

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

Date 10th September 2018

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| Application No: | HPK/2018/0178 | |
| Location | Samas Roneo Ltd, Glossop Road, Gamesley, Glossop | |
| Proposal | S73 Variation of Conditions 4 and 9 relating to HPK/2014/0665 for revised Site Layout including a new vehicular access | |
| Applicant | Pendragon Estate Developments | |
| Agent | Patrick Rattigan PWR Planning | |
| Parish/ward | St John's Ward | Date registered 02/05/2018 |
| If you have a question about this report please contact: James Stannard, Tel. 01298 28400 extension 4298, james.stannard@highpeak.gov.uk | | |

REFERRAL

The application is being brought before Planning Committee due to this variation of conditions application relating to Major Development.

1. SUMMARY OF RECOMMENDATION

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| APPROVE subject to S106 Deed of Variation and Conditions |
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2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 This application relates a parcel of land measuring approximately 2.8 hectares which was home to the former Samas Roneo furniture warehouse (demolished following a prior notification application under DET/2018/0002), and adjoining open land, south of Glossop Road. Gamesley.
- 2.2 The site benefits from an Outline consent for the proposed demolition of the former warehouse, residential land, and associated works under HPK/2014/0665, approved in April 2015 following the signing of a Section 106 Agreement. An application for all matters reserved (all except access) for 93 dwellings is currently being considered by the Council under HPK/2018/0191.
- 2.3 The site is bounded to the north by the Glossop Road and a row of residential properties on its northern side. This boundary is characterised by an intermittent hedgerow. To the south, at the bottom of a steep embankment, beyond an area of open land, are the

Manchester-Glossop railway line, and an area designated within the Local Plan Policies Map for Gamesley Railway Station.

- 2.4 The neighbouring area of open land to the south and east is subject to a pending application (HPK/2017/0655) for the levelling of the site for the purposes of providing a level hardstanding surface. The parcel of land to the west of the site is allocated for residential development under Policy H2 of the Local Plan (Land at Gamesley Sidings) and is subject to a separate full planning application (HPK/2018/0272) which is being considered by the Council.

3. DESCRIPTION OF THE PROPOSAL

- 3.1 The application as submitted originally sought permission to vary condition 4 (approved plans) relating to the Outline consent in order to amend the approved access point to the site from Glossop Road. However, following comments from Highways, it became apparent that condition 9 of this consent relates directly to this approved access, and therefore both would require variation. A revised Application Form has been submitted to reflect this change.
- 3.2 The approved access on the Outline scheme was positioned opposite the existing junction to Melandra Castle Road, utilising the entrance to the former Samas Roneo warehouse site. This variation of conditions application proposes to locate a revised access further west along Glossop Road, which would seek to serve both this site, and the adjoining housing allocation at Gamesley Sidings.

4. RELEVANT PLANNING HISTORY

- 4.1 The following applications are relevant to this planning application
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| HPK/2004/0255 | Residential Development (Withdrawn) |
| HPK/2004/0684 | Residential Development – Appeal lodged for non-determination later withdrawn |
| HPK/2005/0253 | 37 detached, semi-detached and mews properties (Refused and dismissed at appeal) |
| HPK/2011/0456 | Outline application for 93 houses (Withdrawn November 2011) |
| HPK/2012/0026 | Outline consent for demolition of warehouse and residential development of up to 93 dwellings and associated works (Approved 2012) |
| HPK/2014/0665 | Outline Planning Permission for proposed demolition of warehouse and residential |

development of land and associated works
(Approved 13th April 2015)

DET/2018/0002 Proposed demolition of former industrial warehouse, to be replaced with residential development on site and land either side of former warehouse (Prior Approval Granted 28th March 2018)

5. PLANNING POLICIES RELEVANT TO THE DECISION

High Peak local Plan 2016

S1 Sustainable Development Principles
S1a Presumption in favour of Sustainable Development
EQ6 Design and Place Making
CF6 Accessibility and Transport

National Planning Policy Framework

Achieving Sustainable Development Chapter 1
Delivering a Sufficient Supply of Homes Chapter 5
Promoting Sustainable Transport Chapter 9
Achieving Well Designed Places Chapter 12

6. CONSULTATIONS CARRIED OUT

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| Site notice | Expiry date for comments: 11 th June 2018 |
| Neighbour letters | Expiry date for comments: 29 th May 2018 |
| Press Notice | Expiry date for comments: 7 th June 2018 |

Neighbours

6.1 Neighbouring properties were consulted by letter. A total of 10 representations objecting to the application have been received by the Council. The key material planning objections to this application are summarised as follows:

- Principle of additional 90+ dwellings in countryside
- Extra volume on traffic from proposed site will lead to increase in accidents and harm highway safety
- Noise and Pollution arising from development
- Inadequate provision of access for number of properties it serves

Consultees

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| Highways Authority – 22nd June 2018 | - Permanent access arrangements were secured under Condition 9 which also made reference to a specific drawing. Therefore condition 9 also needs to be varied if alternative access arrangements are being promoted. |
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| | <p>- Proposed design is not sufficiently detailed enough for the Highway Authority to fully consider. However it does not appear to conform to any recognised design guidance in terms of layout, geometry or carriageway markings.</p> <p>- Proposed junction does not appear to be deliverable within constraints of application boundary approved at Outline. The required carriageway widening, footway/verge margins and visibility sightlines to the west of the new access would require the red line application site boundary to be extended. I would therefore seek the Authority's views as to whether such a modification can be introduced.</p> |
| <p>Derbyshire Constabulary – 21st May 2018</p> | <p>Not consulted on original outline scheme. Application to amend the access would be supported. In my view this proposal present a superior development in respect of community safety and designing out crime</p> |
| <p>Environmental Health – 11th July 2018</p> | <p>No observations to make regarding this application</p> |

7. POLICY AND PLANNING BALANCE

Planning Policies

- 7.1 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.
- 7.2 Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016.
- 7.3 Other material considerations include, adopted Supplementary Planning Guidance, the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Paragraph 11 of the

NPPF explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

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

Principle of Development

- 7.5 The site lies within the built up area boundary of Glossop and benefits from a previous Outline planning consent for residential development approved under HPK/2014/0665 which included a single access point to Glossop Road. The general principle of development has therefore been established. The proposed development is considered to be acceptable in principle subject to there being no adverse impacts on Highway Safety.

