



CHAPTER 3: GENERAL DEVELOPMENT FRAMEWORK

Introduction

- 3.1 The general development framework in this chapter sets the scene for the Council's planning policies and approach to development control. The chapter provides the basis for policies relating to individual topics, which are developed in more detail in later chapters and also sets out general policies which apply to many development proposals; the framework for the location of new development and for securing environmental conservation and enhancement in key areas.

Policies and Proposals

Development Control – General Principles and Approach

- 3.2 Many factors need to be considered in deciding planning applications. New development, whether residential, industrial, commercial or recreational, should respect and, where possible, enhance the character of the area and meet the Council's broad aims of improving the quality of life for local residents.

Planning Applications

- 3.3 Some planning applications submitted suffer from insufficient, inaccurate or even misleading information, which can lead to delays in processing, additional work and poor decisions. To help applicants to supply the level and type of information needed, and the standard of submission required, the Council has produced simpler application forms and guidance notes. Where applicants fail to provide details and plans to allow proposals to be properly judged applications are likely to be refused on grounds of inadequate information. In some cases the Council may need to seek additional information during the course of appraising an application - for example, trees and nature conservation interests, on traffic flows, on local school provision, industrial processes or if the application is within or adjacent to a Conservation Area.



- 3.4 To help applicants achieve a high standard of development the Council will continue to produce Supplementary Planning Guidance for some aspects. Four such leaflets have already been published - on conservation areas; listed buildings; shopfront design; and advertising signs. High priority will also be given to detailed guidance for the layout and design of residential and industrial development, and to development briefs for sites, which are allocated in the Local Plan. The Council also welcomes pre-application discussions with land owners and prospective developers. For major developments a development team service (Fastrack) is offered. This provides the opportunity for developers to meet with the Council's Development Control and Building Control staff and other Council staff and statutory agencies as necessary to facilitate appropriate high quality development.

Planning Conditions and Planning Obligations

- 3.5 Planning legislation enables the Council to impose conditions on the grant of planning permission, provided they serve a genuine planning purpose and are relevant to the development permitted. Conditions can improve the quality of development. They are likely to cover such matters as time limits for commencing development, materials, design, drainage, access, parking, hours of operation, occupancy, landscaping and restriction on permitted development rights. There are several tests for deciding whether to impose a condition - namely, whether it is useful; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable.
- 3.6 The Council has recently reviewed its use of conditions, and has adopted a set of simple and clear standard conditions. In most cases those will be the only ones needed. However, there will be some cases where they will need to be supplemented by special conditions - for example, related to the protection of specific wildlife or natural features on a site or other legitimate matters arising from advice and discussions with consultees. Where special conditions are likely to be imposed the circumstances are generally referred to in the relevant policies in later chapters of the Plan. The need for extensive use of conditions can often be avoided where clear and full information is shown on the submitted plans.
- 3.7 The Council may also seek planning obligations with developers under Section 106 of the Town and Country Planning Act 1990. This will occur when there are matters which have an important bearing on the development but which fall outside the scope for conditions. Circular 1/97 advises that, as with conditions, obligations should only be sought where they are necessary to granting permission, are relevant to planning and are relevant to the development to be permitted. They may, for example, relate to funding or provision of essential infrastructure or facilities required to enable a development to proceed. Planning obligations may be used to restrict the development or use of land; require operations or activities to be carried out; require land to be used in a specified way; or require payments to be made to the Council. Again, where planning obligations are most likely to be sought they are referred to in the relevant Local Plan policy - for example, to deal with the provision and maintenance of public open space, provision of affordable



housing, local school provision, to agree a management regime for a woodland on the site, to provide off-site highway or sewerage infrastructure improvements or to contribute towards town centre car parking or public transport facilities by commuted payments. Development which is acceptable in itself will not normally require the addition of a planning obligation to render it permissible; equally, unacceptable development will not be permitted just because there are extraneous or unrelated benefits offered with it.

Renewal of Permissions

- 3.8 Planning approvals generally last for five years. In the past it was usual for applications to be renewed if development has not started at the end of this period. Recent Government guidance and the emphasis on sustainable development means that this approach is no longer valid. Applications which come up for renewal, particularly if they are for residential development on greenfield land, will now be assessed on the basis of the availability of previously developed sites. This may mean that the application no longer meets the requirements of the revised Government guidance and will not therefore be renewed. If it is considered that an application could be renewed then conditions will be imposed to ensure that the most efficient use of the land is made and provision is made for such things as affordable housing and recreational open space.

Article 4 Directions

- 3.9 Normally it is possible to carry out a number of minor works, especially to domestic and industrial properties, or certain activities for a limited time period, without the need to apply for planning permission. However, these "permitted development rights" can sometimes alter the overall appearance of an area or affect its special character. This is particularly true of Conservation Areas and other sensitive locations, such as the Special Landscape Area and important sites of nature conservation interest.
- 3.10 In order to protect or enhance the existing character or appearance of these areas, it is sometimes necessary to bring these works and activities under the control of the planning system so that their effects can be assessed. Consequently, it is open to the Council to apply to the Office of the Deputy Prime Minister to approve a Direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995. There are existing Directions in force at Old Glossop, Higher Chisworth, New Mills and Buxton Hardwick, Central, Park and College Conservation Areas. The Council will seek to introduce further Directions where justified.

Development Briefs

- 3.11 The Local Plan allocates a number of sites for housing, employment and other uses, including Regeneration Areas in Glossop and Buxton. Developers may



require more detailed, site specific guidance about how the Borough Council expects these sites to be developed. For example, some sites are in sensitive locations and will require detailed guidance upon design, layout, use of materials and landscaping to achieve a high standard of development. Some will need to incorporate specific requirements to meet other objectives of the Plan, such as the provision of a road or footpath, whilst others may involve several parcels of land or proposed uses which can best be co-ordinated through a development brief.

