

Local Plan Representations

For Treville Properties Ltd | 23-311

Regulation 16 consultation - Whaley Bridge Neighbourhood Plan



Project: 23-311
Site Address: Whaley Bridge Neighbourhood Plan
Client: Treville Properties Ltd
Date: 22 June 2023
Author: Rawdon Gascoigne

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1. Introduction

- 1.1 Emery Planning is instructed by Treville Properties Ltd. to submit representations to the Regulation 16 consultation on the Whaley Bridge Neighbourhood Plan.
- 1.2 Section 4 of this report sets out details of our client's sites at Bridgemont and Linglongs Road, which are also being promoted through the emerging High Peak Local Plan. Treville Properties would welcome engagement with Whaley Bridge Town Council and the local community on the delivery of the land.



2. Planning policy context

The legislative framework

2.1 The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.
- c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.
- d) the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.
- e) the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- f) the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.
- g) prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).

National Planning Policy and Guidance

National Planning Policy Framework

2.2 The revised National Planning Policy Framework (the Framework) was published in July 2021. It sets out the Government's planning policies for England and how these are expected to be applied. The purpose of the planning system is to contribute to the achievement of sustainable development. The Framework, taken as a whole, constitutes the Government's view of what sustainable development in England means in practice for the planning system.

2.3 Paragraph 13 sets out that the application of the presumption in favour of sustainable development has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should



support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.

- 2.4 Paragraph 29 states that neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.
- 2.5 Paragraphs 101 – 103 concern the designation of Local Green Space. We address these paragraphs in detail in our response to Policy WB-E6 of the Whaley Bridge NP.

National Planning Practice Guidance

- 2.6 The National Planning Practice Guidance (PPG), launched in 2014, replaced several practice guidance documents that were deleted when the PPG was published. Neighbourhood planning is addressed in chapter 41 of the PPG.

The development plan

- 2.7 Neighbourhood Plans must be in general conformity with the strategic policies of the wider local area, which in this instance are set out within the High Peak Local Plan (adopted April 2016). The council's website states that it has conducted a review of the adopted Local Plan and concluded that three policies are out of date when considered against the latest national policy and evidence, these are Policy S3 (Strategic Housing Development), Policy S4 (Maintaining and Enhancing an Economic Base) and Policy H4 (Affordable Housing).
- 2.8 Early engagement consultation concluded in March 2023 on the strategy for the new High Peak Local Plan. The consultation document set out a number of questions regarding how the strategy for High Peak should be planned over the period to 2041.

High Peak Local Plan

- 2.9 The following policies are relevant to our representations.

Policy S 3: Strategic Housing Development

- 2.10 Although it is noted that the council considered limited weight should be attached to Policy S 3, the policy sets the context for housing land supply and distribution across the borough. It requires "at least" 7,000



dwellings to be delivered in the High Peak over the plan period 2011 to 2031, at an average of 350 homes per annum. The plan identifies a need to accommodate up to 3,549 additional dwellings on new sites.

2.11 Table 2 of the Local Plan explains how the 3,549 dwelling figure has been calculated. It is essentially the 7,000 figure plus 80 dwellings as a shortfall in housing provision since 2006 minus:

- 445 dwellings which were completed between 2011 and 2014;
- 2,976 dwellings which were commitments at December 2014; and
- 110 dwellings which are expected to be delivered within the Peak District National Park over the period 2011 to 2031.

2.12 Table 2 of the Local Plan refers to appendix 4 of the Local Plan which lists the “current commitments”. This lists 47 dwellings which had planning permission in Whaley Bridge and 6 dwellings which had planning permission in Furness Vale.

2.13 Policy S 3 requires that of the 3,549 dwellings on new sites 1,065-1,171 (i.e. 30-33%) are distributed to the Central Area, which includes Whaley Bridge. The policy explains that this will be met by:

- 100 dwellings on small sites within Chapel Neighbourhood Plan;
- 100 dwellings on small sites within New Mills;
- 100 dwellings on small sites within Whaley Bridge;
- 100 dwellings on small sites in other villages in the Central Area; and
- 623-729 dwellings on allocations (excluding Chapel Parish).

2.14 The relevance of this is that the 100 dwellings on small sites within Whaley Bridge and 100 dwellings on small sites in other villages in the Central Area (i.e. including Furness Vale) is in addition to any completions that had taken place between 2011 and 2014 and in addition to those commitments that are included within appendix 4 of the Local Plan.

2.15 Policy S 3 then states:

“The release of land/sites for new housing will be managed so that it delivers the broad amount and distribution of housing as set out above. The adequacy of housing delivery (in terms of a five year supply of housing and in meeting planned housing delivery targets over the full plan period) will be assessed regularly in accordance with a Housing Implementation Strategy and through annual reviews of the Strategic Housing Land Availability Assessment. Progress will be reported through the council’s Authority Monitoring Report.”



