

REBUTTAL PROOF OF EVIDENCE

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Proposed Residential Development, Land at Talbot Road, Glossop

Derbyshire County Council

07 August 2026

Carter Jonas

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1. PURPOSE OF REBUTTAL

- 1.1 This rebuttal responds to the Proof of Evidence of Mr Hughes dated 21st July 2026.
- 1.2 In my view, Mr Hughes adopts an erroneous approach to the assessment of whether the site is an existing playing field for the purposes of the NPPF. Mr Hughes does not give sufficient regard to the current condition, functionality and practical sporting value of a site when determining whether it can properly be regarded as an existing sports facility or playing field resource.
- 1.3 A recent appeal decision issued by Inspector Matthew Jones in March 2026 (APP/E3715/W/25/3373251, Land North of Rounds Gardens, Rugby) (**Appendix A**) is particularly relevant in this regard. The decision demonstrates that the practical reality of a site's condition, capability and sporting function remains an important consideration when applying paragraph 104 of the Framework.

The Rugby Appeal Decision

- 1.4 In the Rugby case, the appeal site included a disused football pitch, pavilion and tennis courts. The facilities had been unused and had fallen into substantial disrepair. The Inspector considered a number of factors, including:
- the prolonged period of non-use;
 - the deteriorated condition of the facilities;
 - the practical reality of the sporting provision available on the site;
 - the costs and feasibility of reinstatement; and
 - whether the facilities could realistically still be regarded as existing sports facilities.
- 1.5 Having considered these matters, the Inspector concluded that "the facilities on the site cannot reasonably be held to be 'existing'" and therefore "Paragraph 104 of the Framework does not apply at all."
- 1.6 The Inspector consequently found that the proposal would not result in the loss of existing sports facilities for the purposes of the Framework and attached only limited weight to the conflict identified with local policy.
- 1.7 The significance of the decision is not simply its outcome, but the Inspector's acceptance that the passage of time, physical condition and practical functionality of former sporting land are material considerations when determining whether paragraph 104 is engaged.

Relevance to Talbot Road

- 1.8 The circumstances of the appeal site bear a number of similarities to those considered in Rugby and, in several respects, provide an equally compelling factual context.
- 1.9 My evidence to the Inquiry demonstrates that:
- Glossopdale Community College closed in 2018;
 - sports use associated with the former school ceased in 2018;
 - the school buildings and associated hard-surfaced sports facilities were lawfully demolished pursuant to Prior Approval Reference DET/2019/0008;
 - no community sporting function has operated from the site;
 - the Council's Playing Pitch Strategy confirms that no dedicated playing pitches were provided on the site;
 - the site is affected by topographical, drainage and ground condition constraints which would require significant engineering works before any meaningful sporting use could be established; and
 - replacement and enhanced sporting facilities have already been delivered at the replacement Glossopdale School in Hadfield.
- 1.10 In these circumstances, I consider that the reasoning adopted in the Rugby decision is directly relevant.
- 1.11 Mr Hughes states that whether facilities remain in existing use is "irrelevant". However, the Rugby decision indicates that Inspectors may properly consider:
- whether facilities continue to exist in any meaningful practical sense;
 - whether they remain capable of fulfilling a sporting function;
 - the length of time since any sporting use ceased;
 - the condition of the land and facilities; and
 - the realism and viability of reinstatement.
- 1.12 Indeed, these considerations formed the basis of the Inspector's conclusion that paragraph 104 was not engaged.
- 1.13 Whilst each appeal must be considered on its own facts, the Rugby decision suggests a materially broader and more contextual interpretation of paragraph 104 than that advanced by Mr Hughes. The Inspector's reasoning makes clear that historic sporting use is not necessarily conclusive where facilities have ceased to perform a sporting function, no longer exist on the ground, and cannot realistically be regarded as an active sporting resource.

1.14 The present appeal is not concerned with the loss of a functioning sports facility. Rather, the evidence demonstrates that:

- no formal playing pitches exist on the site;
- no sports use has taken place for more than seven years;
- the facilities formerly associated with the school have been removed;
- replacement facilities have been provided elsewhere; and
- there is no realistic prospect of the site returning to its former educational sporting role.

1.15 Accordingly, and consistent with the reasoning in APP/E3715/W/25/3373251, there is a legitimate question as to whether the appeal site can properly be regarded as an "existing" playing field resource for the purposes of paragraph 104 of the Framework.

Summary

1.16 The Rugby appeal decision provides a recent and persuasive example of the manner in which paragraph 104 has been interpreted where former sports facilities have been unused for a prolonged period, have lost their functional sporting role and are no longer capable of operating as an active sporting resource without substantial intervention.

1.17 The decision supports the Appellant's position that the assessment should extend beyond historic use alone and should account for the present condition, functionality and realistic sporting value of the site.

1.18 In my opinion, the reasoning adopted in Rugby is difficult to reconcile with Mr Hughes' contention that historic sporting use is, of itself, sufficient to engage paragraph 104 irrespective of the site's current circumstances.

1.19 For these reasons, I consider that the Rugby decision materially supports the Appellant's case in relation to Main Issue A and significantly reduces the weight that should be attached to the Council's first reason for refusal.

2. DRAFT GLOSSOPDALE COMMUNITY COLLEGE DEVELOPMENT BRIEF

- 2.1 The Appellant notes that High Peak Borough Council (HPBC) has declined to include the Draft Glossopdale Community College Development Brief within the Core Documents.
- 2.2 The Development Brief is referenced within a number of application and appeal documents and has informed the Appellant's evidence, including:
- HPBC's Pre-Application Response (14th April 2023) (CD4.4);
 - Planning Statement (CD1.2);
 - Letter to Planning Officer (CD2.4);
 - Proof of Evidence of Sarah Cox (CD11.1); and
 - Proof of Evidence of Allen Shepherd (CD11.3).
- 2.3 The appeal decision (discussed on page 4 of this rebuttal evidence, ref: 3373251) also came to light during preparation of this rebuttal evidence.
- 2.4 For completeness, and to assist the Inspector's consideration of the appeal, these documents are appended to this rebuttal as **Appendices A and B**.

**APPENDIX A – APPEAL DECISION (REF: 3373251) - LAND NORTH
OF ROUNDS GARDENS, RUGBY, CV21 2BS**



Appeal Decision

Inquiry held on 20-23 January 2026

Site visit made on 20 January 2026

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th March 2026

Appeal Ref: APP/E3715/W/25/3373251

Land North of Rounds Gardens, Rugby, CV21 2BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by St. Modwen Homes against the decision of Rugby Borough Council.
 - The application Ref is R24/0111.
 - The development proposed is redevelopment of the former football pitch and tennis courts associated with the adjacent employment use, including demolition of the existing pavilion and all other remaining structures and enclosures relating to the previous use of the site; and the erection of 115 dwellings, accesses, landscaping, parking, drainage features and associated works
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the Council's decision notice as it best reflects the scheme that was ultimately subject to the Council's decision.
3. In December 2025 the Government began consultations on proposed amendments to the National Planning Policy Framework (the Framework) and also in relation to the consolidation of its guidance relating to the issue of design. The proposed revisions could be subject to substantial changes following the consultation period so therefore carry little weight in the determination of this appeal.
4. Amended plans submitted with the appeal seek to alter the detail of the proposed one-way system through Princes Street and the connecting streets. Mindful of the principles set out by caselaw¹, given that the arrangement of the one-way system would not substantively change, the amendments are not significant, and I accepted the plans without procedural prejudice to any party. The same holds true for the amended plans that have been submitted seeking to make modest changes to the species of certain trees within the proposed layout.
5. A completed unilateral undertaking (UU) accompanies the appeal. Amongst other things it seeks to secure contributions to works to a footpath between York Street and Dale Street, towards the provision of the Traffic Regulation Order that would be necessary to facilitate the scheme, and to a feasibility study regarding potential upgrade works to the Rugby Gyratory. Based on the amended plans and the UU, the Council confirmed well before the Inquiry opened that it would not be pursuing the highway related third and fourth reasons for refusal on its decision notice.

¹ Holborn Studios Ltd vs the Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)

6. The UU also sets out obligations in relation to early and late-stage viability review mechanisms related to Affordable Housing, and the provision of Biodiversity Net Gain (BNG). I turn to the UU and the obligations it contains later in this decision.
7. In September 2025, after the refusal of the planning application, the Planning Practice Guidance was revised in relation to flood risk and under what circumstances the sequential test should be applied. Following this revision to the policy/guidance, the Council has withdrawn its reason for refusal relating to flood risk.

Main Issues

8. The remaining main issues are therefore:
 - the effect of the proposal on the character and appearance of the area, with particular reference to (i) urban design; and (ii) protected trees;
 - whether the proposal would lead to the unacceptable loss of sports and recreational buildings and land; and
 - other considerations, including housing land supply.

Reasons

Character and appearance

9. The appeal site comprises a large swathe of deteriorated land, most of which was formerly used for sports and recreation in association with a factory complex directly to the north. It has been vacant and unused for a period of some 23 years.
10. A disused football pitch is at its centre, aside a boarded-up pavilion at the site's northeast corner. One can make out the surface of three disused tennis courts to the south of the pitch, aside a fence boundary the appeal site shares with the aforementioned footpath. Where the footpath meets York Street there is a small public play space. Rugby town centre, with its extensive offer of services and facilities, is a short, walkable distance to the southeast.
11. The disused pitch is set within a depression and now framed by a prominent crescent of Lime trees (Lime Group A). They are protected by a Tree Preservation Order, as is another row of Limes on the east side of the site (Lime Group B) a belt of London Planes at its west side, and a group of Limes and Birch to the site's north edge. There are also numerous trees of mixed but lesser value across the appeal site, which have largely self-seeded over the period of the site's disuse.
12. Vehicular access to and from the appeal site is off Willans Place to the west and from the Victorian era terraced Princes Street to the east. Essex Street is another terraced street to the immediate northeast of Princes Street. Just south of Willans Place, along Edward Street, is the Indian Community Centre and its car park. Several tower blocks have recently been demolished along Rounds Gardens, a now largely vacant expanse of land directly to the south of the appeal site.