Highway Safety

- 7.6 Policy CF6 of the adopted Local Plan refers to Accessibility and Transport and requires all new development to be located where the highway network can satisfactorily accommodate traffic generated by the development.
- 7.7 Paragraphs 108 and 109 of the NPPF requires new development incorporates a safe and suitable access to the site for all users and that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.8 This application seeks consent to secure a revised access point from Glossop Road which would serve the residential development at the former Samas Roneo site (currently the subject of a reserved matters application) and the adjacent housing allocation to the west (currently subject to a full planning application).
- 7.9 Following initial comments raised by the Highways Authority, the applicant has submitted a revised Application Form which seeks the revisions of conditions 4 and 9 to HPK/2014/0665. As part of the application, a revised Location Plan has been submitted which includes a blue line showing that the land needed to widen the access is within the applicants control and can be delivered. A Grampian Condition can be added to this effect.

- 7.10 The applicant's transport consultant has been in ongoing discussions with DCC Highways Authority regarding the design and technical details of the proposed access. As part of these ongoing discussions, it was requested that an Independent Road Safety Audit be carried out on the proposed junction design.
- 7.11 The Audit has been submitted to the local authority and reviewed by the Highways Authority. At the time of writing this report, the Highways Authority are considering a revised Site Access Arrangement (Drawing Ref: SK-002 Rev C) and Swept Path Analysis (Drawing Ref: SK-004). Formal comments are yet to be received by the Highways Authority. However it is anticipated that comments will be received prior to the Committee on 10th September and an update will be provided.
- 7.12 As such, it is considered that subject to the Highways Authority being satisfied that the proposed revised access will not result in any unacceptable impacts to Highway Safety, the application will fall in line with policy CF6 of the High Peak Local Plan and paragraphs 108 and 109 of the NPPF.

Other Matters

- 7.13 10 objections have been raised with regards to this application. The majority of the objections received object to the principle of housing development on this site and the neighbouring site to the west. Given that the site has outline consent and the neighbouring site is defined as a housing allocation within the Local Plan, the matter of principle is longer for discussion.
- 7.14 Objections have been raised with regards to the overall volume of traffic generated by the proposed development and that a single access point is insufficient for the number of properties that it would serve. The Outline Application was accompanied by a detailed Transport Assessment and was granted approval which included a single vehicular access point.
- 7.15 Other objections relating to Noise and Pollution are not relevant to this application which is considering a revised access to a site which already has Outline consent.

Conclusions/Planning Balance

- 7.16 The application site is located within the built up area boundary of Glossop and is not constrained by any sensitive statutory designation. The presumption in favour of sustainable development set out within Policy S1a of the Local Plan and paragraph 11 of the NPPF is therefore engaged. For decision taking this means that the proposal should be approved without delay as it accords with the relevant local plan policies.

- 7.17 This proposed revised access is being sought in order for a single primary access to serve the site approved for Outline consent and a neighbouring site which is allocated for housing development, currently subject to a full planning application for 44 houses and apartments (HPK/2018/0272). This access would therefore facilitate housing delivery in the Borough and support the aims of policies H1 and H2 of the Local Plan and Chapter 5 of the NPPF. The revised access would therefore lead to wider public social and economic benefits, which should be afforded substantial weight in the overall balance.
- 7.18 At the time of writing, DCC Highways Authority are yet to comment on the latest set of revised technical drawings submitted by the applicant and their transport consultant. It is anticipated that the Highways Authority will confirm in writing that they have no objection to the detailed design of this proposed access prior to the Committee meeting of 10th September.
- 7.19 Subject to receiving positive comments from the Highways Authority, it is considered that the revised access is both safe and suitable, and would not result in any unacceptable harm to Highway Safety or any severe cumulative impacts on the road network, in accordance with policy CF6 of the Local Plan and paragraphs 108 and 109 of the NPPF.
- 7.20 In conclusion, the application in its latest revised form is, subject to highways comments, considered to constitute a sustainable form of development and therefore in line with policy S1a of the Local Plan and paragraph 11 of the NPPF, the variation of Conditions 4 and 9 relating to HPK/2014/0665 to include the drawing references of the revised approved Site Access Arrangement (SK-002 Rev C) and Swept Path Analysis (SK-004) is recommended for approval.

8. RECOMMENDATIONS

APPROVE subject to a Deed of Variation to the original Section 106 Agreement to reference the new consent and the following conditions:

Repetition of the same conditions attached to HPK/2014/0665 with the exceptions of:

Condition 4

The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 1011-A-000 Rev C and Proposed Site Access Arrangement With Pedestrian Refuge Island SK-002 Rev C.

Condition 9

Prior to the commencement of any other works on site, the permanent estate street junction shall be formed to Glossop Road in accordance

with the revised Site Access Arrangement Drawing (SK-002 Rev C) and Swept Path Analysis Drawing (SK-004), indicating a central pedestrian refuge, laid out, constructed to base level and provided with 2.4m x 60m visibility splays in either direction, the area in advance of sightlines being levelled, constructed as footway and not being included in any plot or other sub-division of the site.

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 Operations Manager – 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.



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