- 2.16 As the housing requirement is now more than 5 years old, the council is applying the Local Housing Need (LHN) annual requirement of 260 dwellings per annum, rather than the Local Plan requirement of 350 dwellings per annum. We understand that it is on this basis only that the local authority has determined that Policy S3 is out of date.
- 2.17 The latest Five Year Housing Land Supply Statement confirms that the Council can demonstrate a deliverable five year housing land supply (6.28 years at 1st April 2022) calculated on the basis of LHN (if the local plan requirement was applied the supply would be 4.67 years).
- 2.18 The latest Annual Monitoring Report (AMR) (April 2022) confirms that 2,754 net dwellings had been completed in High Peak between 2011 and 2022 which falls well below the 3,850 dwellings that the Local Plan envisaged would be delivered at this stage.
- 2.19 Part of the reason for this is because the allocated sites in the High Peak Local Plan have not delivered as anticipated. For example, out of the 10 allocations in the Central Area, only 4 have planning permission. Planning applications have not even been made on 5 of the allocations and there is only 8 years left of the High Peak Local Plan period. Dwellings have been delivered on only one of the three allocated sites within the Whaley Bridge NP area in the first 10 years of the plan period (see table 1 below).
- 2.20 Finally, within the section “Neighbourhood Plans”, policy S 3 states:
- “In order to assist in meeting the full objectively assessed housing need of the plan area Neighbourhood Plans should maximise opportunities for housing growth in sustainable locations and, where appropriate, make allocations in their plan to provide at least the same amount of housing land identified in the Local Plan for the relevant parish or Neighbourhood Area.” (emphasis added)
- 2.21 Table 12 of the Local Plan sets out the “Implementation of Local Plan policies”. In terms of policy S 3, it states that the principal outcomes are:
- “To meet housing requirements across the plan areas as far as possible within the limits of local landscape, infrastructure and environmental constraints
To provide a range of market and affordable housing”
- 2.22 The implementation mechanism for these outcomes are:
- “Allocation of sites in Local Plan – HPBC
Allocation of sites in Neighbourhood Plans
Determination of planning applications” (emphasis added)
- 2.23 Within this context, the Whaley Bridge NP should make residential allocations.



Policy S6: Central Sub-area Strategy

2.24 Policy S 6 provides the strategy for the Central Sub-Area. It states that the housing needs of the community will be provided for by (amongst other things):

- Allocating a range of suitable, deliverable housing sites sufficient to meet the requirements of the Central 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 primarily in Chapel-en-le-Frith, New Mills and Whaley Bridge; and
- Ensuring that residential development avoids adverse impact on the integrity of the Peak District Moors (South Pennine Moors Phase 1) Special Protection Area, the South Pennine Moors Special Area of Conservation (SAC) and the Dark Peak Site of Special Scientific Interest (SSSI) - a component part of this European site.

2.25 As above, table 12 of the Local Plan sets out the “Implementation of Local Plan policies”. In terms of policy S 6, it states that the principal outcomes are:

“Enable the sustainable development of the Central Area

Support the delivery of complementary regeneration projects and infrastructure investment

Preserve key sites of environmental, heritage or recreational value”

2.26 The implementation mechanism for these outcomes are:

“Allocation of sites in Local Plan – HPBC

Allocation of sites in Neighbourhood Plans

Determination of planning applications

Working with partners to deliver regeneration and infrastructure projects”(emphasis added)

2.27 Again, within this context, the Whaley Bridge NP should make residential allocations.

Policy H 1 – Location of Housing Development

2.28 Policy H 1: “*Location of Housing Development*” explains that the Council will ensure provision is made for housing through several measures, including:

“Supporting the development of specific sites through new site allocations in the Local Plan or a Neighbourhood Plan;



Promoting the effective reuse of land by encouraging housing development including redevelopment, infill, conversion of existing dwellings and the change of use of existing buildings to housing, on all sites suitable for that purpose;

Supporting housing development on unallocated sites within defined built up area boundaries of the towns and larger villages”

2.29 Policy H 1 states that the Council will give consideration to approving sustainable sites outside the defined built-up area boundaries, provided that:

- The development would adjoin the built-up area boundary and be well related with the existing pattern of development and surrounding land uses and of an appropriate scale for the settlement; and
- the development would not lead to prominent intrusion into the countryside or have a significant adverse impact on the character of the countryside; and
- it would have reasonable access by foot, cycle or public transport to schools, medical services, shops and other community facilities; and
- the local and strategic infrastructure can meet the additional requirements arising from the development.

2.30 This is important because the Whaley Bridge NP should not restrict development that would be in accordance with the High Peak Local Plan, including policy H1.

Policy H 2: Housing Allocations

2.31 Policy H2 of the High Peak Local Plan identifies housing allocations to meet the housing target outlined in Policy S3. As above, Policy S3 states that 623-729 dwellings will be met on allocations in the Central Area (excluding Chapel Parish). The table in policy H2 of the Local Plan identifies the following allocations in the Central Area and we have added the latest position on these sites as set out in the latest AMR:

Table 1: Delivery of housing allocations in the Central Area

Location	No. of dwellings	Phase	Position in the AMR (at 2022)
Derby Road, New Mills (C3)	107	2021-26	Full planning permission for 96 dwellings – Wainhomes. Construction on the site has now started.



Ollersett Lane/Pingot Road/Laneside Road New Mills (C5, C6 ,C17,C18)	239	2021-26 / 2026-31	No planning application submitted
Woodside Street New Mills (C7)	25	2016-21	No planning application submitted
South of Macclesfield Road (C9)	0 (83)	2016-21	107 dwellings under construction by Barratt Homes – already included in commitments, which is why 0 contribute to the 614 total.
Buxton Road, Chinley (C13)	13	2016-21	Full planning permission for 25 affordable homes – Johnnie Johnson
Britannia Mill (C15)	50	2016-21	Outline planning application for 110 dwellings pending determination
Furness Vale A6 (C16)	39	2016-21	Full planning permission granted – Guinness Partnership
Furness Vale Business Park (C19)	26	2026-31	No planning application submitted
New Mills (C20)	15	2021-26	No planning application submitted
Birch Vale Industrial Estate (C21)	100	2021-26	No planning application submitted
Total provision on allocated sites	614		

2.32 This shows that whilst Policy S3 stated that 623-729 dwellings are to be allocated in the Central Area, it is of note that the High Peak Local Plan only allocates 614 dwellings in the Central Area. The 614 figure will not be met in the High Peak plan period. Only 4 of the 10 allocations have planning permission and an application has not even been made on 5 of the allocations. Therefore, the Whaley Bridge NP should make residential allocations to assist meeting the housing requirement for the Central Area.

