustrate access via the northern edge of the site, alongside Zones 12 and 19, rather than via Zones 9-11. Apologies if I have misunderstood the plan.

In relation to paragraph 7.31 of your report, I recognise and appreciate the effort being made to "secure appropriate management of the dedicated Macclesfield Road residents parking area to prevent inappropriate car parking". However, I would like to raise several concerns about the requirement that any scheme includes "security collapsible bollards", which I think may be an unnecessary and unduly restrictive condition, and potentially give a result that is undesirable:

- The existing interim unrestricted parking area is largely working well as it is, and the situation would be expected to improve further once signage and proactive site management are in place.
- Raising/lowering bollards is impractical, making life harder on a daily/regular basis, particularly when coming and going, when leaving in a hurry, or in wet/icy conditions.
- Bollards may present accessibility issues for elderly, infirm or disabled users.
- The parking provision needs to be sufficiently flexible that, for example, different residences could each use several spaces on occasion when hosting visitors. Bollards could prevent spaces being more generally available to authorised users along Macclesfield Road.
- The LMS already has provision for resolving disputes with unauthorised users, if required (LMS 1.16 ii).
- Bollards would be unsightly and have a detrimental impact on the visual character of that part of the site.

I understand that the details of the management scheme will be considered subsequently at Discharge of Conditions, but I wouldn't want Barratts to be set up to fail with complex scheme requirements which might provide little or no net benefit to residents of Macclesfield Road.

In contrast to the proposed bollards, I wonder whether MORE detail via conditions might be useful and appropriate for the signage, with the stated aim to "secure appropriate management of the dedicated Macclesfield Road residents parking area to prevent inappropriate car parking" (again with details to be considered at DOC). For example, in addition to requiring a statement of reserved usage by residents of Macclesfield Road only, maybe allowed or prohibited vehicle types and/or purposes should also be specified (see LMS 1.16 iv, and my comment on stored vehicles above). I don't think a limited duration of stay necessarily needs to be specified to serve the stated aim, but any such imposition should not be unduly restrictive (e.g. no shorter than 14 days), to avoid unnecessary vehicle movements.

Thank you in advance for considering my comments as the final recommendations to Committee are prepared. I hope that it might be possible for the discharge of these conditions also to be brought before Committee, so that the residents who will need to work with the scheme day-to-day can have a say on the details of what the applicant puts forward in due course".

2<sup>nd</sup> correspondence:

"On my points about bollards, it might be worth me taking this opportunity now to clarify that others may disagree with me, and that bollards may ultimately be the best solution to meet the stated and necessary aims. (There have already been

examples of residents of the new estate parking in this area, albeit without any signage in place.) My concern is primarily about fettering the applicant's options by insisting on the inclusion of bollards in the final scheme, if there is a better option to be found without the drawbacks I mentioned”.

“It is clear that you have taken on board the consultation responses you have received, and have responded proactively by altering the proposed wording of the relevant conditions. The result is a much more sensible and balanced proposal - it is greatly appreciated, and I believe it will contribute positively to the eventual outcome here. If only a similar approach could have been taken at earlier stages of the process at this site!

#### Whaley Bridge Matters:

“There is a material issue with the Planning Layout (Rev A1). In the Legend, the parking signage wording includes 'maximum length of stay 24 hours'. My understanding is that the signage wording will be submitted as part of the discharge of revised Condition 14 and be considered by Officers then. By having wording in the planning layout document, which the proposed signage must be in accordance with (as stated in your revised Condition wording), you would be binding the applicant to using this and no other wording.

For the avoidance of doubt, we do not agree that residents should be limited to a maximum stay of 24 hours. This is not reasonable.

Is there anything you can do with the proposed revised Condition 14 wording (either in the update sheet or elsewhere) to make sure that the applicant is not being required to include any specific signage wording relating to maximum duration of stay at this stage? It is frustrating that it is only today, the last working day before the meeting on Monday, that you have provided this document - and no public consultation can have been carried out on it”.

#### Applicant:

“I am writing on behalf of the Resident’s Management Company in relation to the above planning applications due to be heard at the Development Control Committee on 17<sup>th</sup> June 2024. Barratt Homes currently acts on behalf of the Resident’s Management Company until such time that its ownership and management is transferred to the residents of the scheme upon completion. Until that time, the Directors of the Resident’s Management Company have a duty to act in the interest of the residents.