- 3.12 The Council therefore intends that development briefs will be prepared for all major sites allocated for development in the Plan, and other areas where additional guidance would be helpful. Whereas the Local Plan establishes the appropriate use of the land, the development brief will aim to set out the constraints, opportunities and detailed guidance for the layout of the site, together with other information (for example, the availability of services, access, landscaping, local character, and parking provision) to assist developers.
- 3.13 The Council will take the lead in preparing development briefs, although they may be drawn up in co-operation with landowners and/or prospective developers.

Environmental Assessment

- 3.14 Certain types of development which are likely to have significant environmental effects must be accompanied by an environmental statement, in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. Formal Environmental Assessment draws together, in a systematic way, expert quantitative analysis and qualitative assessment of a project's environmental effects, and presents the results in a way which helps them to be properly evaluated in coming to a decision.
- 3.15 The Regulations require environmental assessments for certain major projects of more than local importance, and occasionally for projects on a smaller scale which affect particularly sensitive or vulnerable locations, or projects with unusually complex and potentially adverse environmental effects. It usually falls to the local planning authority to decide, in the light of Government guidance, whether an assessment is required. The basic test is the likelihood of significant environmental effect, rather than the amount of opposition to the proposal. The number of projects requiring an environmental assessment is expected to be very small in relation to the total number of planning applications.

General Context for Determining Planning Applications

- 3.16 On dealing with planning applications, legislation requires the Council to have regard to the development plan, so far as it is material to the planning application, and to any other material considerations. In effect, this establishes a presumption in favour of development proposals which are in accordance with the Plan. An



applicant who proposes a development which is clearly in conflict with it would need to produce convincing reasons why the Plan should not prevail.

- 3.17 A key aim of the Local Plan is to ensure that new development respects the principles of sustainability. This is achieved by directing most new development to the built-up areas and by re-using land and buildings, conserving and enhancing the environment and minimising the generation of pollution and wastes, including reducing the need to travel by car. The Council shares the Government's desire to work towards more sustainable development and growth, so that the overall impact of planning decisions does not deny future generations the best of today's environment.
- 3.18 The Local Plan must make adequate provision for new development, whilst also protecting the splendid open and built environments of the High Peak. However, conservation and development are not necessarily seen as being in conflict; rather the key to sustainability lies in guiding new development to the most appropriate locations, as well as resisting that which is unacceptable. The high value that people now place on the environment also means that environmental concerns are given increasing weight in the balance of planning considerations.
- 3.19 The Council recognises that not all development can be fully sustainable, and that achieving some of the principles of sustainability may potentially conflict with others (i.e in some cases social and economic considerations may justifiably outweigh environmental factors). However the integration of local plan policies can often mitigate or compensate for adverse impacts and it is always the Councils aim to ensure an overall net gain in the realisation of sustainability principles. The Plan's strategy, policies and proposals make good progress towards achieving growth through sustainable development.
- 3.20 Implementation of the Plan depends to a large extent upon ensuring that private sector development proposals respect the principles of sustainability. In considering development proposals the Council considers the following as the principles of sustainable development, in line with the Councils aims and strategy:
- locating new development in a manner which encourages the greater use of public transport, walking and cycling between homes and workplaces, shops, community and leisure facilities, so reducing reliance on the private car and hence CO₂ emissions to the atmosphere.
 - concentrating acceptable forms of development within the existing built-up areas of towns and villages or, where this is not possible, on the edges of settlements on or close to good public transport services.
 - conserving and/or enhancing the highly valued landscape, townscape, open space, heritage and wildlife resources of the High Peak;
 - making full and effective use of derelict, despoiled and underused land within towns and villages through up to date urban capacity studies, so



making best use of existing services and facilities and reducing the need to develop greenfield sites;

- putting to effective use existing buildings and sites which are no longer needed for their original purpose;
- providing facilities to assist walking, cycling and public transport provision;
- where possible encouraging the use of sustainable forms of freight transport including rail freight;
- improving the physical environment, particularly in areas of derelict and contaminated land;
- protecting and enhancing wildlife habitats whilst also creating new wildlife habitats in order to maintain and increase the biodiversity of the High Peak; and
- encouraging energy efficiency through building type, siting and orientation (eg, to maximise opportunities for solar heating and natural lighting and minimising exposure to wind chill);
- Promoting good design and the efficient use of land.

3.21 These measures are not comprehensive or exhaustive, but are set out to give applicants guidance upon how the Council will assess their development proposals in terms of the principles of sustainability. The Council will wish to be satisfied that new development will not unduly conflict with the principles of sustainability, and will preferably make its own positive contribution, however small, towards achieving the overall objective of growth through sustainable development.

3.22 It is important to understand that development proposals will need to be judged against all relevant policies and proposals of the Local Plan. These may fall within several chapters. No single policy or proposal is likely to provide comprehensive guidance for dealing with a planning application, and so should therefore not be taken in isolation from the rest of the Plan.

3.23 Even where the criteria of relevant policies can be satisfied there may, occasionally, be overriding reasons rendering a site unsuitable or the proposed development inappropriate. For example, the development may affect land which needs to be safeguarded for possible future extraction of important mineral reserves, or which is potentially unsafe or unstable. Special considerations also apply to developments relevant to hazardous sites, notifiable pipelines and licensed explosive sites.

3.24 Whilst a plan led system of development control signifies that local plan policies will normally prevail, there may exceptionally be occasions where material considerations justify approving planning applications which conflict with Local Plan



policy. For example, a proposal's overriding economic, environmental or community benefits may justify the setting aside development plan provisions.