Policy H 4: Affordable Housing

2.33 Policy H4 of the High Peak Local Plan states that 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. Although the council has stated that Policy H4 is out of date, we assume that this relates to affordable housing thresholds rather than the overall need to provide affordable housing.

2.34 Paragraph 5.149 of the Local Plan states:

“Affordable Housing is a key issue in the Local Plan area due in part to the high cost of houses, and the relative low incomes of resident based employment. Both the Housing Needs Survey and the Housing Market Assessment suggest that there is a significant need to increase the overall level of affordable housing provision. The Housing Needs Survey indicated a need of between 443 and 591 per annum for new affordable dwellings to meet backlog and emerging needs. The 2014 SHMA indicates that there is a net need of 526 per annum for affordable housing across the Borough.”

2.35 Despite this, the latest AMR states that there have been only 432 affordable homes completed in High Peak over the last 6 years (2016-22).

2.36 The council’s housing officer confirmed in July 2022 that:

- There are 1,240 households on the Council’s Housing Register (an increase from 1,158 in February 2022).
- 219 applicants expressed Whaley Bridge as their first second or third choice (an increase from 187 in February 2022).
- 64 applicants expressed Whaley Bridge as their first choice (an increase from 55 in February 2022).
- 57 applicants resided in Whaley Bridge (an increase from 51 in February 2022).

2.37 While we are not in receipt of a full recent update of these figures, the housing officer’s comments on a recent planning application (reference HPK/2023/0061) indicate that since July 2022 and in spite of the recent delivery of 13 affordable homes in Bridgemont and 10 at Linglongs, the affordable housing need (based on Homes Options applicants) in the Parish of Whaley Bridge has increased to 66.

2.38 There is therefore a clear and growing need for additional affordable housing in High Peak and specifically in Whaley Bridge.

Neighbourhood Planning

2.39 Paragraphs 1.20 to 1.22 of the Local Plan are relevant. They state:

120 Neighbourhood planning enables members of a local community to take forward planning proposals for the area in which they live. Neighbourhood Plans are voluntary



local planning policy documents that are written and developed by a community, usually led by a town or parish council. In areas without a town or parish council, a Neighbourhood Forum can be established to prepare a plan.

1.21 Once a neighbourhood plan is adopted, it will form part of the Development Plan for High Peak. This means that it will become a major consideration during the determination of planning applications.

1.22 Neighbourhood plans prepared in High Peak should be compliant with the strategic policies of the Local Plan and the National Planning Policy Framework. Strategic policies are those which are essential to delivering the overall planning and development strategy for the High Peak, such as those that set out the number of homes that should be built. Neighbourhood Plans cannot therefore plan for less development than is required by the Local Plan. However, they may be used to identify sites for development or protection, or provide guidance on matters such as design”



3. Response to Policies

Plan period

- 3.1 The Submission Version of the Neighbourhood Plan covers the period 2022 – 2032. However, the High Peak Local Plan only covers the period up to 2031. The Neighbourhood Plan should either align with the Local Plan by setting out its strategy to 2031 or assess and factor in Whaley Bridge’s development needs beyond those set by the current Local Plan (i.e., post-2031).

2.1 Strategy for Sustainable Growth

- 3.2 Section 2.1 of the Draft Neighbourhood Plan ‘*Strategy for Sustainable Growth*’ states that the Plan does not undertake housing site allocations, instead leaving this to the Local Plan. We object to this approach. We consider that the Neighbourhood Plan should make housing allocations for the following reasons:

- As set out in Table 1 above, the allocations in the Local Plan are failing to deliver and therefore the Neighbourhood Plan should allocate sites to ensure housing delivery in the central area.
- To ensure that affordable housing needs are met. There is a significant affordable housing need in High Peak and in Whaley Bridge specifically. In the absence of the delivery of housing allocations, this need will continue to grow.
- Fourthly, Policy S6 clearly expects residential allocations to be made in Neighbourhood Plans to assist in meeting the overall housing requirement.

- 3.3 Whilst the local planning authority currently relies on the LHN figure of 260dpa, the High Peak Local Plan is in the early stages of review. The High Peak Housing and Economic Land Needs Assessment (September 2022) (HEHLNA) which forms part of the evidence base for the Local Plan review, considers the overall housing need and the need for different types of housing and employment land requirements up to 2041. It acknowledges that the LNA figure of 260 dpa is only the starting point in this assessment. Paragraph 9.14 of the HELNA reflects the guidance provided within the PPG and states it is the intention of the government that the local housing need figure is minimum figure which does not attempt to predict future growth, the impact of changing Government policies, changing economic circumstances or other demographic behaviours.

- 3.4 The HELNA states the LHN figure of 260dpa is an appropriate figure moving forward if considering the baseline economic growth forecasts. However, if the level of housing growth is to align with the planned level of economic growth then a higher housing requirement will be needed. Paragraph 14.18 of the HELNA states:



If, however, HPBC decides to pursue a higher level of economic growth and allocates sufficient employment land to support this, in line with the Policy On Scenario for example, then it should also consider increasing the housing target accordingly. The standard methodology is appropriate for PDNPA in so far as it can be used, with other methodologies, to determine need arising within the National Park.