Urban design

13. Policy SDC1 of the Local Plan 2011-2031 (adopted 2019) (the Local Plan) states that all development will demonstrate high quality design and will only be supported where it is of a scale, density and design that responds to the character of the areas in which it is situated. Developments should aim to add to the overall quality of the

- area. Factors including the massing, height, landscape, layout, materials and access should be a key consideration.
14. Amongst other things, C1 of the National Design Guide informs us that well-designed new development responds positively to the features of the site and the surrounding context. It goes on to say that well-designed new development is integrated into its wider surroundings. It is carefully sited and designed and is demonstrably based on an understanding of the existing situation.
 15. B2 of the National Design Guide itself states that well-designed places use the right mix of building types, forms and scale of buildings and public spaces for the context and the proposed density, to create a coherent form of development that people enjoy. Well-designed developments also adopt strategies for parking and amenity that support the overall quality of the place.
 16. Looking at the design concept in broad terms first, the surrounding residential areas are high density and dominated by terracing, but at the Inquiry I heard how Rugby has tended to develop in a series of large-scale set pieces, rather than piecemeal. This has created distinct character areas and therefore offers the designer a degree of freedom in creating an individual sense of place for the development.
 17. The design concept takes that opportunity but equally would make clear and adequate references to the existing urban context, with a sufficient sense of general uniformity in the order and scale of the dwellings, reflecting those nearby. The predominant two to two and a half storey scale of the houses, and the repetitive use of certain architectural detailing across the fenestration, such as the chalk render window framing, would be successful in providing overall cohesion across the built form and offering a nod to the homogeneity of the housing in the locality.
 18. The higher density of the houses at the edges of the site would also achieve that aim. The gentler density of the housing at the core of the site would respond to what is an inherently less built-up area, orientated towards the large oasis of public open space at the centre of the development. The streets would be fairly straight and regimented, another reference to surrounding areas, but without being slavishly so. For these reasons, I find the overall design concept to be sound.
 19. However, the relative massing of the dwellings, and how successfully they would sit together, falls short in relation to the house on Plot 98. This building would be much smaller in stature, particularly in its width and height, to its two neighbours. The disparity would be so great that the relationship between the dwellings would be jarringly incoherent. An incongruous and unattractive section of street scene, visible from much of the public open space at the centre of the site, would be the result.
 20. The scheme would bring benefits to the existing fabric of the town. The north end of Princes Street suffers from areas of 'lost space' amongst the terracing, and the presence of the appeal site, bound by industrial fencing. The scheme would fill the gaps in the street scene with dwellings which would read as new but respectful interventions that would sit comfortably with their neighbours. The Council's concerns about the lack of conformity in the layout of the parking serving these units highlights the problems that can arise when modern housing, with modern requirements, is unrealistically sought to conform to historic street typologies.
 21. The dwelling within plot 71 would provide a positive bookend to Princes Street. Aside plot 71 a new path would link to Essex Street. Whilst there would be a sharp

turn in the footpath, on my visit I found this area to be far more open than it appeared on plan, and more supervised by the housing on the north side of Essex Street. With the supervision that would be offered by the new dwellings, and with suitable finishes, the path would be a sufficiently welcoming and safe environment. The outlook along Essex Street would be modestly improved. The benefits to the more compact area at Willans Place would be similarly modest, given that the disused quality of the appeal site appears less pronounced in that location.

22. The improvements to the footpath between York Street and Dale Street would be significant, through the widening of the path and the provision of more appropriate means of enclosure. The increased supervision of the path and play area would also be significant. I do not share the concerns about the proximity of the nearest proposed dwellings to the path, as their side windows would provide a good angle to observe its length and increase its sense of safety. Housing set right up to the edge of footways is a feature of the surrounding area in any event.
23. As for the hierarchy of movement within the layout, the site would be divided by the public open space, which would be beneficial by preventing through traffic and emphasising the 'place' function. Bearing in mind the accessibility of the site to the various services and facilities in Rugby, and with the varied parking strategy which includes dispersing parking to the rear areas in dedicated courts, the site layout is inherently prioritising of cycle and pedestrian movement along the principal streets.
24. In spite of these factors, the quality of the layout design, as envisaged in the Design and Access Statement, fails on its treatment of several of the more peripheral dwellings that would be on and/or have principal outlooks over identified secondary routes. The backland style housing, and the tension between this housing and the use of parking courts behind frontages, creates issues across areas of the layout.
25. Plots 8-13 would be within and/or orientated around a spartan, insular expanse of hardstanding dominated by parking, with little meaningful soft landscaping to elevate the street as a desirable place which would lend itself to interaction or child's play. The dominance of parking and the sense of social exclusion is also a theme for plots 55, 56, 64, 82 and 109. Plot 64 would occupy an especially segregated and little surveilled position with a front outlook mainly over a parking court. These are poorly designed elements of the layout that fail to create a coherent sense of place.
26. That dwellings such as that within plot 64 would provide supervision of these backland and parking dominated areas is not a sufficient justification for their sitings. Indeed, employing plot 64 for that purpose rather underlines that it would be poorly integrated with the other housing and in an area that would not be an enjoyable place to live. Further, the suggestion that prospective purchasers may prefer the isolation of plot 64 as it would be 'quiet' is not compelling as it is too subjective within the context of the principles of good design set out by local and national policy. It follows that the scheme is not high quality or well-designed.

Protected trees

27. In relation to trees, Policies SDC2 and NE2 of the Local Plan respectively require proposals to ensure that important site features have been identified for retention through a detailed site survey, and that green infrastructure is protected and enhanced. The Council agreed in cross examination that the wording of these policies does not provide an absolute requirement that all important site features and green infrastructure should be incorporated into a scheme, and I agree.

28. The Category A London Planes would be felled. They are fine specimens but actually quite limited in visibility from the public realm; the most notable views are from the entrance and across the car park of the Indian Community Centre.
29. Visibility of the Limes and Birch group is also restricted to views down Essex Street. By comparison, Lime Group B, which would be retained within the layout, is highly prominent from across Rounds Gardens. Lime Group A is not so easy to pick out in wider views, but would be incorporated into the public open space, effectively bringing these important trees keenly into the public perception.
30. The proposal, in opening the site up to public access, in incorporating Lime Group A so successfully within the public open space, in providing a significant 2:1 ratio net gain in tree planting, and in securing the management of retained trees, would markedly increase the sylvan value of the site to the public. This is even accounting for the loss of the London Planes, a single Lime (T11) within the smaller protected group of Limes and Birch. and the loss of the other, less distinctive trees onsite.
31. The effect on protected trees would therefore be acceptable. The proposal would accord with Policies SDC2, NE2 and NE3 of the Local Plan with respect to the need for the enhancement and protection of landscape features, landscape character, and the green infrastructure network. It would accord with the Framework with respect to its requirement for trees to be retained within layouts where possible.

Conclusion on main issue

32. Drawing this issue together, the effect on protected trees would be acceptable, but the scheme would have an unacceptable effect on the character and appearance of the area with reference to urban design. In this respect it would conflict with Policy SDC1 of the Local Plan insofar as it requires high quality design, and Paragraph 136 of the Framework and B2 of the National Design Guide, insofar as they require schemes to be well-designed.

Sports and recreation

33. Part C of Policy HS4 of the Local Plan safeguards public open space, sports and recreational buildings and land, including playing fields within Open Space Audit evidence and/or defined on the Policies Map and/or last in sporting or recreational use. They should not be built upon unless the facility is demonstrably surplus to requirements; would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development itself is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
34. This wording is different than that set out in Paragraph 104 of the Framework, which focuses on safeguarding *existing* provision. Paragraph 232 of the Framework states that due weight should be given to development plan policies according to their degree of consistency with the Framework. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.
35. Equally though, the Framework is clear that local policies should avoid the unnecessary duplication of other policies including those within the Framework. It follows that a local policy can apply nuance and even legitimately go further than national policy if there is good reason for it to do so, without it being rendered inconsistent with the Framework in a manner that would have to affect its weight.

36. However, such situations should be based on evidence to justify that distinction. I would expect that evidence to have been aired through the examination of the Local Plan. It is notable that no such evidence has been forthcoming during this appeal. Given that plan examinations are an iterative process that focuses on specific areas of interest, it is not persuasive to simply point out that Policy HS4 was adopted under a prior version of the Framework that had the same wording in relation to the issue of sports provision. Instead, without evidence that the wording of Policy HS4 responds to specific circumstances, the issue of consistency needs to be assessed actively, by looking at the language employed by the two policies.
37. In doing so, I find the relevant wording of Policy HS4 and Paragraph 104 of the Framework to be unreconcilable when they are assessed against the appeal scheme. On the one hand, Policy HS4 applies because the site was last in use for sports and recreation. In not offering up any of the three mitigatory circumstances set out by Policy HS4, the scheme falls into direct conflict with the policy.
38. On the other hand, the significant time that has lapsed since the use of the pitch, the pavilion and tennis courts, some 23 years, alone draws the conclusion that these facilities do not now exist. Added to that is the marked degradation of the site, particularly the pavilion and the pitch; the former is in a significantly moribund state, and the latter simply does not remotely read as having such a purpose.
39. The prohibitive cost of reinstating the pitch is a further factor, as is the agreed issue that the site of the pitch is now acting informally as a not insubstantial attenuation pond for the surrounding urban environment. These factors mean that the facilities on the site cannot reasonably be held to be 'existing', and so Paragraph 104 of the Framework does not apply at all. This is as wide a difference that two policies can maintain when assessed against one individual development proposal.
40. Accordingly, I conclude that the proposal would conflict with Policy HS4 of the Local Plan owing to the loss of sports facilities that were last in use and the absence of mitigation for that loss. However, as the sports facilities do not in practical reality exist, there would not be an unacceptable loss of sports facilities in the Framework's terms.
41. Consequently, I afford the conflict with Policy HS4 only limited weight.

Housing Land Supply

42. The Council accepts it cannot demonstrate a five-year supply of deliverable housing sites, but the main parties disagree as to the extent of the shortfall: the Council's figure is now 4.16 and the appellant's is 2.04. The difference between the parties turns on two discrete areas. The first relates to the deliverability of certain sites the Council counts towards its supply. The second relates to whether some of the supply should be discounted to meet a housing need in neighbouring Coventry.

The Coventry issue

43. The Framework explains that in plan making, authorities should establish a housing requirement figure for their area, which shows the extent to which their housing need, and potentially also any need that cannot be met in neighbouring areas, can be met over the plan period. When a plan is more than five years old and has not been reviewed, authorities should then assess their supply against the local housing need. In evaluating what that local housing need is, the 'standard method'

must be used, which does not incorporate unmet need from other areas. Thus, the resultant requirement also does not incorporate unmet need from elsewhere.

44. Policy DS1 of the Local Plan identifies a requirement for 12,400 dwellings over the plan period, of which 2,800 (23%) are earmarked to meet an identified need in Coventry. Given the Local Plan is now more than five years old, Rugby is currently operating under the standard method. Despite that, it is put forward by the appellant that, given the approach in Policy DS1, a discount of 23% should be applied to Rugby's supply when assessing the contribution of that supply to meeting its latest housing requirement. After careful consideration, I do not agree with that approach.
45. Paragraph 78 of the Framework is clear that '*authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.*' I emphasise 'against' and 'or' because 'against' refers directly to the equation that must be undertaken, and 'or' informs the reader that the two equations are different. In my view it is inherent in that distinction that calculating the supply in either scenario is a wholly separate exercise. It is also trite that, to be accurate, any equation must be balanced from one side to the other.
46. The Planning Practice Guidance goes on to say that '*local need calculated using the standard method should be used in place of the housing requirement.*' It also states that in circumstances where the strategic policies are over five years old, '*...the 5 year housing land supply will be measured against the area's local housing need calculated using the standard method.*² In my view this unequivocally endorses the view that, if seeking to calculate the extent of housing land supply where the strategic policies are over five years old, there is a paradigm shift from an approach which may incorporate need from other areas to one which explicitly does not.
47. The logic is that when the housing requirement in a development plan is over five years old, the Framework indicates that it should be shelved specifically as a tool in the decision-making process, unless upon review it is up to date. If not, the standard method steps in as the more reliable tool to ascertain a more up-to-date requirement. This interaction does not challenge the statutory primacy of the development plan as the starting point in decision making, but is a typical example of the Framework, in its role as an important material consideration, seeking to influence the decision-making process. I find national policy not silent but rather straightforward on the issue. It strikes me as an overinterpretation of plainly written policy to suggest that the Framework leaves room for a hybrid approach that focuses on local need but arbitrarily adopts favourable facets of the development plan's housing requirement. Such an approach is liable to unbalance the equation.
48. That interpretation is especially unpersuasive here when one bears in mind that Coventry is now also subject to the standard method. Even if this were an area of planning judgment on which national policy is silent, it would make little sense to allocate a proportion of Rugby's housing land supply towards meeting a previously identified unmet housing need in Coventry when Coventry's own calculation of need has since changed. It is more appropriate in the circumstances, and indeed the best way to accurately balance the equation, to simply assess Rugby's housing supply against Rugby's local housing need, and for Coventry to do the same.