- 3.25 The following policy establishes the Council's general approach and starting point in dealing with all planning applications:

GD1 – SUSTAINABILITY AND DEVELOPMENT CONTEXT

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT, PROVIDED THAT:

- **IT WILL SUPPORT THE PRINCIPLES OF SUSTAINABILITY; AND**
- **IT WILL COMPLY WITH ALL RELEVANT PROVISIONS OF THE PLAN; AND**
- **WHERE APPROPRIATE CONDITIONS WILL BE IMPOSED AND PLANNING OBLIGATIONS WILL BE NEGOTIATED**

Built-up Area Boundaries

- 3.26 The Council has, for many years, successfully pursued a policy of restricting development outside the existing built-up areas. The Structure Plan confirms this policy by directing new development, where possible, to locations within the framework of existing settlements. Within the countryside development should generally be limited to that which is necessary in such a location.
- 3.27 To reinforce the Council's policy, the Local Plan defines a 'Built-up Area Boundary' around the towns, villages and larger hamlets. Within the Built-up Area Boundary planning permission can be expected to be granted for development provided that it complies with other policies and proposals of the Local Plan. Smaller or scattered hamlets or pockets of development where further development would be damaging to their character, or which are tightly built and offer only extremely limited development opportunities, are treated as being in the countryside, as are the many small groups of dwellings and farmsteads isolated from nearby settlements. In the Central and Glossop areas of the borough there are some examples of small settlements which have not been delineated by a built up area boundary. This is because they are washed over by Green Belt designation and such as they are considered part of the countryside.
- 3.28 The Built-up Area Boundary is based upon the existing extent of built development within a settlement, and establishes a line beyond which new development could not reasonably be regarded as 'infilling' or 'rounding-off', but which instead would result in expansion into the countryside. In this context, 'infilling' means the filling of a small gap within small groups of houses or other built development, and 'rounding-off' applies to small sites which are already substantially surrounded by existing built development. Potential housing sites within the urban area are



identified in the Council's urban capacity studies. The Built-Up Area boundary is also drawn around most new housing and employment allocations in anticipation of the areas development.

- 3.29 Detailed policies and proposals relating to development within and outside the Built-up Area Boundaries are dealt with in the later topic chapters. The following policy defines the settlements which comprise the built-up areas, the detailed boundaries of which are indicated on the Proposals Map:

GD2- BUILT-UP AREA BOUNDARIES

THE BUILT-UP AREAS WILL COVER THE FOLLOWING SETTLEMENTS, AS DEFINED BY THE BOUNDARIES ON THE PROPOSALS MAP, AND WILL PROVIDE THE MAIN FOCUS FOR DEVELOPMENT:

GLOSSOP AREA

**TINTWISTLE
PADFIELD
HADFIELD
GAMESLEY
GLOSSOP
CHARLESWORTH**

CENTRAL AREA

**HAYFIELD
BIRCH VALE
THORNSETT
NEW MILLS
FURNESS VALE
BUXWORTH
CHINLEY
CHAPEL MILTON
WHALEY BRIDGE
TUNSTEAD MILTON
CHAPEL-EN-LE-FRITH
COMBS
DOVE HOLES**

BUXTON AREA

**SMALLDALE
PEAK DALE
BUXTON
STERNDALE MOOR**

Improvement Corridors

- 3.30 First, and often lasting, impressions of a place are usually gained from the main roads into towns and villages. Some of these approaches have spectacular views. However, particularly on some stretches of the A6 and A57, the two main routes through the Plan area, some development is poor quality and some areas appear run down. In places, these have been the focus of industrial and commercial investment over many years, and are suffering from the effects of heavy traffic, pollution and economic decline.
- 3.31 To help achieve a good quality, attractive and prosperous environment, these principal roads have been selected as high priority for environmental enhancement. Where appropriate, the Council will aim to carry out enhancement schemes on land in its ownership, and will encourage private landowners to do the same. The sorts of projects which might be undertaken include tidying eyesores, improving or removing advertising signs, stone cleaning, painting and tree and



shrub planting. In addition, development proposals will be expected to be of a high standard.

- 3.32 The river valleys of the Sett, Goyt and Etherow are identified in the Structure Plan as priority areas for conservation and improvement. The Borough and County Councils will seek to undertake physical improvements within these corridors as resources and opportunities permit. These might include tackling areas of dereliction, removing eyesores and increasing access for recreation, whilst always respecting and wherever possible, enhancing wildlife value and opportunities for the river corridors. These improvements should be complemented by improvements in water quality and should encompass and be sympathetic with the requirements of the relevant Local Environment Agency Plans produced by the Environment Agency. These valleys fall within the area of the Mersey Basin Campaign, and grant aid may be available to voluntary and community groups to undertake small environmental improvements.

Environmental Improvements

- 3.33 Enhancement of the environment is equally important as conservation in achieving the Council's broad aims of improving the quality of life for local residents and visitors and safeguarding the Peak District as a national asset. Often, the best opportunities for enhancement arise through well designed new development, in the right locations. Environmental enhancement and regeneration go hand in hand with enhancements leading to development investment and development investment fuelling further investments.
- 3.34 The Council intends to continue its own programme of environmental improvements, and to support initiatives from the private and voluntary sectors, as resources and opportunities allow. With limited capital resources available the Council has to establish clear priorities for spending. Resources will be concentrated in town centres, improvement corridors and regeneration areas in Buxton and Glossop, for these are the areas where the benefits and impact will be most felt. Voluntary groups and the private sector may have access to a wider range of funding sources than the Council. The Council will encourage and liaise with the private and voluntary sectors to initiate improvement schemes and to access all potential sources of funding available.
- 3.35 All improvement schemes will need to respect the character of the area, including any nature conservation value which may have become established. The Council will also try to ensure, by prior liaison, that works carried out by highway authorities and utility companies are done so in a manner which conserves and enhances the landscape and the street scene.
- 3.36 Policy GD7 defines a number of road and river corridors within which environmental improvements would be beneficial. In some places they have been the focus of industrial and commercial development, and are suffering from the effects of heavy traffic, pollution and economic decline. They are amongst the priority areas for the Council's own environmental improvements programme.