- 3.5 The HELNA also confirms that the affordable housing need for the borough cannot be met by the standard method. It is therefore possibly and likely that the Borough Council will adopt a housing requirement higher than LHN in order to assist the delivery of much needed affordable housing and in the interests of economic growth.
- 3.6 Therefore, the Neighbourhood Plan should seek to identify sites for development in order to maximise growth, and contribute towards meeting the housing needs of High Peak.

2.4 Aims

- 3.7 Section 2.4 of the Draft Neighbourhood Plan sets out the aims of the Neighbourhood Plan. Namely, it states that the aims are to:
- Meet the diverse needs and aspirations of all of the community in terms of housing, local facilities and economic opportunity; and
 - To attract investment, visitors, employment and sustainable development, to meet the needs of local residents and businesses.
- 3.8 We support these aspirations and wish to emphasise that in order to meet these aims a positive approach to development proposals is required. This is particularly the case given as we have explained above that the general and affordable housing needs of the Central Area, including Whaley Bridge are not being met by the allocations set out in the Local Plan.

WB-G1 Town Centre and Economy

- 3.9 Policy WB-G1 (part 1) of the Submission Version of the Neighbourhood Plan states that retail, restaurants, cafes, cultural uses, visitor facilities or recreational uses and other uses open to the public will be supported within the defined town centre, including the change of use from residential.
- 3.10 As drafted, we have concerns that this policy will detract from the aim of meeting the housing needs of the area, particularly given that it encourages the change of use from residential in the town centre. In order to proactively meet housing needs, the Local Plan also needs to support the provision of residential use where appropriate.



- 3.11 Policy WB-G1 (part 2) of the Submission Version of the Neighbourhood Plan states that cultural uses, visitor facilities or recreational uses will be supported in locations outside of the town centre only where it can be demonstrated that they cannot be accommodated within the town centre.
- 3.12 We object to this policy. The need for a sequential test for visitor and recreational facilities is overly restrictive and does not conform with the Framework, which states at paragraph 84 that planning policies should *enable*:
- h) The sustainable growth and expansion of all types of businesses in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - i) The development and diversification of agricultural and other land-based rural businesses; and
 - j) Sustainable tourism and leisure development which respect the character of the countryside.
- 3.13 The development of visitor and recreational facilities in rural areas is not restricted by the Framework and therefore the requirement for a sequential test should be removed from the Neighbourhood Plan as it is not consistent with National Policy.

WB-G2 Community Facilities

- 3.14 Policy WB-G2 (part 2) of the Submission Version Neighbourhood Plan states that community facilities will be supported in locations outside of the town centre only where it can be demonstrated that they cannot be accommodated within the town centre.
- 3.15 As set out above in relation to Policy WB-G1, we consider that this requirement is overly restrictive and should be removed from the Plan. It does not accord with the Framework for the reasons set out above.

WB-G3 Residential Development

- 3.16 Policy WB-G3 (part 1) states that:

“Residential development outside of the Peak District National Park will be supported for the following locations, subject to meeting the requirements of other policies in this Neighbourhood Plan:

- k) Within the defined Whaley Bridge settlement boundary;
- l) Within the defined town centre, providing street-frontage ground floor units are in uses open to the public;
- m) Brownfield sites;
- n) Infill sites in the form of gaps in existing substantially built-up frontages.”



- 3.17 We object to this policy as it is more restrictive than Policy H1 of the Local Plan, which allows for residential development on the edge of settlements if the criteria within the policy are met – please see the planning policy section above. Policy WB-G3 should be amended to state that residential development outside of settlement boundaries will be supported in line with Policy H1 of the Local Plan.
- 3.18 Policy WB-G3 (part 3) states that self-build housing and community-led housing are encouraged. We support the initiative of community-led housing however we note that this needs to actively encourage meeting local housing needs.

WB-E1 Sustainable Design

- 3.19 Policy WB-E1 (part 3) states that development should enhance the architectural diversity of the area. We object to the wording of this policy and consider that it should be amended to state:

“Development should seek to enhance architectural diversity” [our addition]

- 3.20 The requirement to enhance in every case is excessive and does not allow for consideration of site-specific circumstances.

- 3.21 Policy WB-E1 (part 4) states that schemes should incorporate high quality and well-functioning green infrastructure and public realm as an integral part of the design and layout. We object to the wording of this policy and consider that it should be amended to state:

“Schemes should incorporate high quality and well-functioning green infrastructure and public realm as an integral part of the design and layout where appropriate and necessary” [our addition]

- 3.22 The requirement to incorporate green infrastructure may not be appropriate for smaller scale schemes and therefore the policy should allow for some flexibility.
- 3.23 Policy WB-E1 (part 9) states that development must include positive design features to reduce carbon impact. We consider that this policy is overly vague as it is unclear how this would be quantified. Further clarification is required.

WB-E2 Minor Villages and Settlements

- 3.24 Policy WB-E2 sets out the requirements for development within Taxal, Fernilee, Horwich End and Bridgemont. We seek clarification as to whether these policies are limited to development only within the settlement boundaries as shown on pages 45 and 46 of the Plan. It is unclear whether these policies would apply to, for instance, a rural exception site outside of the defined boundary.