² PPG Paragraphs 003 Reference ID: 68-003-20190722 and 005 Reference ID: 68-005-20190722 respectively

49. For the foregoing reasons, I see no logical justification for 23% of Rugby's supply to be removed owing to the requirement in Policy DS1.
50. This matter has been aired in other appeals, and it is important for there to be consistency across appeal decisions. However, this is a complicated issue and the various cases put forward had their own nuances and strategies to consider.
51. In Central Bedfordshire the Inspector stated that an '*equation which compares a 'policy off' objective assessment of need against a 'policy on' supply is an unbalanced assessment*'. To me, this is exactly the appellant's approach in this current appeal. The correct 'balancing exclusion', as the Inspector puts it in Paragraph 53 of the decision, is to exclude the requirement that 23% of Rugby's supply be disaggregated to Coventry, because the demand side of the equation no longer takes Coventry's unmet need into account. The Inspector's reasoning reinforces rather than allays my concerns with the appellant's approach.
52. The Tewkesbury decisions were considered within the ambit of a Joint Core Strategy and donor sites explicitly allocated to neighbouring authorities, a more entangled and '*very specific*' situation. The scenario in Malvern Hills also relates to a joint plan, with specific allocated donor sites. It appears more complex than the situation even in Tewkesbury, let alone Rugby and Coventry. Given the specific complexities apparent within that region, the Inspector's reasoning should not in my view be taken to prescribe a uniform approach for all future decisions outwith that area. Rather, it is clear they sought to decide which of several potential approaches put to them would be the 'best fit' to the various circumstances at issue.
53. In the Warwick decision letter it is not clear if Coventry was under the standard method at the time, nor is there any evidence that the Inspector had to consider how the spatial strategy could or would be affected in a situation where the standard method dictated Coventry having a different housing requirement. This necessarily diminishes the authority I place on its assessment of the strategic relationship between Warwick and Coventry within the context of this current appeal.
54. In South Derbyshire I note from the decision letter that the main parties agreed that some form of discount should be applied to redistribute housing supply from that Council area to neighbouring Derby. Given that the principle of this issue was not therefore 'at issue' between the parties, I cannot be sure that the first principle of it was robustly argued or examined or had to be grappled with by the Inspector. The decision letter is clearly grounded in the agreement of the main parties that it did not. It is also unclear if or not Derby was operating under the standard method at the time. The decision has therefore had little influence on my assessment.

The deliverability of the disputed sites

55. The Framework sets out that for sites to count towards a housing land supply they must be deliverable. The Framework's Glossary defines that, to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing completions will begin on the site within five years. For sites that are allocated or have outline consent, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. The various appeal decisions cited in relation to this issue do not prescribe the exact method of my assessment but do provide a useful framework of how this issue should best be considered.

56. Based on the standard method the parties agree that the local housing need is for 3,339 dwellings for the period 1 April 2025 to 31 March 2030, which is 668 units annually. This includes the agreed buffer of 5% required by the Framework.
57. The Council includes 680 undelivered dwellings at the Houlton 'Sustainable Urban Extension' (SUE) (referred to as DS3.3 Rugby Radio Station in the Local Plan) within its five-year supply, specifically in relation to the 'Remainder of Houlton Allocation' site within it. While the houses included in the trajectory have only outline consent, the main movement infrastructure at the Houlton SUE is in place, and the delivery of each phase of the SUE is primed with a respective Regulatory Plan. This has effectively created serviced plots for each housebuilder. I also note that various public facilities are delivered and accessible within Houlton.
58. It is unsurprising then that there is a strong record of delivery at the SUE. Appendix C of the Council's rebuttal proof is the most complete picture of the situation I have. It lists all sites on the SUE, whereas the appellant's approach focuses largely on sites which are in the Council's current supply trajectory, which excludes other, delivered sites in Appendix C and therefore derives a lower figure of past delivery.
59. Appendix C shows that 289 homes have been completed on average per year across the period since the first completions were made at the SUE. The Council's trajectory for the Remainder of the Houlton Allocation averages out at 170 homes per year, conservatively below the evidenced rate of delivery at the SUE to date. In my opinion, the considerate and holistic way that the Houlton SUE has been planned and developed, borne out through the pace and quantity of the housing it has already delivered, is sufficiently clear evidence that the Remainder of Houlton Allocation site will realistically deliver housing over the five-year period.
60. That said, there are no live or consented reserved matters applications on the site and, whilst some are in train, it is unclear when they will arrive. The Council has relied on a scheme for 216 homes which is currently subject to an undetermined reserved matters application as evidence for the delivery of the Remainder of Houlton Allocation, but it is positioned elsewhere in the Houlton supply trajectory. The care home consent referenced by the Council also relates to a different part of Houlton and so has little relevance to the delivery of this specific part of the SUE.
61. Appendix C also shows that the time from reserved matters consent to delivery averages 1.5 years at Houlton, which is reflected by the Council only projecting half a year's worth of delivery in the first year it forecasts completions will begin. On this basis, it is most realistic to conclude that the 'Remainder of Houlton Allocation' is deliverable, and to adopt the Council's suggested rate, but delayed by a year. This means that the 200 units predicted to be delivered in 2029/30 should be removed.
62. The Council's analysis of the situation at the South West Rugby SUE is less realistic. This SUE's development appears less proactive, with comparatively less infrastructure in place. Its Homestead Link Road has permission but is not yet been constructed. The community spine road has no consent at all. In terms of the agreed trajectories for housing delivery set out in the pro formas distributed to developers, I apply caution against relying on the figures in the absence of corroboratory or complementary evidence, because it is commercially appealing for developers to be overly optimistic when agreeing to the trajectories.
63. Whilst the site at Cawston Farm 1 is not contingent on the Homestead Link Road, it has only a resolution to grant permission and the legal agreement is unsigned as of

the date proofs were exchanged, some nine months after the Council resolved to grant permission. Even if permission is granted, I understand there is no named developer, and the Council were unable to provide any compelling detail as to the soft market testing currently being undertaken at the site.

64. If permission is granted there would be seven pre-commencement conditions attached to it. It is unclear if or when a reserved matters consent application would be submitted. That the application has been in the planning system for 6.5 years demonstrates why Lichfield's 'Start to Finish' research cannot always be relied upon as clear evidence of a specific site's delivery. The 80 homes included within the Council's updated trajectory for this site should therefore be removed.
65. Cawston Farm 2 has no permission, and a live outline application is subject to two objections from statutory consultees, and so subsequently it has recently been subject to a further consultation exercise. The land promoter for this site did not actively endorse the Council's trajectory for the site (nor indeed Cawston Farm 1). The 80 units it adds to the Council's trajectory should be removed.
66. The 75 units attributed to the site Land South of Cawston Lane should also be removed, as its circumstances are similar insofar as the outline application for it is subject to an outstanding objection from the Woodland Trust. The 72 units included in the trajectory at the Taylor Wimpey site are similarly related to an outline scheme subject to outstanding objections from consultees and should also be removed from the supply on that basis.

Conclusion on housing land supply

67. Given my findings above, I calculate that a total of 507 units should be removed from the Council's posited supply, leaving a total supply of 2,270 homes for the five-year period. This leads to a supply of approximately 3.4 years. Due the nascent stage of preparation of the Council's emerging Local Plan review, this situation is unlikely to shift with any significance any time soon. I should stress that this figure is derived purely on the basis of the evidence I have read and heard and is adopted specifically for the purpose of deciding this appeal.

Other Considerations

68. The absence of the, policy justified, planning obligations to mitigate the practical implications of the scheme is a tangible harm, as the shortfall, for instance in relation to education, would have to be met elsewhere or practical harms would likely result. However, it is a harm of very little weight given that it is agreed that the scheme cannot viably meet those obligations and would clearly be undeliverable if it was expected to do so. The corollary of that is that any mitigatory infrastructure subsequently provided by the Council pursuant to the Community Infrastructure Levy, and/or to the New Homes Bonus, are limited benefits in the scheme's favour.
69. In the context of the Council's 3.4-year supply of housing sites, the social and economic benefits of the housing would be significant. The scheme would be deliverable over the next five years and would redevelop an urban site of previously developed land within a highly accessible location. Rugby being the most accessible location in the plan area, with excellent access to sustainable transport.
70. The Framework requires decision makers to promote and support the development of under-utilised land and buildings, especially if this would help to meet identified

needs for housing where land supply is constrained and available sites could be used more effectively. The increased footfall to local services and facilities associated with the scheme would clearly add to the vitality of the town. Major housebuilding schemes bring with them direct and indirect employment benefits. There would be offsite infrastructure works that would benefit existing and future residents. The construction phase would bring notable economic benefits.

71. Within the context of the scheme's lack of viability, the development would provide a sufficiently wide choice of market homes, diversifying the housing stock in Rugby. Public connectivity through the site and the surrounding areas would be improved.
72. The public open space would be a new public asset and, together with the additional tree planting across the scheme, would provide visual, ecological and biodiversity benefits. I also recognise that the site, in its current state, is a magnet for antisocial behaviour, and this would be remedied by the scheme. Individually and in the round, the benefits of the scheme attract substantial weight in its favour.

Planning Obligations

73. In view of the unviability of the scheme, it is appropriate for the UU to set out early and late-stage review mechanisms, in order for affordable housing to be provided on site, or alternatively for any surplus sum to be commuted, should the economic situation improve. In the interest of highway safety and the capacity of the network, the UU would secure contributions towards the Traffic Regulation Order that would be necessary to facilitate the scheme, and the feasibility study relating to works to the Rugby Gyratory. It would also provide for the enhancements to the path off York Street. The UU would secure Biodiversity Net Gain. However, as I am satisfied that this could have been addressed by a condition, had I been minded to allow the appeal, I would have exercised the blue pencil clause in this respect.
74. Regulation 122 of the Community Infrastructure Levy Regulations (2010) and the Framework set out that planning obligations must only be sought where they meet the relevant tests, including where they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the same. I am satisfied that all of the obligations are necessary, directly, fairly and reasonably related in scale and kind to the development and can be taken into consideration as part of the development.