- 3.37 The run down appearance of some of these areas does not imply that lower standards should be accepted for new development. On the contrary, it is crucial that high quality new development is achieved. Indeed, new development, in the right locations, may be the catalyst for improvements. The Council will seek high standards of design, layout and landscaping for all new development within the Improvement Corridors. In general, parking and servicing areas, outside storage of goods, materials, plant and machinery should be located to the rear of premises away from public viewpoints. Additional screening with suitable boundary walls, fences, mounds or landscaping should be provided where appropriate. The Council may prepare development briefs for key sites.
- 3.38 The Council will also use its powers of enforcement to tackle problems of unauthorised development and may issue discontinuance notices for hoardings, signs and other advertisements which detract from the amenity of those corridors

GD3 – IMPROVEMENT CORRIDORS

THE IMPROVEMENT CORRIDORS WILL COVER THE FOLLOWING AREAS DEFINED ON THE PROPOSALS MAP AND A HIGH PRIORITY WILL BE GIVEN TO ENVIRONMENTAL ENHANCEMENT WITHIN THEM:

- **A57 FROM WOOLLEY BRIDGE TO GLOSSOP TOWN CENTRE;**
- **A6 THROUGH NEWTOWN, FURNESS VALE AND BRIDGEMONT;**
- **A6 THROUGH DOVE HOLES;**
- **A6 FAIRFIELD ROAD APPROACH TO BUXTON;**
- **SETT RIVER VALLEY;**
- **GOYT RIVER VALLEY, INCLUDING BLACKBROOK;**
- **ETHEROW RIVER VALLEY, INCLUDING GLOSSOP BROOK; AND**
- **PEAK FOREST CANAL;**

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT WITHIN THE IMPROVEMENT CORRIDORS, PROVIDED THAT:

- **ITS LAYOUT, SCALE, DESIGN, EXTERNAL APPEARANCE, BOUNDARY TREATMENT AND LANDSCAPING WILL ENHANCE THE APPEARANCE OF THE AREA; AND**



- **THERE WILL BE NO UNDUE DETRIMENTAL EFFECT ON EXISTING IMPORTANT LANDSCAPE, TOWNSCAPE, HISTORIC, WILDLIFE OR WATER FEATURES.**

Character, Form and Design of Development

- 3.39 Conserving and enhancing the quality of the environment is a major theme of the Plan. Sensitive design, siting and layout of new development, respecting the traditions and character of the High Peak, will be crucial to achieving this aim. The appearance of any proposed development, its appropriateness to the site and its relationship to its surroundings will be key factors in determining planning applications. Design respecting the wider principles of sustainable development will also be encouraged, as set out in Policy GD1. In particular encouraging energy efficiency through building type, siting and orientation.
- 3.40 There is increasing acknowledgement that the spread of standard forms of housing and commercial development, particularly in the 1960s and 1970s, detracts from the distinctiveness of the area. The Council, developers and the local community have a responsibility to ensure that high standards of new development are achieved, having regard to the individual characteristics and setting of the particular site. Community involvement is particularly encouraged through the current Market Towns Initiatives taking place across the High Peak.
- 3.41 There is also growing unpopularity with developments which are so large as to be out of scale with, or which are otherwise inappropriate to, their surroundings. New development should be well related to, and integrated with, the existing pattern of development. Design should respect the traditions of the area, particularly in the use of external materials, building form elevational details and vernacular detailing of buildings. The individual parts of a development should be in proportion to one another, and provide a balanced composition whose form, scale, siting, massing, density and height complement the landscape and neighbouring development. This does not mean that innovative and imaginative design solutions will not be encouraged, indeed, this can often help to enhance the environment. Where there are existing buildings of inappropriate character in the vicinity these should not be used to justify continued poor design.
- 3.42 The hilly nature of the High Peak means that development is often seen from above, and at a distance, as well as close to. This makes it all the more important for new development to relate well to the existing settlement pattern and traditions, and to maintain or improve the relationship with the landscape and townscape setting. Important views of, and from, the site should be retained, and existing site features (eg trees, ponds) respected. An accurate site survey as a precursor to submitting planning applications should help applicants to ensure that levels, site features and relationships with existing buildings and the landscape are properly considered, and that the new development will be in keeping with the predominant character of the area.



GD4 – CHARACTER, FORM AND DESIGN

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT, PROVIDED THAT:

ITS SCALE, SITING, LAYOUT, DENSITY, FORM, HEIGHT, PROPORTIONS, DESIGN, COLOUR AND MATERIALS OF CONSTRUCTION, ELEVATIONS AND FENESTRATION AND ANY ASSOCIATED ENGINEERING, LANDSCAPING OR OTHER WORKS WILL BE SYMPATHETIC TO THE CHARACTER OF THE AREA, AND THERE WILL NOT BE UNDUE DETRIMENTAL EFFECT ON THE VISUAL QUALITIES OF THE LOCALITY OR THE WIDER LANDSCAPE

Amenity

- 3.43 Typical factors, which are likely to affect amenity, include loss of privacy; overbearing and overpowering effects of development; loss of sunlight and daylight; noise, vibration, odours, fumes and other effects of pollution; hazardous substances and processes; and traffic safety and generation. In many cases the principle of the development will be acceptable, but its detailed scale, siting and design may need to be adjusted to protect amenity.
- 3.44 It is equally important that new development does not suffer from unacceptable levels of amenity from nearby existing or planned development, which could lead to problems for occupiers.