WB-E3 Natural Environment

3.25 Policy WB-E3 part 1, states that development must preserve or enhance and not harm the rural and open landscape character of the area, including the Peak District National Park and its setting. The terminology here is not clear. 'Preserve' and 'not harm' have the same meaning in planning terms. Furthermore, 'preserve or enhance' are terms that are associated with an assessment of heritage assets in planning terms. The Framework and Policy EQ2 of the Local Plan use the words 'protect and enhance' in respect of the National Park and recognised landscape character areas. The Framework is clear at paragraph 175 that plans should distinguish between the hierarchy of international, national and locally designated sites and there should be a distinction between land in the National Park (which is a valued landscape) and other areas of the open countryside. The policy needs additional clarification to address the different tiers/levels of designation

WB-E5 Local Green Space

3.26 Policy WB-E6 (part 1) designates 16 areas as Local Green Space. We object to the designation of LGS16: Taxal Beeches, Taxal Moor Road.

3.27 Our client previously wrote to Vision4Whaley on 22nd June 2022, setting out their objection to the designation, including concerns that the proposed boundary of the LGS did not accurately reflect what is on the ground in terms of the width of the footpath and also incorporated a strip of our client's private land, which should not be included in a Local Green Space designation as it is not accessible to the public. This appears to have been rectified in the current version of the proposed LGS boundary. However, our client maintains an objection to the proposed LGS designation due to their deeded right of way over the proposed designation, both vehicular, on foot and for access to install utilities. This right extends to the full length of Taxal Beeches and continues to be exercised. It is unclear how the land can be classified and protected as Local Green Space whilst respecting such Deeded Rights, which include the right to bring vehicles up the track for access and maintenance, be that a quad bike, a car or even a truck (or horse or bicycle). Given that this is a linear route which is already classified as a public right of way, with no prospect of being developed or diverted, it is unclear why an additional level of protection is required in the form of the proposed LGS as its status as a PRow is already established.

3.28 Further, paragraph 102 of the Framework states that:

"The Local Green Space designation should **only** be used where the green space is:

In reasonably close proximity to the community it serves;



Demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility of richness of its wildlife; and

Local in character and is not an extensive tract of land.” [our emphasis]

- 3.29 The Framework is clear that an area should only be designated as Local Green Space where it meets all of the above criteria. However, it remains unclear how the land in question was found to meet these criteria i.e. why it is demonstrably special; why it holds particular significance over and above other public rights of way/public footpaths and vehicular routes in the local area; and why designation as LGS is necessary.
- 3.30 We consider that LGS16 should be removed as a Local Green Space designation as it does not clearly meet the criteria required by the Framework.

WB-T2 Active Travel

- 3.31 Policy WB-T2 1 states that that development must not encroach onto the area’s footpaths, cycleways or green and blue routes. We object to the wording of this policy and consider that it should be amended to state:

“Development ~~must not~~ **should seek to avoid** encroaching onto the area’s footpaths, cycleways or green and blue routes, including the Shallcross Incline, The Linear Park and Whaley Bridge incline, unless adequate mitigation or alternate routes are provided” [our addition]

- 3.32 Policy WB-T2 2 states that development adjacent to cycle routes or footpaths, must have no adverse impact on their safety, amenity or accessibility. We object to the wording of this policy and consider that it should be amended to state:

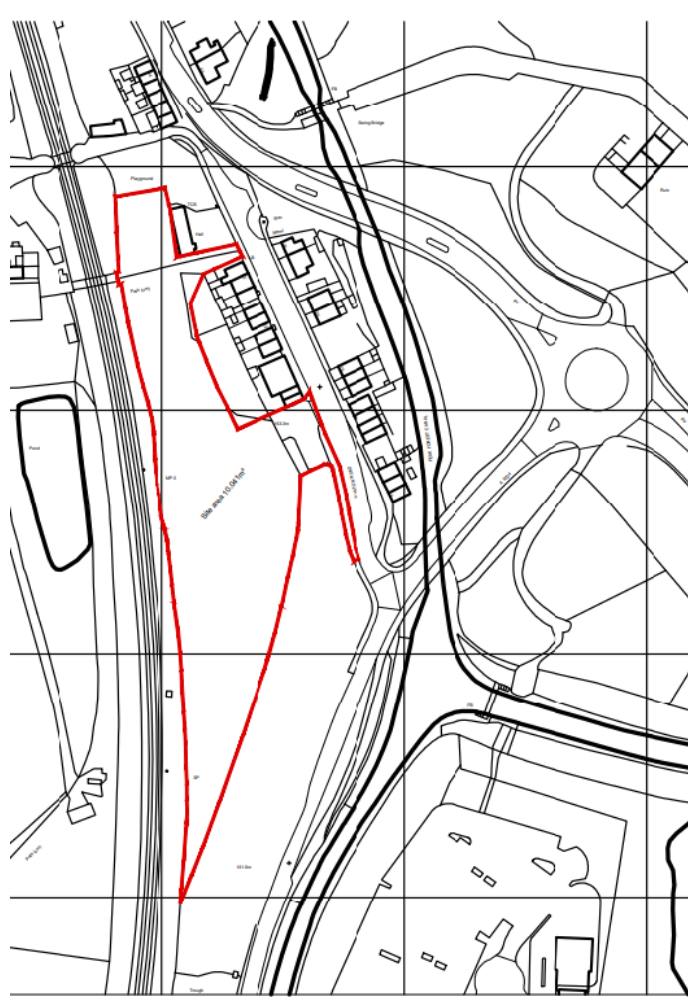
“Development adjacent to footpaths, cycleways or green routes must have no adverse impact on their safety, amenity or accessibility **unless adequate alternative routes or mitigation is provided.**” [our addition]

- 3.33 The policy as drafted is overly restrictive and does not allow for the flexibility required on a case-by-case basis.