Planning Balance

75. Given the harm that would arise to the character and appearance of the area with respect to the design of the proposal, and owing to the loss of facilities last in use for sports and recreation, the scheme would conflict with the development plan when read as a whole. For reasons already explained, the sports and recreation issue is not of significant bearing to the outcome of this appeal.
76. The issue of design, however, is. Whilst the Framework places emphasis on the need to significantly boost the supply of housing, the benefits of directing development to sustainable locations, making effective use of land and the reuse of previously developed land, it equally places emphasis on the need to secure well-designed places. The first sentence in the Framework's section on design states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

77. It goes on to say that development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance, which is the case here. This proposal would not add to the overall quality of the area, as the Framework puts it, because it would perpetuate the creation of places that are not high quality nor well-designed. I am mindful that there would be a permanence to these places. In the context of the Framework, these shortcomings are a potent consideration that weighs heavily against the proposed development.
78. The Framework's explicit, key policy focus on securing a higher standard of well-designed places is different to the 2012 Framework which espoused the refusal of schemes which were more bluntly found to be of 'poor design'. In plain language this was a lower bar for schemes to overcome. Given such, whilst I recognise how the issue of design fed into the Inspector's planning balance in relation to the two referenced appeal decisions for the single site in Worcester in 2013, those decisions have had little influence on my own planning balance in this case.
79. The current Framework separately requires decision makers to give substantial weight to the value of using suitable brownfield land within settlements for homes and notably goes on to say that proposals for which should be approved unless substantial harm would be caused. It further states that decision makers should support appropriate opportunities to remediate despoiled, degraded and derelict land. However, the site would not be suitable for the proposal as the proposal is designed, and so this is not the appropriate opportunity to remediate this site. Logically, the benefits of boosting housing supply and redeveloping brownfield land are rather undermined if that housing would not be well-designed.
80. Given the housing supply situation in Rugby, Paragraph 11 d) ii) of the Framework applies. Whilst I acknowledge that the benefits of the scheme would be substantial, owing to the shortcomings in design, it is my judgment that the adverse impacts of granting permission for the proposal would significantly and demonstrably outweigh its benefits, when assessed against the policies in the Framework as a whole.
81. It follows that the other considerations before me do not indicate that I should make my decision other than in accordance with the development plan. Given the synergy and thrust of local and national policy on the matter of design, I would have reached this conclusion had my findings been on all fours with the appellant in relation to the extent of the Council's shortfall of deliverable housing sites.

Conclusion

82. For the reasons given above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Satnam Choongh Counsel, instructed by St. Modwen Homes

They called:

Chantel Blair BSc (Hons) MA MRTPI	Principal Planner, Cerda Planning Ltd
Tom Smith BSc (Hons), MPlan, MRTPI	Associate, Emery Planning
Michael Carr BA (Hons) LA DIP UD RUDP	Architecture and Urban Design Lead, Pegasus Group
Melissa Huree-Hopley	Planning Solicitor, Miller Homes
Nik Woolridge	Principal Engineer, RJA

FOR THE LOCAL PLANNING AUTHORITY:

Christian Hawley Counsel, instructed by Rugby Borough Council Legal Services

They called:

Lucy Davison BSc (Hons) MSc	Principal Planning Officer
Abigail Murphy BSc (Hons) March PGDip	Senior Design Officer
David Gower BSc HND Arch	Arboricultural Officer
Ella Casey BSc MA MRTPI	Principal Planning Officer
Neil Holly MSc MRTPI	Development Strategy Manager

INTERESTED PARTIES:

Cllr Richard Harrington	Ward Member
Julie Warren	Local Resident
Rachel Jayne	Local Resident

DOCUMENTS SUBMITTED DURING AND AFTER THE INQUIRY

ID1	Appellant's opening submissions
ID2	Council's opening submissions
ID3	Submissions of Cllr Harrington
ID4	Submissions of J Warren
ID4	Submissions of unnamed resident
ID5	Signed ecology SoCG
ID6	Housing RTS agenda with updated HLS SoCG
ID7	Worcester appeal decisions
ID8	Council's closing submissions
ID9	Appellant's closing submissions
ID10	Updated suggested conditions
ID11	Completed Unilateral Undertaking

**APPENDIX B – DRAFT GLOSSOPDALE COMMUNITY COLLEGE
DEVELOPMENT BRIEF**



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1 Introduction and background

Purpose and status

1.1 Following the expansion of the Glossopdale School site on Newshaw Lane, Hadfield, the Talbot Road site now surplus to requirements for education purposes. This Development Brief has been prepared to inform the future use and development of the former Glossopdale Community College site, Talbot Road, Glossop.

1.2 Informal planning guidance is provided in the context of the adopted High Peak Local Plan (2016) which provides the statutory development plan for the area. The brief should also be read in conjunction with; the adopted Glossop Conservation Area Character Appraisal (2006), draft Howard Park Conservation Area Character Appraisal (2016) and relevant Supplementary Planning Documents (SPDs). Policies and guidance from these documents of relevance to the site is summarised and supplemented where appropriate.

1.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. This Development Brief will be a material consideration in the determination of planning applications on the site alongside wider planning considerations, including the National Planning Policy Framework and associated guidance (2019).

Further information

For ease of reference, key policies and material are replicated in this Brief. Copies of the High Peak Local Plan, Conservation Area Character Appraisals and Supplementary Planning Documents are available on the Council's website - <https://www.highpeak.gov.uk/hp/council-services/planning-and-buildings>

The National Planning Policy Framework can be viewed on the Government's website - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Relocation of Glossopdale School

1.4 Glossopdale Community College was a larger than average secondary school which was located on three separate sites; Hadfield, Talbot Road and Talbot House. The Hadfield site was the larger of the sites at 94,000m² with extensive playing fields and an all-weather pitch whereas the Talbot Road site was only 47,500m² with limited external facilities. Post 16 students were accommodated on the adjacent Talbot House site. In addition to these three sites the College possessed two detached playing fields which served both the Talbot Road and Talbot House Sites. The distance between the Hadfield site and the Talbot Road site is approximately 1.7km as the crow flies and 3km (2 miles) by road.

1.5 When the business plan for the new school, the College currently admitted 69% of the eligible students from its normal area. The vast majority of the remainder; 26% chose to attend an aided catholic school in Glossop whilst others opted to go out of area; mainly to Chapel-en-the-Frith High School.

1 Introduction and background

1.6 Over recent years, there had been a significant decrease in student numbers. There were extensive condition works & maintenance backlog relating to much of the accommodation, together with the additional costs of operating on 3 sites and that resulted in the need to review the future capital development of the College. The net capacity of the three sites was 2081 but at the time of the business case, there were 1,203 on roll. Projections for the next 5 years indicated that the new school should accommodate 1200 pupils with 1000 in the 11-16 age groups and 200 post 16.

1.7 It was acknowledged that there were a high number of 10 year olds due to move from primary to secondary in the years 2018 – 2020 and the housing growth planned for the area would also generate a demand for additional places. As a result, the school was designed to accommodate 1200 but the core facilities such as the sports hall, hall and dining were sized to accommodate growth in the future to 1440. The new school on the larger Hadfield site offers modern, purpose built facilities which meet with current Department for Education guidelines and replace tired buildings which were beyond their economic life. The younger pupils moved to the new building in June 2018 with the old pupils joining them in September 2018. On completion of the building, the year 7 intake grew from 186 in 2017 to 228 in 2018 and the applications for 2019 show further growth to 240+ demonstrating the way in which the new state of the art school has encouraged parents to remain in Glossop.

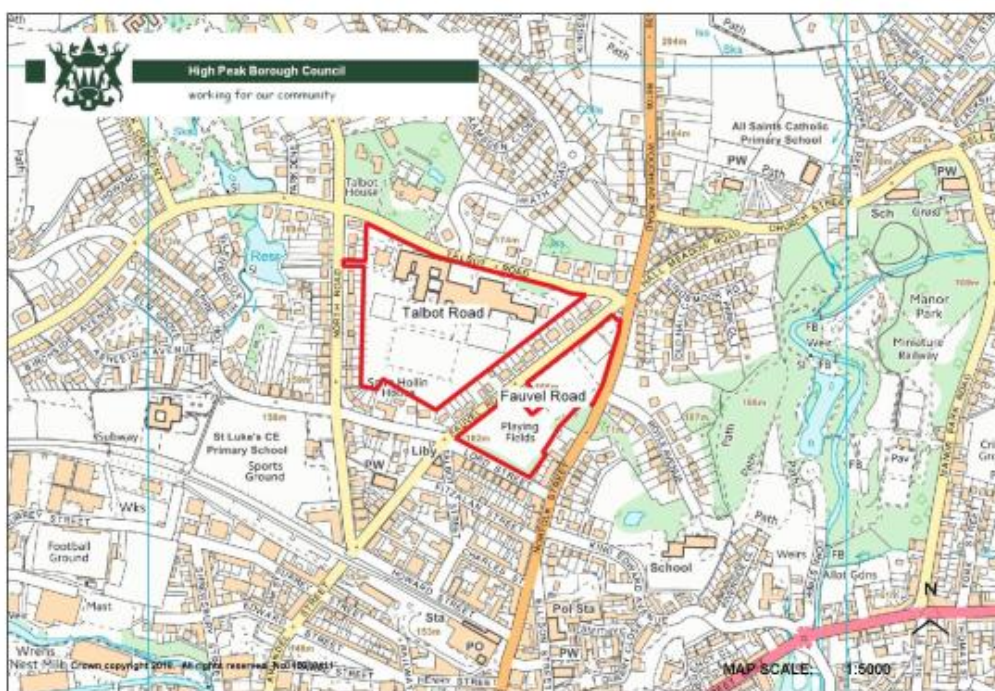
1.8 The cost of the project was £22.5M with a further £1M being committed this year. Although the Council invested in the project, the funding was totally reliant on the capital receipts that could be generated by the sale of the surplus sites at Talbot Road and Talbot House. Whilst the new building was completed in 2018, the demolition of the old school on the Hadfield site and the creation of new sports facilities are nearing completion. In addition, funds have been used to secure the old site ready and prepare for demolition ahead of its disposal.

1.9 County to check text is still up to date in context of proposal to expand new Glossopdale School.

2 Description of the site

Site context and history

2.1 The former school site was split over three separate plots of land; the main school site to the south of Talbot Road, Talbot House to the north of Talbot Road and the outdoor sports pitches and tennis courts located off Fauvel Road. Talbot House was recently sold by Derbyshire County Council. This Development Brief relates to the two plots of land that remain in the ownership of Derbyshire County Council as identified on Map 1 below. TBD whether the brief covers both sites or just Talbot Road



Picture 1 Location Plan

2.2 Both sites are set within a primarily residential area with relatively low density housing located on Fauvel Road, Norfolk Street, North Road and Spire Hollin which bound the two parcels of land. There are community facilities in the vicinity including the new Glossop Library on Talbot Street, Glossop Cricket Club, Victoria Hall, Howard Park, Glossop Swimming Pool and Manor Park.

Talbot Road site

2.3 The site is approximately 4.78ha with around a quarter of this being occupied by buildings.

2 Description of the site



Picture 2 Looking North from Spire Hollin



Picture 3 Talbot Road looking South

2.4 The main buildings are functionally and economically obsolete purpose built 60s/70s secondary school blocks, and have no purposeful use for retention. There is a newer building (circa 2009 built) on the north-western side of the site fronting Talbot Road which has good potential for a community building and this needs to be explored with the aspirations of local people. (Mary and Anton)

2 Description of the site



Picture 4 Disused buildings on main school site



Picture 5 Former Community College Buildings

Fauvel Road site

2.5 This site is approximately 2.2ha and was formerly the playing fields to the school.

2 Description of the site



Picture 6 Fauvel Road Playing Fields

Planning considerations

2.6 The map below shows that there are limited planning designations on the sites with just the Conservation Area boundary around the Fauvel Road Playing Fields to consider.