GD5 - AMENITY

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT PROVIDED THAT:

- **IT WILL NOT CREATE UNACCEPTABLE LOSS OF, NOR SUFFER FROM UNACCEPTABLE LEVELS OF, PRIVACY OR GENERAL AMENITY, PARTICULARLY AS A RESULT OF:**
 - **OVERLOOKING;**
 - **LOSS OF DAYLIGHT AND SUNLIGHT;**
 - **OVERBEARING EFFECTS OF DEVELOPMENT;**
 - **AIR, WATER, NOISE, LIGHT AND OTHER POLLUTION;**
 - **RISK FROM HAZARDOUS SUBSTANCES AND PROCESSES;**
 - **TRAFFIC SAFETY AND GENERATION**
- **WHERE APPROPRIATE, CONDITIONS WILL BE IMPOSED AND/OR PLANNING OBLIGATIONS SOUGHT, TO ENSURE AMELIORATION MEASURES ARE TAKEN TO ADEQUATELY ADDRESS THE IMPACTS ON**



AMENITY.

Landscaping

- 3.45 The appearance and treatment of spaces between and around buildings can often be as important as the design of the buildings themselves. Good quality hard and/or soft landscaping should be an integral part of all but the most minor developments, and not be treated as an afterthought. In this way, landscaping is more likely to make a beneficial contribution to the environment, and help blend new development into its surroundings.
- 3.46 Landscaping proposals should therefore be submitted as part of a detailed planning application. Where appropriate, they should identify the location, height, spread, condition and species of existing trees, shrubs and hedges, together with potential constraints such as telegraph poles and overhead cables; indicate those which are to be retained, removed or lopped; and show the proposed location, species and type of new landscaping works.
- 3.47 Care must be taken to ensure that the selected trees and shrubs are suitable for the chosen site, so that they survive to be healthy and attractive and do not cause long term problems, such as excessive over-shadowing of houses or gardens, structural damage from root systems or high levels of maintenance. Native species will usually be preferred for landscape and wildlife habitat reasons, and will be most important within or on the fringes of the countryside as landscaping plays an important role in habitat creation and enhancement. Where possible, planting should include a mixture of shrubs and trees to form a woodland structure. In the vicinity of the most ecologically sensitive areas (such as wildlife sites, ancient woodlands or SSSI's) and along watercourses consideration should be given to the use of plant specimens of local origin or to providing areas of natural regeneration within wider landscaping schemes, in order to maintain the uniqueness of local strains of plant species. Within less sensitive parts of the urban areas and within housing estates there may be greater scope for planting hybrid ornamental trees, providing a greater degree of colour and variety. Planting and establishing new trees may need work over several months or years and the Council may wish to secure details of longer term maintenance and management of certain planted areas. Where appropriate, conditions will be imposed to ensure not just initial planting but also maintenance of trees and plants during the first five years and replacement and maintenance of any which die or which are removed within that time.
- 3.48 Protection and retention of existing trees, hedges and other site features such as drystone walls, where appropriate, will both enhance the development and provide a greater feeling of maturity and visual integration with its setting. Changing land drainage due to large areas of hard surfacing can cause stress and impede normal healthy growth. If buildings, gardens, boundaries and overhead cables, for example, are close to trees, the trees may be perceived as a nuisance and requests made for their removal or pruning. These situations should be



ameliorated by ensuring that, at the earliest development planning stages, sufficient space is allowed for normal tree growth around proposed buildings, services, hardsurfaced areas etc.

- 3.49 Hard landscaping details, which may include surface treatments for footpaths and parking areas, walls, fences and other boundary treatments, must also respect the setting, and the predominant colours and traditional materials of the locality. This may include the use of natural gritstone walling or surface materials in the Glossop and Central areas, and the more predominant use of limestone in the Buxton area. Sensitive surface dressing of areas of tarmacadam can also help to assimilate new development.

GD6 – LANDSCAPING

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT PROVIDED THAT:

- **WHERE APPROPRIATE, IT WILL CONTAIN A HIGH STANDARD OF HARD AND/OR SOFT LANDSCAPE TREATMENT IN KEEPING WITH THE CHARACTER OF THE AREA, INCLUDING THE INTEGRATION OF EXISTING FEATURES AND THE USE OF NATIVE SPECIES SUITABLE TO THE LOCATION**

CONDITIONS WILL BE IMPOSED, AND/OR PLANNING OBLIGATIONS SOUGHT, TO ENSURE THAT APPROPRIATE STEPS ARE TAKEN TO MAINTAIN AND MANAGE LANDSCAPING FEATURES.

Crime Prevention

- 3.50 The High Peak Community Safety Strategy provides detailed aims and objectives in trying to create safer communities, to reduce crime and disorder and to reduce the fear of crime and disorder. The planning system has an important role to play in creating safer and more secure environments, and reducing the risks of crime against people and property. It is not only crime, but the fear of crime, that affects the way in which people use and enjoy the places they live, work and relax in. Incorporating simple crime prevention measures at the design stage of development will assist. Whilst no single measure will in itself necessarily prevent crime from taking place the chances can be reduced by adopting some basic principles, particularly in the layout of housing areas.
- 3.51 For example, risk of personal attack can be reduced by ensuring that footpaths and cycleways can be seen from the highway and other vantage points, and are not hemmed in by high, close-boarded fencing or trees and shrubs behind which people can hide. Car parks and children's play areas should be open to natural surveillance from residents and passers-by. On a large housing estate a mix of housing types will help achieve a balance of occupancy, increasing the likelihood of residents being at home throughout the day, and so lessening the opportunity for casual crime to be committed. The council will encourage developers to seek



“Secured by Design” status for new developments where appropriate. Advice may need to be sought from the Police Architectural Liaison Officer of the Derbyshire Constabulary.