4. Land to the West of Bridgemont, Whaley Bridge, High Peak

- 4.1 The land within the control of our client extends to around 1 hectare. The image below shows the extent of the land within the control of Treville Properties. It is roughly triangular in shape and is bounded by the railway to the West, a playground to the North and by existing development and Buxton Road to the Northeast. A band of trees separates the site from Buxton Road to the Southeast.



- 4.2 Part of the site was previously used as a car park for the former Dog and Partridge Public House. The pub has since closed and has been redeveloped for housing. Part of the site has also been used for housing poultry and related equipment and for keeping horses domestically and the parking of vehicles related to these uses. The remainder of the site is open countryside. The site has been used intermittently as a compound when local infrastructure works have been undertaken. It is currently designated as Green

Belt. However, the contribution the site makes to the Green Belt is limited as outlined later in these representations. Several applications have been made on the site over the years, including applications for affordable housing in 2020 and 2023 (HPK/2020/0180 & HPK/2023/0061), the latter being a resubmission of the 2020 application, which seeks to address the reasons for refusal of that application and remains a live application at the time of writing.

- 4.3 The planning history for the site shows that there is a strong desire to bring the land forward for development without delay and there is potential for the land to provide a meaningful contribution towards meeting local housing needs. It is owned by a local housebuilder, there is strong interest from local affordable housing providers, support for its provision through the public consultation that has taken place through the currently live application and subject to the necessary planning permissions, our client's intention is to develop the site immediately.

Proposed allocation

- 4.4 Our client's site is capable of delivering approximately 42 dwellings. An indicative site layout has been produced and is attached at Appendix EP2, which shows a mix of predominantly 2 and 3 bedroomed houses, arranged in short rows of terraced housing fronting an internal access road, with the site being served by a central access point to the highway, adjacent to 32 Buxton Road. Tapering land at the North and South ends of the site provides opportunities for ecological enhancement.
- 4.5 As part of planning application reference HPK/2023/0061, Treville Properties Ltd have undertaken assessments relating to transport, landscape, ecology, ground conditions, and drainage (amongst others) which confirm that there are no overriding technical or other constraints that would prevent development of the site and/or give rise to harm.

Landscape

- 4.6 The site is located within the "Settled Valley Pastures" as shown on the map on page 12 of the Council's Landscape Character SPD. A landscape impact assessment has been undertaken by Barnes Walker which shows that the site could accommodate a linear form of development which would reflect the local landscape character – including the stone terraces on lower slopes referred to in the SPD and the existing residential buildings within Bridgemont. The landscape character of the area would be maintained and there would be no significant effects on the National Park.
- 4.7 In summary:
- Development of the site for housing would be consistent with the existing settlement pattern;



- Natural features such as the trees and woodland located beyond the site boundary to the south can be maintained;
- It would not have a significant effect on the Settled Valley Pastures character type;
- While visible due to the elevated location, the visual effects of the development would be localised and would not be significant;
- The development of the site is acceptable in landscape terms.

Highways and accessibility

- 4.8 Access drawings and a highway assessment have also been produced in connection with the recently submitted planning application for the site which show how the existing access to the former Dog and Partridge pub car park would be used to serve the proposed residential development and that suitable visibility splays and access dimensions can be achieved, together with off street parking in accordance with the Council's standards.
- 4.9 Having regard to the sustainability of the site location, the site is within walking distance of Whaley Bridge Town Centre Whaley Bridge railway station and Furness Vale railway station, with The Tesco supermarket and B&M store being considerably closer. It is within 100 m of bus stops that are served by regular buses to Disley, New Mills, Macclesfield, Glossop, Buxton, Chapel-en-le-Frith, Marple, Stockport and Manchester Airport and close to a number of local cycle routes. A number of primary and secondary schools are located in the local area. Whaley Bridge, Buxworth and Furness Vale Primary School's all being within 1.2km of the site; and Peak School.
- 4.10 The site is in a sustainable location and would make a logical extension to the existing settlement to meet local housing needs.

Ecology

- 4.11 A preliminary ecological appraisal was recently prepared by NLG Ecology in connection with application reference HPK/2023/0061 which confirms there are no overriding ecological constraints to developing the site. The findings have been accepted by Derbyshire Wildlife Trust.

Trees

- 4.12 Development at the site can be accommodated without harm to trees. The offsite woodland to the Southeast of the site screens the site and would be retained.

Flood Risk and Drainage



4.13 The site sits within Flood Zone 1 and has a low risk of flooding. An indicative drainage strategy has been prepared, which shows that there would be no significant off-site impacts as a result of developing the site. United Utilities have reviewed the indicative proposals and have no objection to the site being developed for housing.

Noise

4.14 There are no overriding constraints at the site with regard to noise impacts from the proximity of the site to the railway line. Residential development has recently been approved and completed (by Peaks and Plains), a short distance to the North of the site, which is closer to the railway line than the application site and where the Noise Impact Assessment submitted with the application concluded that noise affecting that site was mainly from traffic on the A6. Given the geographical proximity and similarities between the two sites in terms of their context, it is clear that development can be accommodated with suitable levels of residential amenity.

Green Belt

4.15 With the exception of the Tesco supermarket and adjoining land, the whole of Bridgemont is washed over by the Green Belt. However, our client's site at Bridgemont is enclosed on all sides by rail, road and existing residential properties and does not fulfil Green Belt purposes.

4.16 In representations for the local plan review, we have set out a case based on exceptional circumstances for the whole of Bridgemont to be released from the Green Belt. However, even if the whole of Bridgemont is not removed from the Green Belt, our client's site could be allocated for new residential development to help meet the housing needs in High Peak. This was the approach adopted in allocating a similar size Green Belt site at Furness Vale at the time of the last local plan review to meet needs in this area. The indicative layout appended shows that the site could accommodate 42 dwellings, including affordable housing, for which it has been shown there is a pressing local need. There would also be a contribution towards upgrading the nearby play facility.