The Resident’s Management Company cannot support the proposed new requirement for submission of a scheme for bollards and management arrangements for the Macclesfield Road residents’ parking area. The development is already underway and indeed houses are already occupied. The extant planning permission does not require the provision of bollards. The scope of management and associated annual fees have therefore already been agreed within the leases and with the relevant third party management company who will carry out the maintenance on behalf of the Residents’ Management Company. The management

and maintenance of the now proposed bollards within the car park is not included in the agreement or relevant budget, which was based upon the details discharged by the Local Authority as part of application ref. DOC/2018/0110.

I therefore request that the application is approved, with the revised wording in the condition as per referenced below:

*Within one month of the date of the decision, a detailed scheme for the signage, **permit** and management arrangements for the proposed dedicated car parking provision to serve residents along Macclesfield Road as secured by Condition **14** of planning permission ref. HPK/2022/0495 (and in accordance with the principles established by plan refs.*

- 466/ED/CMS2 Rev E 'Construction Method Statement'
- 466/P/MP01 Rev E 'Planning Layouts Management Plan',
- 466/P/HLL/01 Rev J 'External Details Hard Landscaping Layout, Landscape Management Schedule – Rev D and
- 466//P/PL/01 Rev A1 'Planning Layout)

*shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within 3 months of the date of the decision and thereafter maintained in accordance with the approved details”.*

HPBC Case Officer:

*Erratum:* the revised neighbour consultation response ended on the 12<sup>th</sup> April 2024. In addition, paragraph 3.3 of the report is corrected from Condition 24 to Condition 14 in the two instances where it applies.

Following a review of additional comments received, including those of the applicant and 3<sup>rd</sup> parties, as set out above, the above amendment to delete the wording “security collapsible bollards” and replacement with “permit” ... arrangements in relation to the proposed variation of Condition 14 (correction from 24) of reserved matters planning permission ref. HPK/2017/0247 is fully agreed with.

In addition, the applicant has been requested to amend the following legends in relation to drawing ref. 466//P/PL/01 Rev A1 'Planning Layout' by omitting the wording “maximum length of stay of 24 hours” from the 'Parking Signage' legend to respond to objections raised. Whilst the legend 'Residents Space' should be preceded by the wording “Macclesfield Road”.

This approach offers a balanced consideration of matters raised in relation to securing the dedicated car parking area for the residents of Macclesfield Road and would present the opportunity for a clear betterment over and above the previously approved scheme.

The satisfaction of the above condition, should Members be minded to approve the variation of consents as sought, would require a fully detailed scheme submission by the applicant in relation to proposed signage, permit and management arrangements to be submitted to the Council for assessment at the appropriate condition discharge stage.

**OFFICER RECOMMENDATION: NO CHANGE (APPROVAL) subject to the proposed further amendment of Condition 14 of planning permission ref. HPK/2017/0247 as set out above.**

**HPK/2024/0192 - Buxton Football Club, Silverlands, Buxton**

Objection

The public consultation deadline ends on 10<sup>th</sup> June 2024 not as stated in the officer report which has now been published for Development Control Committee.

It is also not surprising that the officer report claims that no neighbour objections have been received as the public consultation only closes today. I would suggest an addendum to the report is produced to correct the reference to the consultation period and to refer to my objection, duly received and by the deadline.

I object to the revised proposal for the retention of the electronic scoreboard at Buxton Football Ground, which is the subject of the above application, on the grounds that:-

1. The scoreboard will be retained in its current position, with only a modest reduction in height, which means that due to its scale, height and proximity to adjacent residential properties it remains a prominent and overbearing structure that has an unacceptable, adverse effect on the amenity of neighbours.
2. The scoreboard will remain visually intrusive and the proposed mesh backing at the rear will do little (if anything) to improve its appearance, with the structure remaining an eyesore when viewed from nearby properties and the adjacent highway.
3. The scoreboard will continue to spoil and block views from other properties in the locality and, had Buxton Football Club consulted local residents, more preferable locations could have been discussed. There was no engagement with local residents by Buxton Football Club prior to the submission of the revised proposal.

Given that the revised proposal is largely unchanged from the previous application, I request that Members refuse permission for this latest proposal for an electronic scoreboard at Buxton Football Ground.

**HPK/2022/0022 - Templemore, Harpur Hill Road, Buxton**

HPBC Case Officer:

The scheme has been withdrawn by the applicant.

**HPK/2024/0028 - 7 Hadfield Cross, Hadfield**

HPBC Case Officer:

No updates.