- 3.52 Careful design will be needed in some cases to reconcile the visual quality of the development with the need for crime prevention measures. For example, a well-planned landscaping scheme can allow both abundant tree planting and the retention of open areas for good visibility, and successful forms of security measures on shopfronts can be achieved which still respect the architectural and historic character of buildings (see Policy BC5).

GD7 - CRIME PREVENTION

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT, PROVIDED THAT:

- **ITS DESIGN, LAYOUT AND LANDSCAPING WILL HELP CREATE A SAFE AND SECURE ENVIRONMENT AND MINIMISE THE OPPORTUNITIES FOR CRIME TO BE COMMITTED**

Access Needs

- 3.53 People with disabilities, and others including the elderly and those with children in prams and pushchairs, are entitled to proper access to buildings which are used by the general public. This includes shops, education premises and the reception areas of offices and factories. The role of the planning system is limited in this area, since the objectives can be achieved under the Building Regulations and The Chronically Sick and Disabled Persons Act 1970. This Act contains access standards for certain types of buildings, and requires the Council in granting planning permission to draw the requirements of the Act to the applicant's attention.
- 3.54 The planning system does however have an important role in ensuring that full consideration is given to the needs of the disabled and other less mobile people in the location and siting of buildings and open spaces to which the public has access, and in suitable car parking arrangements, including wide spaces appropriately signed and marked out. The Council will expect developers to make reasonable provision for the access needs of all people, whilst recognising site specific constraints such as the steeply sloping nature of some areas of land or the need to preserve the special architectural or historic character of listed buildings. Advice may need to be sought from the High Peak Access Group.
- 3.55 For its own part, the Council will seek to ensure that the buildings, spaces, car parks recreation trails and other facilities within its control make suitable provision for access and use by all people, including those with disabilities.

GD8 - ACCESS NEEDS



**PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT,
PROVIDED THAT:**

- **IT WILL INCLUDE APPROPRIATE PROVISION FOR THE ACCESS NEEDS OF ALL PEOPLE, INCLUDING THE DISABLED, HAVING REGARD TO SITE AND BUILDING CONSTRAINTS**

Safeguarding Development Potential of Neighbouring Land

- 3.56 The Council's aims for safeguarding and improving the environment of the High Peak, and for contributing towards sustainable development, require land to be used effectively and efficiently. This is especially important within the built-up areas, where most new development is guided and where there are opportunities to make better use of despoiled, underused or derelict land and redundant buildings.
- 3.57 However, in the Council's experience, planning applications are sometimes made in a piecemeal way with little regard to the future development potential of, or the scope to make access improvements to, neighbouring land. This usually occurs when parcels of adjoining land are in separate ownerships. In locations where development is likely to be acceptable in principle, it is important to assess new development proposals in the context of their relationship with neighbouring land and buildings to ensure that access to, or development of, an adjoining site is not sterilised. This will assist in the good planning of the area as a whole and may aid the effective implementation of Local Plan sites and the efficient use of previously developed land.
- 3.58 This does not necessarily imply that planning permission would be granted for development of the neighbouring land - this would need to be judged at the appropriate time having regard to prevailing planning policies. However, it will ensure that the potential for its development is not prematurely closed by allowing the site to become land-locked.

GD9 - SAFEGUARDING NEIGHBOURING LAND

**PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT,
PROVIDED THAT:**

**IT WILL NOT UNDULY IMPEDE THE EFFECTIVE AND COMPREHENSIVE
DEVELOPMENT OF, OR ACCESS IMPROVEMENTS TO, SIGNIFICANT
AREAS OF NEIGHBOURING LAND**



Flood Prevention

- 3.59 The High Peak includes numerous rivers, such as the Etherow, Sett, Goyt and Wye, and their tributaries, falling from the Pennine watershed. At times of high rainfall and water run-off these watercourses rise and can flood adjacent land. Where this occurs, the consequences can be disruptive, particularly in urban areas, as has happened in several valleys in the Plan area in recent years. The Environment Agency has embarked on a programme of flood risk assessment and alleviation measures in the Glossop Brook, Etherow and Blackbrook valleys.
- 3.60 Due to local topography and the historical patterns of development, some development already lies within the river flood plains of the High Peak. The flood plain is defined as land adjacent to a watercourse over which flood water would flow but for the presence of any flood defences. The flood plain is shown on the Proposals Map as high risk flood areas, as identified by the Environment Agency in 2002. These areas are indicative only. They are defined by the Environment Agency on the best information available at the time and will be subject to periodic review. An area at 'high' risk of flooding is that which would fall within the 1 to 100 year flood event. They are to be used for consultation purposes, and not as the sole basis of decision making.
- 3.61 Development in these areas may already be at risk from flooding, and further new development could add to these problems. New development can have the effect of reducing the floodwater storage capacity and impeding the flow of floodwater, increasing the risk of flooding elsewhere. Floodwaters may also convey contaminants from development.
- 3.62 A more sustainable approach to flood risk is now required by the government due to the increased frequency and severity of flooding in recent years due to factors such as increased run-off from new development and climate change. Government guidance in PPG 25 "Development and Flood Risk" July 2001 now reflects the importance of these issues and is looking for a step change in the responsiveness of the land use planning system to the issues of flood-risk management.
- 3.63 Local Authorities are encouraged to take a precautionary approach to flooding. Developers seeking sites for housing and other development should have regard to the sequential test as set out at paragraph 30 of PPG25. Where a development, whether within the high risk flood areas or outside them, may affect an area liable to flood, the developer is advised to provide a flood risk assessment and satisfy the local planning authority that increased risk will be effectively and safely managed.
- 3.64 In appropriate cases, the Council will seek the views and advice of the Environment Agency to determine whether the proposed development is acceptable and to identify mitigation measures, including the use of appropriate design & construction techniques.