4.17 The land is bounded by the railway to one side, existing residential development to another and woodland to another. The site is clearly bounded on all sides by clear defensible boundaries and its allocation would not conflict with the purposes of Green Belt designation.

4.18 In particular, our client's land does not conflict with the purposes of Green Belt designation which are to:

- check the unrestricted sprawl of large built-up areas;
- prevent neighbouring towns merging into one another;



- assist in safeguarding the countryside from encroachment; or
- preserve the setting and special character of historic towns.

4.19 Paragraph 143 of the Framework states that when defining Green Belt boundaries, plans should, amongst other things,

(a) ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;

(b) not include land which it is unnecessary to keep permanently open;

(e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and

(f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

4.20 The allocation of our client's site for housing would not conflict with any of the above. There is no reason to keep this land open and the permanent boundaries would ensure there is no further extension into the Green Belt.

Conclusion

4.21 The site is in a sustainable location and would help to deliver a mix of housing to meet local needs, including affordable housing. There are no constraints which would prevent the site from being developed and a number of benefits could be delivered as part of future proposals. The site does not contribute to the purposes of the Green Belt and we consider there is a wider case, on the basis of exceptional circumstances, to justify removal of the whole of the village of Bridgemont from the Green Belt. We therefore consider that our client's site should form a housing allocation within the Neighbourhood Plan.



5. Land at Linglongs Road, Taxal, Whaley Bridge

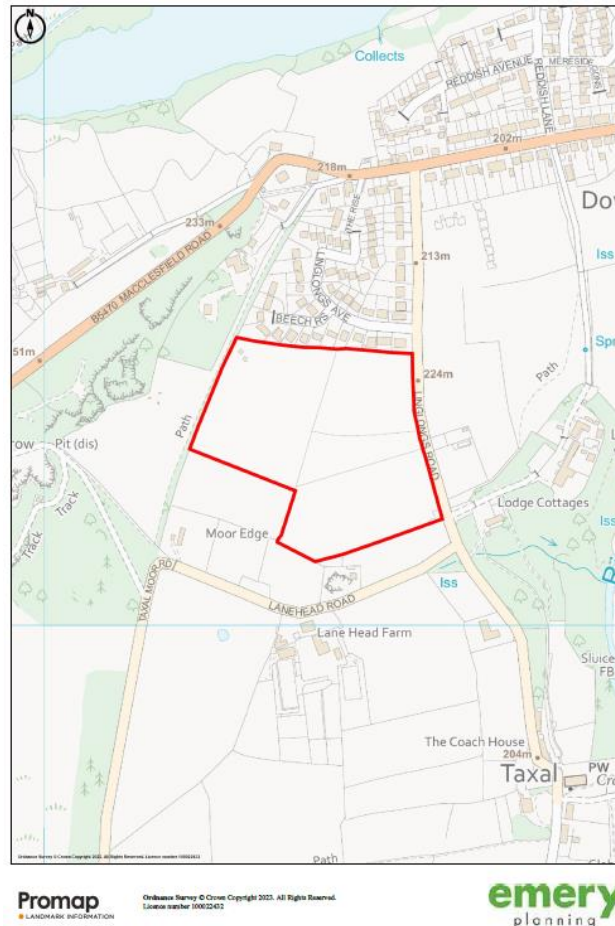
Site description

- 5.1 The site comprises approximately 5.5ha of agricultural land in open countryside but is not designated as Green Belt. It is located immediately to the South of Whaley Bridge and adjoins the settlement boundary. The land is bounded by existing housing to the North, by fields to the South (which separate the site from the Peak District National Park), and by Linglongs Road to the West. There is a public footpath the West of the site, beyond which land rises to a tree covered ridge. The former children's home and associated development at Taxal Edge is located to the Northwest of the site. This is now in residential use, with various planning permissions having been granted for conversion and/or redevelopment of the site for housing. Land to the Northeast on the opposite side of Linglongs Road is currently being developed for housing by Barratt Homes.
- 5.2 The site is currently subdivided into smaller fields by post and wire fencing, with a small Equestrian type building in the Northwest corner. Boundaries are marked by a mix of post and wire/post and rail fencing, domestic fencing, low stone walls and trees. The site location of the land is shown on the next page of these representations.
- 5.3 While less detailed information is presented to support the allocation of this land than for our client's land interests at Bridgemont, this is purely due to the fact that proposals for development have already been advanced for residential development at the site in Bridgemont and assessments undertaken in connection with that application. Notwithstanding this, the nature of the land at Linglongs Road and the lack of any apparent constraints means that the site could be brought forward for housing within the next 5 years. It is largely owned by our client (a housebuilding company) and although a small part of the site is in third party ownership, they have no objections to the land being brought forward for development by Treville Properties.

Planning history

- 5.4 The site has a limited planning history. Planning permission was refused for residential development in 1989 (application reference HPK/0002/7558). However, the planning policy context, the extent of the settlement and local housing needs have changed significantly since that time.