2 Description of the site



Picture 7 Constraints Plan

2.7 The High Peak Local Plan includes a strategic Glossopdale policy.

Glossopdale Sub-Area Strategy

The Council will seek to promote the sustainable growth of Glossopdale whilst promoting and maintaining the distinct identity of its settlements, provide an increasing range of employment opportunities, promote the growth of a sustainable tourist economy and meet the housing needs of the local community. This will be achieved by:

1. Promoting and maintaining the distinct identity of the settlements which make up Glossopdale by:

- Protecting and enhancing sites designated for environmental value, including Manor Park, Howard Park and Bankswood Park, public open spaces, playing fields and outdoor sports facilities, local and European wildlife sites, recreation areas and allotments
- Protecting the designated Green Belt
- Maintaining a strategic gap between Glossop and Hadfield as identified on the Policies Map
- Identifying Local Green Spaces at George Street, Glossop and Padfield as identified on the Policies Map
- Supporting the vitality and viability of Glossop Town Centre through the delivery of the Glossop Design and Place Making Strategy, the refurbishment and enhancement of Glossop Market Hall and Town Hall and traffic management measures for George Street
- Supporting the vitality and viability of Hadfield Town Centre
- Redeveloping the Woods Mill area for a mixed use regeneration scheme

2 Description of the site

- Protecting and enhancing the historic environment
 - Ensuring the redevelopment of industrial legacy sites reflects their historic character
 - Ensuring that development protects and/or enhances landscape character and the setting of the Peak District National Park
2. Providing for the housing needs of the community by planning for sustainable housing and mixed use developments by:
- Allocating a range of suitable, deliverable housing sites sufficient to meet the requirements of the Glossopdale sub-area, including the delivery of appropriate levels of affordable housing
 - Supporting the development of new housing on sustainable sites within the built-up area boundary
 - Supporting the development of new housing within the mixed redevelopment of industrial legacy sites
 - Ensuring that residential development avoids adverse impact on the integrity of the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area, South Pennine Moors Special Area of Conservation (SAC) and Dark Peak Site of Special Scientific Interest (SSSI)
3. Encouraging the growth of local employment opportunities and supporting the diversification and growth of local business by:
- Allocating suitable, deliverable sites for industrial and business use sufficient to meet the economic needs of the area
 - Supporting the retention and provision of employment within mixed redevelopment of the industrial legacy sites
 - Encouraging the growth of tourism
 - Safeguarding existing employment sites for industrial and business use unless specifically allocated for an alternative use.
4. Supporting enhancements to key community services and infrastructure and connectivity to meet the needs of the local population and support growth by:
- Working with partner organisations to enable improvements to school capacity in the area. In particular the following sites will be safeguarded for educational purposes as identified on the Policies Map :
 - Replacement Primary School and Nursery – Rhodes Street, Padfield
 - New County Primary School and Nursery – Roughfields, Hadfield
 - Replacement Primary School and Nursery for Glossop All Saints – Church Street, Old Glossop
 - Replacement Primary School – Church Fold/Long Lane, Charlesworth
 - Working with partner organisations and developers to address congestion along the A57 and A628, to improve transport links to surrounding areas and to enable transport improvements and mitigation measures identified the High Peak Transport Study and in

2 Description of the site

the Trans-Pennine Feasibility Study (subject to further consideration). Transport Assessments in support of developments in the Glossopdale area should be scoped with Highways England 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.

- Supporting improvements to the range and quality of town centre retail and services in Glossop town centre.
- Protecting land for a new railway station at Gamesley as identified on the Policies Map. This includes land for access and parking.
- Supporting the provision of indoor and outdoor sports facilities having regard to the Councils Sport and Recreation Strategies

2.8 Any future scheme should comply with this overarching policy. Whilst the policy is supportive of the development of new housing on sustainable sites within the built-up area boundary, of which this is one, it gives an indication of some of the issues which to be addressed when putting together a planning application for this site. For example, the playing field element, affordable housing, impact on the historic environment and the issue of school capacity.

2.9 Given the current and former uses on the sites, their size, planning status, location within the town and constraints within the vicinity, this Brief will provide guidance on the most pertinent issues:

Key considerations

- **Design and conservation** - ensuring that any development is of an appropriate design for the locality and Conservation Areas
- **Open space** - protecting open space for recreation and amenity
- **Potential alternative uses** - identifying suitable alternative uses on land surplus to educational requirements
- **Access and parking** - ensuring suitable access and parking provision for vehicles, pedestrian and cyclists
- **Developer contributions** - highlighting potential developer contributions towards necessary infrastructure and affordable housing

3 Design and conservation

3.1 This section covers design and conservation policies within the Local Plan as well as detailed urban design guidance for both the main school site and the playing fields.

High Peak Local Plan Policies

3.2 The design of any future development on this site is a key consideration. Part of the site, the Fauvel Road Playing Fields is within the Norfolk Square Conservation Area. Although the school buildings are not within the Conservation Area, they are within close proximity to two boundaries, the playing fields on the east side and the Howard Park Conservation Area to the north-west.

3.3 Any scheme must be in line with the Council's Design and Placemaking Policy. The urban design guidance below gives details as to how this can be achieved.

Policy EQ 6

Design and Place Making

All development should be well designed and of a high quality that responds positively to both its environment and the challenge of climate change, whilst also contributing to local distinctiveness and sense of place.

This will be achieved by:

- Requiring development to be well designed to respect the character, identity and context of High Peak's townscapes and landscapes
- Requiring that development on the edge of settlement is of high quality design that protects, enhances and / or restores landscape character, particularly in relation to the setting and character of the Peak District National Park
- Requiring that development contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, and the relationship to adjacent buildings and landscape features
- Requiring that development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity
- Requiring 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
- Requiring that developments are easy to move through and around, incorporating well integrated car parking, pedestrian routes and, where appropriate, cycle routes and facilities
- Requiring that developments are designed to minimise opportunities for anti-social or criminal behaviour and promote safe living environments
- Requiring the inclusive design of development, including buildings and the surrounding spaces, to ensure development can be accessed and used by everyone, including disabled people

3 Design and conservation

- Requiring new homes in residential developments meet environmental performance standards in accordance with Local Plan Policy EQ1
- Requiring that commercial developments, meet environmental performance standards in accordance with Local Plan Policy EQ1
- Ensuring that development takes account of national design guidance and Supplementary Planning Documents

3.4 The principles of [Sport England's Active Design](#) work should be incorporated into the design and layout of any development proposal. A key principle relates to activity for all so, in terms of site layout, walking and cycling connections into, out of and within the site should be incorporated into the layout. Routes must be safe, well lit, overlooked, welcoming, well maintained, durable and clearly signposted. Active travel (walking and cycling) should be prioritised over other modes of transport.

3.5 The Council's 'Built and Historic Environment' Local Plan Policy requires careful consideration in relation to impact on the two Conservation Areas.

Policy EQ 7

Built and Historic Environment

The Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment in accordance with sub area strategies S5, S6 and S7.

Particular protection will be given to designated and non-designated heritage assets and their settings including:

- Listed Buildings
- Conservation Areas
- Historic Parks and Gardens
- Scheduled Monuments
- Archaeological Sites or heritage features
- Heritage trees and woodlands
- Locally listed heritage assets

This will be achieved by:

- Requiring all works that could impact on a heritage asset or its setting or sites with the potential to include assets, to be informed by a level of historical, architectural and archaeological evidence proportionate to their significance and sufficient to understand the potential impact of a proposal. Where appropriate, the Council may also require historical research and archaeological recording to be undertaken before works to a heritage asset commence

3 Design and conservation

- Preventing the loss of buildings and features which make a positive contribution to the character or heritage of an area through preservation or appropriate reuse and sensitive development, including enabling development, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss or other relevant provisions of the NPPF apply.
- Ensuring that development within the Area of Archaeological Interest as identified on the Policies Map does not have a significant adverse impact on any known or yet to be discovered heritage assets. Planning conditions and/or obligations will be agreed to ensure that archaeological or heritage features are recorded and retained intact in situ. Where this is impractical, such features will be appropriately excavated and recorded prior to destruction. Within the Buxton Area of Archaeological Interest development proposals should be informed by desk-based assessment / field evaluation as appropriate to assess the potential for impacts on Roman archaeology. Where proposals are likely to affect other known important sites, sites of significant archaeological potential, or those that become known through the development process, an archaeological evaluation will be required prior to their determination
- Requiring proposed developments that affect a heritage asset and / or its setting, including alterations and extensions to existing buildings, to demonstrate how the proposal has taken account of design, form, scale, mass, use of traditional materials and detailing, siting and views away from and towards the heritage asset in order to ensure that the design is sympathetic and minimises harm to the asset.
- Requiring proposals for the change of use of heritage assets, including listed buildings and buildings in Conservation Areas to demonstrate that the proposal is considered to be the optimum sustainable and viable use that involves the least change to the fabric, interior and setting of the building
- Requiring development proposals in Conservation Areas to demonstrate how the proposal has taken account of the distinctive character and setting of individual Conservation Areas including open spaces and natural features and how this has been reflected in the layout, design, form, scale, mass, use of traditional materials and detailing, in accordance with Character Appraisals where available
- Requiring the retention of shop-fronts of high architectural or historical value wherever possible. Proposals for replacement shop-fronts and signage, or alterations to shop-fronts affecting heritage assets should respect the character, scale, proportion and special interest of the host building and its setting
- Continuing the programme of Conservation Area Character Appraisals
- Ensuring that appropriate heritage assets are added to the local list of buildings of architectural or historic interest
- Using Article 4 Directions to control permitted development in the Central, College, Hardwick, and Buxton Park Conservation Areas in Buxton and the Old Glossop, Higher Chisworth and New Mills Conservation Areas
- Providing occasional grant funding as resources permit to allow owners or occupiers of historic commercial buildings to improve and enhance their shop-fronts, windows, doors and signage in a traditional and sympathetic manner

3 Design and conservation

3.6 The Council's Landscape Policy requires that development proposals are informed by and are sympathetic to the landscape character areas in the Landscape Character SPD. More details are provided in the urban design guidance below.

Policy EQ 2

Landscape Character

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.

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
- Requiring that development proposals are informed by , and are sympathetic to the distinctive landscape character areas as identified in the Landscape Character Supplementary Planning Document and also take into account other evidence of historic landscape characterisation, landscape sensitivity, landscape impact and the setting of the Peak District National Park and where appropriate incorporate landscape mitigation measures
- Requiring that development proposals protect and / or enhance the character, appearance and local distinctiveness of the landscape and landscape setting of the Peak District National Park
- Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement as identified in the Landscape Impact Assessment.

Urban Design Guidance for Glossopdale School Site (Mary and Anton)

Context

3.7 The site is located in the northern area of Glossop and represents a substantial quarter within this character area of the town. The context of any development needs to understand the relationship to the town centre, the Norfolk Square Conservation Area and the Howard Town Mills area, and to the major open spaces of Howard Park and Manor Park in the northern part of Glossop.

3.8 *The Glossop Design and Placemaking Strategy* December 2011 provides an overall vision for Glossop 'to create: A vibrant and creative community providing an exceptional quality of life. To establish a reputation as a creative town.' Glossop has a mosaic of a number of different areas with a distinctive character such as: Norfolk Street, High Street, Old Glossop/Manor Road. The proximity of Howard Town and High Street in particular has implications for the success of the site. The development of the site needs to result in a distinctive character area in itself to add to

3 Design and conservation

this mosaic and build upon Glossop's desire to establish a creative community. Therefore the response cannot be a standard 'anywhere' housing estate response bearing no relationship to local context and character.

3.9 The site presently has little opportunity to reinforce connections yet it is central to the Old Town and very visible from the surrounding landscape. An appropriate design response is required based on:

- Context within Old Glossop area.
- Use of specific character references that are strong within Glossop such as curved corner buildings, strong building lines, enclosed streets.
- Establishment of an urban grain based on a hierarchy of development.
- Landscape framework, based on increasing biodiversity and well treed gardens and streets that reflect the character of north Glossop.
- A strong frontage to Talbot Road is essential to establishing identity and character especially at gateways into any new housing area.
- An appropriate high quality responsive contemporary design that is evolved from the context may be possible. This can use ecology and sustainability to enhance the schemes development credentials.