- 3.65 In some cases development may be acceptable subject to the implementation of appropriate flood prevention measures. In such cases conditions and/or planning obligations will be imposed/sought to ensure that appropriate flood prevention measures are provided, and a proper maintenance regime is agreed.
- 3.66 New development, particularly on greenfield sites, usually results in a greater area of impermeable land. Surface water run-off from new development can increase the rate at which water reaches the watercourse, and cause flooding problems downstream as well as damaging the river environment. Wherever possible surface water should occur as close to the source as possible. Softer engineering structures such as swales, retention ponds, filtration basins and porous surfaces, where appropriate, may be alternatives to conventional drainage systems. Such measures can add areas of nature conservation interest and delay the discharge of water to natural watercourses. Sustainable Drainage Systems (SuDS) are encouraged, as set out in Appendix 2 and 4 respectively. They are effective in reducing the impact of surface water drainage and contribute significantly to sustainable development.

GD10 - FLOOD PREVENTION

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT, PROVIDED THAT:

- **IT IS REQUIRED FOR RIVER MANAGEMENT OR OTHER OVERRIDING TECHNICAL OPERATIONAL REASONS; OR**
- **IT WILL NOT ITSELF BE AT RISK FROM FLOODING; AND**
- **IT WILL NOT INCREASE THE RISK OF FLOODING IN THE HIGH RISK FLOOD AREAS, OR ELSEWHERE; AND**
- **IT WILL NOT REDUCE THE CAPACITY OF THE FLOOD PLAIN TO HOLD, DISSIPATE OR ALLOW THE PASSAGE OF FLOODWATERS; AND**
- **IT WILL NOT LEAD TO THE POLLUTION OR CONTAMINATION OF FLOODWATERS; AND**
- **IT WILL NOT HARM THE INTEGRITY OF ANY FLOOD DEFENCE; AND**
- **THE DEVELOPER CAN DEMONSTRATE THAT THE PROPOSED DEVELOPMENT ARISES FROM A SITE SELECTION PROCESS THAT HAS REGARD TO A SEQUENTIAL APPROACH TO FLOOD RISK; AND**
- **ADEQUATE PROVISION IS MADE FOR ACCESS TO WATERCOURSES FOR MAINTENANCE**



WHERE APPROPRIATE, CONDITIONS WILL BE IMPOSED, AND/OR PLANNING OBLIGATIONS SOUGHT, TO ENSURE THAT ADEQUATE FLOOD PROTECTION OR MITIGATION MEASURES ARE SECURED AND MAINTAINED.

Pollution Control

- 3.67 The planning system has an important role to play in determining the location of development which may itself give rise to pollution and control other development in proximity to other potential sources of pollution. In doing so planning policies focus on the acceptable use of land rather than control of the substances or pollution itself – which are better addressed by other legislation and agencies. The Council will support the efforts of the Environment Agency, Health and Safety Executive and others to protect the environmental quality of the High Peak and ensure that pollution, noise and other nuisances are minimised.
- 3.68 The Council's main role is to govern the location of development but other considerations include the impact on amenity, potential pollution risk to other land, the prevention of nuisance, impact on groundwater and soil resources and the potential after use of the site. With the redevelopment of former industrial land becoming more common, both existing and newly arising pollution sources will need to be assessed and where necessary, controlled.
- 3.69 The Council will employ conditions and where appropriate, planning obligations, to control and mitigate the impact of potentially polluting development. For example limits may be placed on noise emissions or working hours restricted so as to control the impact on residential amenity. Similarly, it will resist, or carefully control through appropriate planning conditions or obligations, development in locations where neighbouring existing uses may create significant levels of pollution, such as residential development close to sewage works, quarries, railway lines, major roads and certain types of industry.
- 3.70 The effect of light pollution is another factor that the Council will consider. Here, it is not only the effect on the amenity of the occupiers of adjacent development which will be examined, but also the effect that the lighting of development might have upon surrounding land uses, such as the countryside for example. The Council expects that, where relevant, development will incorporate properly designed lighting schemes in order to mitigate any detrimental effects from light pollution.

GD11 - POLLUTION CONTROL

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT, PROVIDED THAT:



- **IT WILL NOT RESULT IN A DETERIORATION IN, OR HINDER THE IMPROVEMENT OF, THE QUALITY OR SUPPLY OF GROUND WATER OR SURFACE WATERS, OR OF ATMOSPHERIC QUALITY; AND**
- **IT WILL NOT RESULT IN, OR BE SUBJECTED TO HARMFUL LEVELS OF NOISE, VIBRATION, LIGHT, DUST, ODOURS, CONTAMINATION OR OTHER POLLUTANTS OR HARMFUL FACTORS; AND**
- **IT WILL NOT LEAD TO THE CONTAMINATION OR EROSION OF SOIL RESOURCES.**

WHERE APPROPRIATE, CONDITIONS WILL BE IMPOSED, AND/OR PLANNING OBLIGATIONS SOUGHT, TO ENSURE AMELIORATION MEASURES ARE TAKEN TO ADEQUATELY ADDRESS THE EFFECTS OF POLLUTION.