Proposed allocation

- 5.5 Assuming a development of circa 20 dwellings per hectare our client’s site at Linglongs Road is capable of delivering approximately 110 new homes. This density is reflective of the densities achieved on nearby sites, allows a proportion of the land to be used for landscape planting and ecological enhancement and takes account of our client’s aspirations for a development based around individually designed and self-build homes, with typologies reflective of the small scale and grand villas within the council’s residential design SPD.
- 5.6 At this stage, detailed technical assessments have not been undertaken. However, there are no known constraints to development. The land is in agricultural use and is of no apparent significant ecological value, being similar in nature to other agricultural land in the immediate vicinity that has been allocated and developed for housing. Visibility along Linglongs Road is good, providing various opportunities for safe access to be obtained to the land. The site is in flood zone 1 and is not identified on the Environment Agency maps as being at risk of flooding from surface water, meaning it falls within the lowest category of risk for flooding.



Landscape

- 5.7 There are limited natural features on the site. However there is the opportunity to retain trees and vegetation along and beyond the site boundaries and ample room within the site to provide additional landscape planting as part of a comprehensive landscape framework, including the potential for tree/woodland planting along the Southern boundary of the site to link in with existing woodland to the East and West, which would strengthen existing ecological/green corridors and provide a landscape buffer to the National Park. Combined with further landscaping within the body of the site, this would enhance the appearance of the settlement edge, which is currently delineated by various types of domestic fencing to the gardens of properties on Linglongs Avenue and Beech Rise.
- 5.8 The body of the site contains no significant landscape features and there are no known constraints to development. This gives flexibility to develop a strong landscape framework within which new housing can be designed in a manner that complements the existing settlement pattern; is consistent with the requirements of local landscape guidance/character assessments; and which ensures there is no harm to the setting of the National Park, or views within and from it.
- 5.9 In terms of the overall effect of development in this location, it is considered that the ridgeline to the West of the site is a strong natural physical barrier, which is already perceived as the extent of the urban edge of Whaley Bridge to the Northwest of the site. Development at the site would be contained by this ridge, which would form a strong, recognisable and defensible boundary to the settlement edge, beyond which, local landscape character changes, with a much more rural feel (to the West of the ridge, the densely wooded western slopes of the ridgeline culminate at Macclesfield Road and more open areas comprising small enclosed pastoral fields extend down to the southern banks of Toddbrook Reservoir).

Design

- 5.10 The nature of the site provides various options with regard to design. However, as noted above, our client's intention is that the site would be brought forward for a high quality development of individually designed family homes, including self-build properties and a number of dwellings based around the small scale and grand villa typologies in local residential design guidance and reflecting the historic residential form and role of Whaley Bridge. These would be set within a strong landscape framework to reflect the edge of settlement location.

Highways and accessibility

- 5.11 As noted above, the alignment of Linglongs Road and the length of the Eastern site boundary provides various safe and convenient access options.



5.12 Having regard to sustainability of the site location:

- The site is well located in relation to a range of modes of transport. It is approximately 1.3km from Whaley Bridge railway station (circa 1 mile walking distance) which provides regular services to Manchester Piccadilly, Stockport and Buxton.
- The nearest bus stops to the site are within approximately 250m, providing regular links to New Mills, Chapel-en-le-Frith and Macclesfield.
- There are numerous cycling and walking routes in the local area.
- The site would offer convenient access to the range of services, facilities and schools within Whaley Bridge.
- Given that the LPA have accepted the Barratt Homes site on the opposite side of the road is a suitable location for housing (both in granting planning permission and in allocating the land), there can be no question that our client's site is also sustainable.

5.13 The site is considered to be in a sustainable location and would make a logical extension to the existing settlement.

Ecology

5.14 The site is predominantly improved agricultural land which is not of high ecological value. There are no hedgerows or significant ecological features within the body of the site and no known ecological constraints to development. Allocation of the site for housing provides the opportunity to enhance the ecological value of the land, provide linkages to woodland to the East and West (improving ecological and habitat connectivity) and to easily accommodate biodiversity net gain in accordance (or exceedance) of government requirements.

Conclusion

5.15 The site is in a sustainable location and would help to deliver a mix of housing as part of the Local Plan Review. There are no constraints which would prevent the site from being developed and a number of benefits could be delivered as part of future proposals. Beyond the significant benefits associated with the delivery of local housing, these include significant opportunities for ecological enhancement and improvements to the character of the settlement edge of Whaley Bridge. The land is largely owned by our client who is a local house builder with a track record of delivering high quality housing schemes. In light of this, it is anticipated that the site could be brought forward for housing within the first 5 years of the plan period. In light of the above, we consider that the land to the West of Linglongs Road should form a housing allocation in the Neighbourhood Plan.



6. Summary and conclusions

6.1 In summary, the Submission Version of the Neighbourhood Plan should be changed as follows:

- The plan period should either align with the High Peak Local Plan or the development needs for the Whaley Bridge area beyond 2031 should be identified and planned for.
- The plan should allocate sites for residential development to meet the overall housing requirement for High Peak and that of the Central Area. Given the significant shortfall in affordable housing delivery in High Peak and in the Central Area including Whaley Bridge, sites should be allocated in the Neighbourhood Plan to specifically deliver affordable homes. Details of our client's land are provided in section 4 above.
- LGS16: Taxal Beeches, Taxal Moor Road should not be included as Local Green Space – this proposal should be deleted.
- Finally, the amendments to individual policies as set out in section 3 above should be made.

6.2 This concludes our representations. Please note that we wish to be kept informed of the process moving forward. We would be happy to meet with you to discuss our representations at this stage.



emery

PLANNING

2-4 South Park Court, Hobson Street
Macclesfield, Cheshire, SK11 8BS

+44 (0)1625 433 881

Regus House, Herons Way
Chester Business Park, CH4 9QR

+44 (0)1244 732 447



[emeryplanning.com](https://www.emeryplanning.com)