Accessibility

3.10 Vehicle Access to the site would be via the existing school driveway accesses off Talbot Road. There is a steep level change into the site and discussions with DCC Highways department early on in the layout design process is required.

3.11 The site is 0.5 miles from the town centre. However, to walk from the Talbot Road site entrance to the town centre will be between 15 and 20 minutes. It is therefore desirable that any developer explore creating new links especially to the Howard Town centre and new footpaths along Glossopdale Brook area which would greatly enhance the liveability of any housing development in this area.

3.12 Ideal walkway links would be to Fauvel Road and the junction with Spire Hollin. Developers should look at the possibility of obtaining access along one of the boundaries of the side gardens of houses along the stretch of houses along Fauvel Road, at a point between houses 18 to 22, where there is potential to create a narrow 2 to 2.5m footpath. This would also provide an essential direct link to recreation facilities at Fauvel Road. Also, there is an opportunity to look at the potential of creating links from Spire Hollin in the street frontage around 18a and 20 Spire Hollin.

3.13 There are occasionally properties that come up for sale around the southern perimeter of the site and any opportunity to incorporate one of these into the development may provide an opportunity to integrate old and new buildings into a new gateway for the development.

3.14 Unfortunately options depend on discussions with private land owners and may not be able to be achieved. However, prospective developers should attempt to negotiate options for achieving new pedestrian access prior to a planning application being made.

3.15 The top of Fauvel Road Park close to the gazebo would benefit from a small pedestrian access which would increase accessibility to residents from the new development.

3 Design and conservation

Layout

3.16 There is a pattern of development within the area of streets running mainly west to east, with clear building lines. New streets should respond to contour lines and be slightly sinuous with gentle drops in gradient. The site is currently characterised by level cut and fill platforms which should be gently graded to create a more gently sloping site with smaller platforms. This will also be informed by solar gain as the site is gentle and south facing and therefore elevations and gardens can make the most of this orientation.

3.17 The street layout should not be dominated by cars and parking. Parking standards are as per local plan standards, however, the layout should attempt to locate parking behind front elevations, and within the street, rather than on frontage driveways. A mix of front and side parking with occasional courtyard parking arrangements helps to reduce the visual dominance of parking.

3.18 The level drop from Talbot Road gives a distinct difference in height from one side of Talbot Road to high Edwardian Villas on the north side. Any proposals will need to explore the scale and relationship to the large detached Edwardian Villas opposite and along Talbot Road as these are prominent buildings. The frontage needs to create a relationship and an active frontage that has a street presence. This may require the development of three storeys along the frontage and the maintaining of low boundary hedges with occasional new native large boundary tree planting that will reinforce the street. Talbot Road is sufficiently wide and houses are well set back and elevated to the North to allow for these trees.

3.19 New entrances off Talbot Road need to be sensitively designed to not be obtrusive. In particular the existing bus-stop and pedestrian entrance into the site needs to be integrated into the development. There is a pleasant sloped wooded verge and walkway into the site that we would be looking to retain. (See plan below).



Picture 8 Wider Context Plan

3 Design and conservation

Significant buildings

3.20 Glossop was at the forefront of change in C19th industrialisation and new developments created a distinct identity. The area is located between two distinct conservation areas: Norfolk Square extension to the South and Howard Park Conservation Area to the North, which includes Talbot House opposite the site.

3.21 Norfolk Square Conservation Area includes a collection of listed buildings, such as Victoria Hall Library, St Luke Church and the Utilitarian Chapel along with houses around Lord Street, Fitzalan Street and Charles Street. These form a characterful group especially around the junctions of Fauvel Road, Spire Hollins, Lord Street and Talbot Street, close to the south east of the site. In particular the spires attached to Victoria Hall and Unitarian Church in Talbot Street are landmarks in the area that can be seen from within the site. Attempts should be made to define views to these spires as they are also a key orientation point within the town.

3.22 Other buildings of significance in the area are Spire Hollins House which is shown on the 1878 map, Talbot House and Glossop Hall. Victorian Architecture is very robust and often dramatic in form and massing. Any new development should take note of distinct character forms from this period.

Views

3.23 Views both to and from the surrounding green hills are also a dominant feature of the town centre below. The town has a direct visual connection with the surrounding countryside from many streets and spaces.

3.24 Views out of the site should be considered. It is tempting to organise the site according to existing boundary alignments, however, with the surrounding hillsides it is possible to orientate buildings to give a sense of connection to the wider landscape with fenestration being larger on the side of more distant views of the Peaks to the north and the west. From these hillsides any development will be visible within the context of surrounding development and being long distance unlikely to have any impact, however, distinctly contrasting materials may be noticeable. Bearing in mind that this is north Glossop which is well treed we would expect materials and roof form to blend in.

Character

The design should be informed by these character references:

- Mills, towers and Spires feature prominently in the townscape.
- Buildings, are traditionally stepped in response to level changes.
- Houses are mainly 2 storeys.
- Fauvel Road is a key road link to the town centre and railway station.
- Landmark buildings: St Luke's Church and Victoria Hall.
- Well enclosed streets. A rectilinear layout, consistent building lines and well defined fronts, backs and entrances to buildings, all reinforce a traditional townscape.
- Limited use of number of building materials: local millstone grit and Welsh Blue slate predominate.

3 Design and conservation

3.25 Standard designs duplicated and brought in from elsewhere and 'anywhere' type of development - erodes the local sense of place. These would not be acceptable in this area.

3.26 References: *Residential Design Guide Supplementary Planning Document 2005* & *Glossop Conservation Area Character Appraisal – SPD March 2006*.

3.27 There are a variety of house styles though terraces predominate from stone worker cottages predominating towards the town centre, with grander homes towards the northern slopes. Houses are mainly laid out in grid iron street pattern leading to looser pattern on the northern hills slopes.

3.28 Alexandra Villa to north along Talbot Road is on the 1845 OS Map, along with Talbot House and its parkland setting. Spire Hollins House in Spire Hollin Road and many of the trees along Spire Hollin also date from this period. It is clear that the parkland setting is a key characteristic in the area.

3.29 The houses along Fauvel Road and North Road are predominantly post war 1940's semi-detached with red brick, grey slate roofs and pebble dash render, hipped roofs and bay windows with arched doorways, traditional of the period with generous side gardens and rear gardens. The rear gardens and fences offer little opportunity to provide a relationship or character to the site. However, there may be an opportunity to look at form and scale of those houses and incorporate some of these proportions into any new housing development.

3.30 Three storey houses fronting onto Talbot Road would more or less follow the building line of the existing school building.

Placemaking

3.31 The demolition of this large redundant school site allows for the possibility to create a new narrative for the future of Glossop's norther suburbs. This should be based on community engagement and we suggest an Open Design Review panel to help ensure high standards of design and inclusiveness.

3.32 The newest of school buildings to the NW of the site had good potential for a community building and this needs to be explored with the aspirations of local people.

3.33 Entrances to the residential development, focal areas within the design and successful integration of SUDs areas within the layout all add to the sense of placemaking. The natural place for a SUDS pond is in the south-west corner but this should be integrated into the public open space within the development with houses overlooking it.

3 Design and conservation



Picture 9 Annotated Site Plan

Landscape

3.34 Glossop is located in the Dark Peak Landscape Character Area and surrounded by Settled Valley Pastures. A coherent landscape needs to be maintained and therefore the landscape needs to be designed to reflect this location using advice from *The Landscape Character of Derbyshire 2014*.

3.35 The surrounding area is well treed and characteristic of Old Glossop which developed from manorial park lands. Any residential development should be well wooded to link with other parts of northern Glossop. A band of trees should be incorporated to create green links and give biodiversity gain. This green band should link throughout the design from Howard Park in the north west of Talbot Road and Talbot House across from the site to the north with TPO'd trees at Spire Hollins House and the frontage of adjacent properties to reinforce green framework and biodiversity matrix. This will link to Fauvel Road playing fields – woodland north of the Duke of Norfolk Primary School and across to Manor Park. A new Urban Footpath links form North West to South East should also be achieved through the development where possible.

3.36 Existing trees within the site need to be assessed and maintained where possible.

3.37 The tree lined verge within the site and walkway through to the pedestrian gate and bus stop should be maintained. There are significant mature trees and it will be important not to affect these trees or verge. The footpath should be maintained and incorporated into any future design.

3 Design and conservation

Sustainability

3.38 Any new development should take account of challenges of climate change and there is a potential for it to be characterised as an eco-development. There is potential for solar gain by using south facing roof slopes due to the south facing nature of the slope of the site, use of recycling systems for water and possibility of using SUDs throughout the external works in a creative way.

3.39 For a truly sustainable development following the principles of the BREAM (Building Research Establishment Environmental Assessment Method) may be used. This will build in sustainable factors regarding waste and construction materials etc.

3.40 The developer should also use *Building for Life (BfL 12)* 12 questions to guide design the proposed housing development to create an attractive, functional and sustainable place.

3.41 It is also recommended that *The Lifetime Homes Design Guide* be used - design requirements for accessible homes. Designed with flexibility to respond to future social, technological and economic needs.

3.42 The use of electric cars should be encouraged by provision of charging points.

Urban Design Guidance

3.43 Any development should take into account the following design Guidance:

- *Building for Life (BfL 12)*, third edition, January 2015. Design Council Cobe, the Home Builders Federation and Design for Homes.
- *National Design Guide*, October 2019. MHCLG. The national design guide sets out the characteristics of well-designed places and demonstrates what good design means in practice.
- *Living With Beauty: Promoting Health, Well-being and Sustainable Growth*. January 2020. The report of the Building Better, Building Beautiful Commission, published by MHCLG.

Urban Design Guidance for Fauvel Road Playing Fields Site - Mary and Anton

3.44 Fauvel Road Playing Fields is part of Norfolk Road Extension Conservation Area which lies to the south and east of the playing fields. The irregularity of the site contributes to the townscape or the surrounding streets.

3.45 *The Glossop Conservation Area Character Appraisal - SPD March 2006 states:* Fauvel Road playing fields, on a hillside north of the town centre, has an informal semi-natural feel to the space. The trees around its perimeter soften its edges and creates a seasonal barrier to views into and across the space. When the trees are not in leaf the houses fronting the roads around the three sides of its perimeter provide the immediate setting. When viewed from Fauvel Road the villas on Lord Street provide a high quality backdrop. The stone wall along its perimeter with Lord Street and Fauvel Road is a strong town street feature in its own right.

3.46 Any development of the site would need to be very carefully considered in relation to the streets and setting of the Conservation Area. It is clear that any new buildings on the playing fields would have to be very carefully sited to retain the setting for the surrounding residences. Any building would also have to be low rise with a scale and massing that works with the level changes and landscape within the site, to maintain its essential character as a green space.

3 Design and conservation

3.47 The streets to the south encompass traditional workers houses and villas, the landmark buildings such as the Victoria Hall Library, St Luke Church and The Utilitarian chapel around a key junction towards the town centre.

3.48 The houses along Fauvel Road are predominantly post war 1940's semi-detached with red brick, grey slate roofs and pebble dash render, hipped roofs and bay windows with arched doorways, traditional of the period with generous side gardens and rear gardens. These overlook the playing fields from a north westerly direction.

3.49 Within the park there is an Army Cadet Building low rise and built into a level change in the central part of the playing fields. Above this building lies a poorly surfaced playing pitch and tennis court. There is a clear need to enhance these facilities as they are starting to provide the park with a deteriorated and unkempt appearance, which would be more noticeable when the trees are not in leaf.