Unstable Land, Landfill and Contaminated Sites

- 3.71 To make the best use of existing urban land, and to reduce the need to expand onto greenfield sites, it is important that development is guided towards underused and derelict land. However, it is recognised that some potential development sites have been subject to mineral extraction and processing, landfilled or otherwise disturbed and may be the subject of contamination. In addition, the geology and topography of the High Peak renders some parts of the Plan area susceptible to ground slippage and instability. Such areas must be treated with great care. The Proposals Map identifies known landfill or contaminated sites on the basis of best available current information; however, it is not necessarily exhaustive. The existence of the naturally occurring radioactive gas, radon, in certain parts of the Plan area is also recognised.
- 3.72 The proposed development site must be free of or made free of any contamination which may constitute a hazard to occupiers or users, or adequate measures taken to overcome the problem. Similarly, precautions may be needed to prevent contaminants escaping from the site to cause air or water pollution, or pollution of nearby land. Areas which are most likely to be affected by contamination include long-standing industrial areas, former gas holders and sewage works. In appropriate cases, the Council will seek the views and advice of the Environment Agency to determine whether the proposed development is acceptable and to identify appropriate mitigation measures.
- 3.73 Landfill gases can potentially migrate in any direction through permeable strata, and, without control, accumulation of the gases may lead to explosions or other effects such as increased fire risk and odours. Landfill sites also need to be sufficiently settled and stable to ensure that development on them will not be vulnerable to subsidence.



3.74 Certain parts of the Plan area, notably around New Mills and Whaley Bridge, have been extensively mined for coal in past centuries. This industrial history has left a legacy of abandoned pits, shafts and drifts creating unstable ground conditions in some areas. Elsewhere the natural geology and geomorphology also potentially engenders instability. In the Buxton area the underlying carboniferous limestone is susceptible to solution leading to problems associated with sinkholes.

3.75 In the overriding interests of safety, and in accordance with Government advice, the Council will deal with development proposals within 250 metres of a waste site, and on or adjacent to a site which is known or strongly suspected to be contaminated or unstable, as follows:

- responsibility for assessing whether or not land is suitable for the proposed development, including whether or not it is contaminated or unstable, lies primarily with the developer; and
- investigations to assess the condition of the site and to identify any particular hazards or problems must be undertaken by a competent expert with a proven track record in such works. Comprehensive tests in and around the site should be undertaken. The study should detail a programme of works to resolve known or potential problems resulting from ground disturbance or natural instability and risk arising from the use, activity or buildings on the land; and
- where it is known that there are problems of contamination or ground instability any proposal to develop the site should be accompanied by a full assessment to be submitted with the planning application;
- elsewhere where contamination or instability is suspected, conditions will be attached to any planning permission to make clear that development will not commence until site investigation has been carried out and the proposed development incorporates all remedial measures shown in the assessment to be necessary;
- unless suitable arrangements can be made to overcome identified problems or hazards, planning permission will not be granted.

GD12 - UNSTABLE LAND, LANDFILL AND CONTAMINATED SITES

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT, PROVIDED THAT:

- **IT WILL NOT BE UNDULY ADVERSELY AFFECTED BY ITS SITING ON, OR ITS PROXIMITY TO, A KNOWN OR SUSPECTED LANDFILL, UNSTABLE LAND OR CONTAMINATED SITE; AND**



- **IT WILL NOT ADVERSELY AFFECT THE SAFETY, STABILITY OR ENVIRONMENTAL QUALITY OF NEIGHBOURING OR ASSOCIATED LAND; AND**
- **IT WILL NOT LEAD TO MATERIALLY HARMFUL LEVELS OF AIR, GROUND WATER OR SURFACE WATER POLLUTION**
- **IN THE CASE OF SITES OF KNOWN CONTAMINATION OR INSTABILITY THE PROPOSAL IS ACCOMPANIED BY A FULL ASSESSMENT OF THE EFFECTS BOTH OF, AND UPON, THE DEVELOPMENT.**

WHERE APPROPRIATE, CONDITIONS WILL BE IMPOSED, AND/OR PLANNING OBLIGATIONS SOUGHT, TO ENSURE INVESTIGATION PRIOR TO THE DEVELOPMENT, ADEQUATE MONITORING DURING AND AFTER DEVELOPMENT AND THE IMPLEMENTATION OF ANY NECESSARY REMEDIAL WORKS.

Buxton Mineral Water

- 3.76 Buxton's famous mineral water is particularly important to the High Peak. This water occurs through the very slow filtration of rainwater over many thousands of years through the underlying limestone of the surrounding hills and moors, appearing as clear springs of natural purity around the town centre.
- 3.77 Today, Buxton Mineral Water, because of its long association with the Spa, plays an increasingly important role in the Council's plans to develop Buxton, not only as a tourist area, but as an important local centre. The protection of the Mineral Water catchment area is necessary if the national reputation, quality and existing volume of the water is to be maintained. In particular, soakaways and underground discharges as a means of disposal of effluents will not be permitted, and additional extraction and any storage of, or activity involving, toxic or potentially toxic substances will be very strictly controlled. The catchment area, as presently understood, is indicated on the Proposals Map.

GD13 - BUXTON MINERAL WATER

PLANNING PERMISSION WILL BE GRANTED FOR DEVELOPMENT WITHIN THE BUXTON MINERAL WATER CATCHMENT AREA, PROVIDED THAT:

- **IT WILL NOT PUT AT RISK THE QUALITY OR QUANTITY OF THE MINERAL WATER**