3.50 The sports areas are closer to the junction with Fauvel Road, Talbot Road and B6105 and Hall Meadow Road. This convergence of roads also has a degree of townscape significance, and any new buildings should attempt to address the focal effect on this junction.

3.51 The playing field has a strong stone wall boundary, entry gates, pergola feature at the junction with Norfolk Street and good boundary trees. Areas of woodland and informal pathways provide character and a buffer to the B6105. The 'park' is not without urban design qualities enhancing the setting of houses fronting onto it along Fauvel Road and Lord Street; and the row of houses partially backing onto it in Norfolk Street.

3.52 The view of the library building from within Park also frames the setting at a key junction. Any development of a leisure centre must not detract but enhance this setting into the Conservation Area. - from Mary and Anton - remove??

4 Open space

4.1 The presence of playing fields associated with the former school use both on the main site and the Fauvel Road site is a key issue to be considered as part of any future redevelopment of the sites.



Picture 10 Redgra Surface on Talbot Road Site

4.2 The Council's most recent evidence set out in the High Peak Playing Pitch Strategy and Action Plan contains the following information about the Talbot Road site:

4.3 Glossopdale Community College (Talbot Road)

- Site to close in 2017/2018. Does not have any formal playing pitches but it does have playing field land and an old redgra surface.
- Ensure any developments on the site adhere to NPPF 74 and local planning policy.

Local Plan Policy Requirements

Any development should adhere to the requirements set out in the High Peak Local Plan Open Space, Sports and Recreation Facilities policy.

Local Plan Policy CF 4

Open Space, Sports and Recreation Facilities

The Council will seek to protect, maintain and where possible enhance existing open spaces, sport and recreational buildings and land including playing fields in order to ensure spaces, sport and recreational buildings and land including playing fields in order to ensure their continued contribution to the health and well being of local communities.

This will be achieved by:

4 Open space

- Resisting any development that involves the loss of a sport, recreation, play facility or amenity green-space except where it can be demonstrated that alternative facilities of equal or better quality will be provided in an equally accessible location as part of the development or the loss is associated with an alternative sports provision that would deliver benefits that would clearly outweigh the loss, or an assessment has been undertaken to demonstrate the facility is surplus to requirements
- Encouraging improvements to existing recreation, play and sports facilities within communities and providing new opportunities that shall be informed by the Peak Sub Region Open Space, Sport and Recreation Study 2012 and successor documents
- Improving 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 in line with the High Peak local open space and recreation provision standards set out in the study report. Further guidance will be provided in the forthcoming Developer Contributions SPD.
- Requiring all major residential developments to design into schemes growing areas for residents and where this is not feasible, requiring a contribution to allotment provision off-site, in accordance with the local provision standards
- Collecting financial contributions towards the delivery, improvement and management of off-site provision of open space and recreation facilities through Section 106 agreement or via the Community Infrastructure Levy if this is adopted
- Exploring options for the management of new areas of open space to be undertaken by community owned and run trusts
- Designating land as Local Green Space in accordance with the Local Plan sub-area strategies, Policies S5 to S7. Development that would harm the openness and/or special character of a Local Green Space or its significance and value to the local community will not be permitted unless there are very special circumstances which outweigh the harm to the Local Green Space

4.4 In order to comply with the policy tests, any prospective developer would need to demonstrate that alternative facilities of equal or better quality will be provided in an equally accessible location as part of the development or the loss is associated with an alternative sports provision that would deliver benefits that would clearly outweigh the loss, or an assessment has been undertaken to demonstrate the facility is surplus to requirements.

4.5 Developer contributions towards the delivery, improvement and management of off-site provision of open space and recreation facilities would be expected along with a contribution towards off-site allotment provision if growing areas for residents cannot be designed into the scheme.

4.6 Sport England should be consulted about redevelopment of the site at an early stage in the process.

One Public Estate

4.7 INSERT A FEW SENTENCES ABOUT THIS INITIATIVE (what it is, which organisations are involved and how it relates to this site- Jo)

4 Open space

4.8 INSERT A FEW SENTENCES ABOUT THE HPBC DESIRE TO BRING THE FAUVEL ROAD SITE FORWARD FOR A LEISURE CENTRE AND OTHER COMMUNITY USES, INCLUDING LACK OF ALTERNATIVE SITES FOR THIS USE - ROB

Sport England Requirements HELEN TO CHECK AND ADD TO / AMEND THIS SECTION AS REQUIRED

Sport England –Statutory Role and Policy

4.9 In terms of these scenarios:

- Redevelopment of both Talbot Road and Fauvel Road Playing Fields for housing; and
- Use of Fauvel Road to provide open space in combination with residential redevelopment of the Talbot Road site

4.10 the sites are considered to constitute playing field, or land last used as playing field, therefore re-development proposals (in this case primarily for residential use) would require statutory consultation, under the terms of the Town and Country Planning (Development Management Procedure) (England) Order 2015, at any subsequent formal planning application stage.

4.11 Sport England considers proposals affecting playing fields in light of the National Planning Policy Framework (NPPF) (in particular Paragraph 97) and against its own playing fields policy, which states:

4.12 ‘Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

4.13 unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.’

Sport England Policy Exceptions

E1	A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.
E2	The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.
E3	The proposed development affects only land incapable of forming part of a playing pitch and does not:

4 Open space

	▪ reduce the size of any playing pitch; ▪ result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas); ▪ reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality; ▪ result in the loss of other sporting provision or ancillary facilities on the site; or ▪ prejudice the use of any remaining areas of playing field on the site.
E4	The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field: ▪ of equivalent or better quality, and ▪ of equivalent or greater quantity, and ▪ in a suitable location, and ▪ subject to equivalent or better accessibility and management arrangements.
E5	The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

Table 1

4.14 Sport England's Playing Fields Policy and Guidance document can be viewed via the following link : https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

Assessment against Sport England Policy

4.15 Based on current information, residential development at each site would fail to meet any of the above exceptions as there is no evidence available to demonstrate any of the above exceptions, the most pertinent of which would be E1 in this case, given the absence of any replacement provision to offset the playing field loss (under E4). Use of Fauvel Road to provide open space in combination with residential redevelopment of the Talbot Road site would also fail to meet policy requirements.

4.16 Sport England would be happy to reconsider this position should further/revised information be presented to address the above points.

4.17 Sport England reserves the right to object to any subsequent planning application if it is not considered to accord with its Playing Fields Policy or paragraph 97 of the NPPF.

4.18 In view of this, Sport England would be likely to object to any formal planning application based on either of those proposals.

4 Open space

Alternative Approach Acceptable to Sport England

4.19 When the school was relocated to Newshaw Lane Hadfield, the playing fields were not fully replaced on the new site. The intention was that compensation for the loss of playing fields at Talbot Road would be made as part of the redevelopment of the site through a developer contribution so this needs to be taken into account by prospective developers. The financial contribution could be made towards new higher quality sports facilities on the Fauvel Road Playing Field site, for example a new leisure centre for Glossop (as per E5 of the Sport England policy exceptions table above).

High Peak Borough Council Open Space Requirements ROB TO CHECK AND ADD TO / AMEND THIS SECTION AS REQUIRED

4.20 In addition to the requirements of Sport England, the Borough Council's open space requirements fall into 3 categories - play, outdoor sport and parks / gardens.

4.21 A development of approximately 150 - 200 houses would require on-site play provision.

4.22 In relation to outdoor sport there is a strategic need for an additional 3G facility at Cemetery Road so an off-site contribution to this would be appropriate.

4.23 Anything for parks and gardens????????????????????

4.24 Mary and Anton from Derbyshire County Council Urban Design section say (re: Talbot Road) that "If there is a lack of possible linkages this will result in a standalone community, and therefore it will be important that pocket parks and areas for informal play are provided within the development. Open space requirements have not been determined for this site, however, given the lack of connections it is considered that a scheme should include standard POS provision".

5 Potential uses

5.1 High Peak Local Plan Policy CF5 covers community services and facilities including schools, the current land use on the site. In order for a change of use to be acceptable, under Local Plan Policy CF5, it would need to be demonstrated that the existing use is no longer financially or commercially viable and there are no other means of maintaining the facility. If an alternative facility of the same type is available or can be provided in an accessible location this is also an acceptable scenario for a change of use to occur. If permission is granted for a change of use or redevelopment, preference will be given to premises remaining in some form of community or employment use so long as this does not result in traffic, amenity, environmental or conservation problems. Open space would be an acceptable use for the site.

5.2 Any redevelopment of the school site for an alternative use must be accompanied by evidence of suitable alternative school provision to serve the area (taking into account future housing increases).

5.3 These policy tests must be passed for an alternative use to be considered acceptable.

Local Plan Policy CF 5

Provision and Retention of Local Community Services and Facilities

The Council will seek to maintain and improve the provision of local community services and facilities. This will be achieved by:

- Supporting proposals which protect, retain or enhance existing community facilities (including multi use and shared schemes) or provide new facilities. New facilities should preferably be located within defined built up areas where they are most accessible. In exceptional cases facilities may be located adjacent to these areas where it can be demonstrated that this is the only practical option and where a site is well related and connected to the existing settlement.
- Safeguarding land required for the provision of facilities to meet existing and future community needs, as identified by service providers.
- Resisting proposals involving the loss of community assets and facilities (including land in community use, community/village halls, village shops and post offices, schools, nurseries, places of worship, health services, care homes, convenience stores, libraries, public houses, museums, performing arts venues and other community facilities) unless it can be demonstrated that the existing use is no longer financially or commercially viable and there are no other means of maintaining the facility, or an alternative facility of the same type is available or can be provided in an accessible location. If permission is granted for a change of use or redevelopment, preference will be given to premises remaining in some form of community or employment use so long as this does not result in traffic, amenity, environmental or conservation problems.

5.4 Both sites are located within the Built Up Area Boundary of Glossop as defined by the Policies Map of the adopted High Peak Local Plan.

5 Potential uses

5.5 Policy H1 (Location of Housing Development) supports housing development on unallocated sites within defined built up area boundaries of the towns and larger villages. The Glossopdale Community College site is unallocated in the High Peak Local Plan.

5.6 Policy H3 requires that new housing development addresses the housing needs of local people - affordable housing, a range of housing including for those with specialist needs and to ensure that new housing is adaptable and meets appropriate space standards.

Density (from Mary and Anton)

5.7 Local Plan Policy H3 also asks for an appropriate mix of housing to be provided to contribute positively to the promotion of a sustainable and inclusive community taking into account the characteristics of the existing housing stock.

5.8 *Local Plan Policy H4* Meeting the requirements for affordable housing within the overall provision of new residential development is set at 30%.

5.9 There has been no specific allocation of numbers for this site and it is not assessed in the SHLAA. Meeting the requirements of affordability and providing a sustainable mix are key to good urban design and creating inclusive communities.

5.10 A suggested density would be 30dph but this could be varied across the site to include more dense clusters of development closer to the town centre provided that links can be made.

5.11 Buildings should be predominantly 2 storey rising to 3 storey along Talbot Road.

Policy H 3

New Housing Development

The Council will require all new residential development to address the housing needs of local people by:

- a) Meeting the requirements for affordable housing within the overall provision of new residential development as set out in Policy H4
- b) 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 household types including for the elderly and people with specialist housing needs, based on evidence from the Strategic Housing Market Assessment or successor documents
- c) Providing a mix of housing that contributes positively to the promotion of a sustainable and inclusive community taking into account the characteristics of the existing housing stock in the surrounding locality
- d) Ensuring new residential development includes a proportion of housing suitable for newly forming local households

5 Potential uses

e) Supporting dwellings designed to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space Standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations.

Housing Mix

5.12 The policy requires consideration to be given to the housing mix and compliance with the Nationally Described Space Standards and accessibility standards. These should be secured through a condition and / or legal agreement as per the legal opinion sought by the Council during the determination of the Foxlow Farm Reserved Matters application which concluded that provision should be made at the Outline application stage.

5.13 Below is the ward based census data with a calculation of the percentages of dwellings for Dinting Ward and the property size and type recommended by the Council's Strategic Housing Market Assessment (SHMA). The development should bring the housing stock closer to the SHMA recommendations.

2011 census merged ward	All categories: Number of bedrooms	1-bed	2-bed	3-bed	4-bed	5 or more bed
Dinting	756	41	136	279	235	65
% of housing stock	100%	5%	18%	37%	31%	9%

Table 2

SHMA recommendations	Property type and size
1-bed	10%
2-bed	45%
3-bed	35%
4-bed	10%
Semi-detached House	30%
Detached House	25%
Terraced House	15%
Flat / Maisonette	10%

5 Potential uses

Bedsit / Studio / Room Only	0%
Bungalow / Elderly Housing	20%
Caravan or temporary structure	0%

Table 3

5.14 Policy E1 (New Employment Development) supports business development outside of allocated employment sites or Primary Employment Zones but within the built up area when it would not create undue harm to the character, appearance or amenity of the area.

Policy E 1

New Employment Development

New business and industrial developments in sustainable locations that contribute towards the creation and retention of a wide range of jobs, education and training opportunities will be supported. This will be achieved by:

- Supporting the development of sites allocated for future employment
- Encouraging the redevelopment, intensification and more efficient use of Primary Employment Zones where they are either not fully utilised or unsuited to modern employment requirements, particularly those sites located within the main towns and those with good access by a variety of transport modes provided that they accord with Local Plan Policy E3 and the wider Local Plan policies
- Protecting employment allocations, Primary Employment Zones and non-designated employment premises to ensure that development would not result in the loss of land or buildings from employment use unless the proposals accord with Local Plan Policy E4 - Change of Use on Existing Business Land and Premises
- Supporting business development outside of allocated employment sites or Primary Employment Zones but within the built up area when it would not create undue harm to the character, appearance or amenity of the area.
- Supporting business development within the countryside that accords with Local Plan Policy EQ3 - Rural Development

To increase opportunities for local employment and to ensure that the Borough's workforce is suitably skilled, the Council will, where appropriate, seek to enter into agreements with developers to contribute towards training programmes and employment support and employment access schemes.

Potential uses

- Community facilities
- Open space and recreation

5 Potential uses

- Housing
- Employment development appropriate for a residential area (Use Class B1)

6 Access and parking

6.1 Local Plan Policy CF6 Accessibility and Transport, requires the site to contribute to sustainable development by minimising the need to travel so design of the scheme to relate to its wider surroundings and the provision of appropriate footpath and cycle linkages are important to achieve this. (Refer to the urban design guidance in the 'Design and Conservation' section which covers this issue).

6.2 In terms of vehicular access to the site, County Highways consider that an acceptable access can be formed on the Talbot Road frontage to serve a development of the site in accordance with the Council's design guidance 'Delivering Streets and Places Design Guide'. Adequate off-street parking would need to be provided to serve each unit and the submission of a Transportation Assessment and Travel Plan would also be required.

CF 6

Accessibility and Transport

The Council will seek to ensure that development can be safely accessed in a sustainable manner. Proposals should minimise the need to travel, particularly by unsustainable modes of transport and help deliver the priorities of the Derbyshire Local Transport Plan.

This will be achieved by:

- Delivering sustainable patterns of development
- Ensuring that additional growth within the Market Towns and Larger Villages is managed and where possible, accompanied by accessibility improvements
- Promoting a balanced distribution of housing and employment
- Ensuring the development of social, cultural and community facilities in locations that allow for ease of access by multiple methods of transportation
- Requiring that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development
- Requiring that new development can be integrated within existing or proposed transport infrastructure to further ensure choice of transportation method and enhance potential accessibility benefits
- Supporting proposals for new community assets and facilities where these are required to meet the needs of the Plan Area or lead to the provision of additional assets that improve community well-being
- Requiring that facilities are well related to public transport infrastructure and provide high standards of accessibility to all sectors of the community
- Supporting innovative schemes to secure the local delivery of public services in rural communities and other areas with poor public transport, in particular the delivery of some services through the use of mobile services and technology will be encouraged where this results in better local provision
- Ensuring development does not lead to an increase in on street parking to the detriment of the free and safe flow of traffic

Supporting transport infrastructure and services

6 Access and parking

- Supporting the implementation of the A6 Corridor Transport Strategy in Buxton and the Central Area. Specific measures are identified in the relevant Local Plan policies and Infrastructure Delivery Plan
- Supporting highways and junction improvements required to address the cumulative impact of development across High Peak as identified in the High Peak Local Plan Transport Study and Infrastructure Delivery Plan
- Promoting the maintenance and introduction of appropriate facilities to support cyclists, pedestrians and horse riders, ensuring that development supports the use of local cycleway and pathway networks to improve choice of travel and ensuring safe access to developments on foot and by bicycle
- Encouraging and promoting improvements to public transport networks in association with the Local Highway Authority, Network Rail and other providers
- Supporting the use of rail for the transportation of freight wherever feasible to do so
- Approving developments provided that the capacity and design of the transport network serving the site will reasonably accommodate the anticipated increase in travel without materially harming highway safety or local amenity. In addition, the traffic generated by the development will not unduly interrupt the safe and free flow of traffic on trunk or primary roads or materially affect existing conditions to an unacceptable extent
- Requiring applicants to submit and implement Travel Plans (or Travel Plan Statements) and Transport Assessments to support relevant proposals, as advised by the Highways Authority. Consultation with Network Rail when development may impact on the rail network, including impacts on level crossings will also be required. Where appropriate, Transport Assessments will consider the impact on the rail network and identify appropriate mitigation measures
- Developments that will result in a material increase or significant change in the character of traffic using a rail crossing will be refused, unless it can be demonstrated that safety will not be compromised in consultation with Network Rail
- Requiring applicants to submit details of parking which includes the proposed parking provision based on an assessment of the parking needs of the development and the impact on the surrounding road network. Developments which will lead to an increase in traffic or include parking provision will need to submit details. The details should be proportionate to the impact of the development. Guidance on parking is given in Appendix 1.

Developer contributions or funding pooled through a Community Infrastructure Levy will be used to deliver transport and accessibility improvements required to accord with this policy. Further details are provided in Policy CF7 and Infrastructure Delivery Plan. In the event that a Community Infrastructure Levy is adopted, the Regulation 123 "Infrastructure List" will also specify appropriate measures to be funded.

Parking guidance

6.3 The parking criteria below provide guidance on the level of parking for employment and residential use types. Each application will be considered in the context of its need for parking and its impact on the local road network.

6 Access and parking

Use	Parking provision
Employment	
B1 (edge of centre)	Up to 2500m ² , 1 space per 25m ² . Above 2500m ² , 1 space per 60m ² . 1 secure cycle parking stand for every 10 car parking spaces subject to a minimum 2 cycle parking spaces
B1 (out of centre)	Up to 2500m ² , 1 space per 25m ² . Above 2500m ² , 1 space per 35m ² . 1 secure cycle parking stand for every 10 car parking spaces subject to a minimum 2 cycle parking spaces
Housing	
1 Bed Dwelling	1.5 spaces per unit. 1 cycle parking space per unit if no garage or shed is provided.
2/3 Bed Dwelling	2 bed - 1.5 spaces per unit: 3 bed - 2 spaces per unit. 1 cycle parking space per unit if no garage or shed is provided.
4+ Bed Dwelling	3 spaces per unit. 1 cycle parking space per unit if no garage or shed is provided.

Table 4

7 Developer contributions

7.1 Development proposals for the site will be expected to include developer contributions towards affordable housing, education, highways and open space in line with Local Plan Policy CF7. The policy allows for economic viability considerations.

Local Plan Policy CF 7

Planning Obligations and Community Infrastructure Levy

Development proposals will be required to provide, or meet the reasonable costs of providing, the on-site and off-site infrastructure, facilities and/or mitigation necessary to make a development acceptable in planning terms through the appropriate use of planning obligations and/or conditions. Standard formulae will be applied when applicable.

The Developer Contributions SPD will provide further guidance on how contributions will be calculated. Provision will be required for subsequent maintenance where contributions are secured for facilities which are predominantly for the benefit of users of the development concerned.

Subject to an assessment of development viability and further consideration by the Council, infrastructure requirements related to the cumulative impact of development in High Peak will generally be supported by the Community Infrastructure Levy. The Infrastructure Delivery Plan that supports the Local Plan provides further clarification on infrastructure needs and sources of funding. The Infrastructure Delivery Plan will be reviewed regularly to ensure that it remains up-to-date.

In implementing this policy regard will be had to economic viability considerations, consistent with meeting the Local Plan objectives.

Affordable housing

7.2 High Peak Local Plan Policy H4 requires 30% affordable housing on this site as it would yield 25 units or more. 80% of this requirement is for rented accommodation and 20% for intermediate housing. These proportions can be varied when justified.

Local Plan Policy CF 4

Affordable Housing

The Council will seek to maximise the delivery of affordable housing across the plan area by working in partnership with the Homes and Community Agency, Registered Providers, Developers and Local Communities.

In order to address the need for affordable housing, residential developments should seek to achieve the following proportions of residential units as affordable housing :

30% affordable housing on sites of 25 units or more

7 Developer contributions

20% affordable housing on sites of 5-24 units (0.16ha or larger)

Where the provision of affordable houses proposed is below the requirements set out above, the Council will require applicants to provide evidence by way of a financial appraisal to justify a reduced provision.

The affordable housing provision should seek to achieve a target of 80% rented accommodation with the balance being provided as intermediate housing. These proportions may be varied where justified and with agreement with the local planning authority.

Where appropriate for specific sites, criteria setting out variations in the form the contribution should take, including tenure, will be provided in the Site Allocations Strategic Development Sites policies. Additional guidance will be provided in the Affordable Housing SPD.

Affordable housing provision should normally be provided within the development site itself and in perpetuity. In exceptional cases, the Council may allow provision off-site or a financial contribution of broadly equivalent value.

In determining applications for residential development below the above thresholds, that would increase the net overall stock of unrestricted market housing, the local planning authority will want to negotiate a financial contribution towards the provision of affordable housing on suitable sites elsewhere within the plan area.

7.3 The 2019 National Planning Policy Framework post-dates the High Peak Local Plan. Paragraph 64 states that: "where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership (As part of the overall affordable housing contribution from the site.) unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;
- b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
- c) is proposed to be developed by people who wish to build or commission their own homes; or
- d) is exclusively for affordable housing, an entry-level exception site or a rural exception site".

Education

7.4 Emery situation??? and new school extension???

Highways

7.5 Need County Highways input?

7.6 footpath linkages - creation of (see urban design guidance section)

7 Developer contributions

Open space

7.7 Summarise requirements in open space section.

8 Consultation

8.1 High Peak Borough Council adopted a Statement of Community Involvement in February 2019. The document sets out the requirements for consultation on planning policy documents and planning applications.

Further information

Statement of community Involvement- www.highpeak.gov.uk/SCI

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