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High Peak Borough Council

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TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

OUTLINE PLANNING APPLICATION

PERMISSION

Applicant	Mr Matthew Stafford S.C.C.Ltd C/O WA Fairhurst And Partners Portland Tower Portland Street Manchester M1 3LF	Application no. HPK/2011/0493 Registered on 30/09/2011 Determined on 21/12/2011
Agent	W A Fairhurst & Partners 11th Floor Portland Tower Portland Street Manchester M1 3LF	

High Peak Borough Council hereby **PERMIT** this application for **OUTLINE PLANNING PERMISSION** for

Outline Application for mixed use redevelopment comprising 1,394 sq m of new business floorspace and up to 81 dwellings with all associated engineering operations, vehicle parking and landscaping. at Bridge Mills New Road Tintwistle

in accordance with the submitted application, details and accompanying plans listed below and subject to the following conditions and reasons:-

Conditions

1. The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is later.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.

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Planning Applications Manager

3. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

4. Before any other operations are commenced (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials/ site accommodation/ loading and unloading of goods vehicles/ parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

5. The premises, the subject of the application, shall not be occupied/ taken into use until the proposed new estate streets within the application site have been designed and laid out in accordance with the County Council's Roads in Housing design guide and constructed to base level to adoptable standards all as agreed in writing with the Local Planning Authority.

6. The premises, the subject of the application, shall not be occupied/ taken into use until space has been provided within the site curtilage for the parking/ loading and unloading/ picking up and setting down passengers/ manoeuvring of residents/ parking), located, designed, laid out and constructed all as agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.

7. No construction work at the site shall take place outside the following hours:-

   1. 0700 hours to 1900 hours Mondays to Fridays.
   2. 0800 hours to 1600 hours on Saturdays.
   3. At any time on Sundays or Public Holidays except by agreement with the Local Planning Authority.

8. Any equipment which needs to be operated outside the hours specified above shall be acoustically screened in accordance with a scheme to be agreed with the Local Planning Authority.

9. If piling is necessary, a written method statement shall be submitted to the Local Planning Authority. No piling shall take place until the method statement has been approved.

10. No piling shall take place outside the hours 0900 hours to 1600 hours Mondays to Fridays.

11. No development shall take place until monitoring has been carried out at the site for the presence of landfill gas in accordance with a scheme to be agreed with the Local Planning Authority. The results of the monitoring shall be submitted to the Local

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Planning Authority as soon as they are available.

12. If the presence of landfill gas is confirmed, or there is evidence that migration of landfill gas is likely to occur, development shall not commence until satisfactory remedial measures have been taken to control and manage the gas and to monitor the effectiveness of these measures. All such measures shall be agreed in writing by the Local Planning Authority before development.

13. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (i) to (iv) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (iv) has been complied with in relation to that contamination.

    i) Site Characterisation
    An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

    (i) a survey of the extent, scale and nature of contamination;
    (ii) an assessment of the potential risks to:
    - human health,
    - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
    - adjoining land,
    - groundwaters and surface waters,
    - ecological systems,
    - archeological sites and ancient monuments;
    (iii) an appraisal of remedial options, and proposal of the preferred option(s).

    This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

    ii) Submission of Remediation Scheme
    A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that

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the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

iii) Implementation of Approved Remediation Scheme
The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

iv) Reporting of Unexpected Contamination
In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (i), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (ii) which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (iii).

14. Before development commences a scheme shall be submitted to and approved by the local planning authority which shall include:
    a. measures to prevent dust escaping from the site e.g. wet suppression of dust during dry periods or cessation of activities during windy periods, and
    b. measures to prevent mud drag-out on the highway e.g. wheel wash, and/or road sweepers.
    The approved scheme shall be implemented and enforced throughout the duration of the construction phase of the approved development.

15. The dwellings hereby permitted shall achieve Level 3 or above, Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 or above has been achieved.

16. Prior to the submission of any application for reserved matters the following ecology surveys shall be carried out:
    i) A breeding bird survey should be undertaken at the appropriate time of year with particular attention on any UK BAP priority and ground nesting speicies including lapwing;
    ii) An assessment of the habitats present on the site against the criteria for the UK

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BAP Priority habitat "Open Mosiac Habitats on Previously Developed Land", together with mitiagation measures if required. This will require botanical surveys to be undertaken at the appropriate time of year;
iii) A targeted reptile survey carried out during optimal survey conditions.
The results of these surveys shall be used to inform any reserved matters application.

17. The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the local planning authority.

18. The development hereby permitted shall not be commenced until such time as;a scheme top manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the local planning authority.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of section 92 of the Town and Country Planning Act 1990.
2. The time limit condition is imposed in order to comply with the requirements of Sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990.
3. To ensure a satisfactory standard of development, in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.
4. To ensure satisfactory service provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
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6. To ensure satisfactory service provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
7. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
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9. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
10. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
11. To ensure that the site is developed in a safe manner and ensure a satisfactory standard of development in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

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12. To ensure that the site is developed in a safe manner and ensure a ``satisfactory standard of development in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
13. To ensure a satisfactory standard of development, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
14. In order that the amenities of the district shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
15. To ensure a satisfactory standard of development, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
16. To safeguard wildlife in the interests of nature conservation.
17. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
18. To reduce the risk of flooding to the proposed development and future occupants.

Summary of reasons for granting permission

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal which will regenerate a derelict brownfield site for a mix of employment and residential development which is in keeping with the surrounding land uses and will improve the appearance of the site. It will benefit the existing local communities by providing valuable affordable housing to meet a demonstrable housing need.

The decision to grant planning permission has also been taken having regard to all other relevant material planning considerations and to the following relevant policies and proposals in the Development Plan.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC10 Archaeological and Other Heritage Features
EMP1 - Industry and business allcoations in the Glossop area.
EMP 4 - Primary Employment Zones
EMP 9 - Change of Use from Industry or business
GD2 - Built up area boundaries
GD3 - Improvement Corridors
GD12 - Unstable Land, Landfill and Contaminated Sites
H1 - Principles of Housing Provision
H5 - Housing within the Built up Area Boundaries
H9 - Affordable Housing for Local Needs
H12 - Public Open Space
OC10 - Trees and Woodlands

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TR4 - Traffic Management
TR5 - Access, parking and design
TR13 - Long Distance and local trails

National Planning Policy
PPS1 Delivering for Sustainable Development;
PPS3 Housing;
PPS4 Planning for Sustainable Growth**.**

Notes to Applicant

Pursuant to Section 38 and the Advance Payments Code of the Highways Act 1980, the proposed new estate roads should be laid out and constructed to adoptable standards and financially secured. Advice regarding the technical, financial, legal and administrative processes involved in achieving adoption of new residential roads may be obtained from the Director of Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the Area Development Manager [

Car parking provision should be made on the basis of a maximum ratio of 1 parking spaces per 25 square metres gross floor area for the proposed business use, 2 parking spaces per 2-3 bedroom and 3 spaces per dwelling with 4 bedrooms or more. Each parking bay should measure 2.4m x 4.8m (larger in the case of spaces for use by disabled drivers) with adequate space behind each space for manoeuvring.

Highway surface water shall be disposed of via a positive, gravity fed system (ie; not pumped) discharging to an approved point of outfall (eg; existing public sewer, highway drain or watercourse) to be sanctioned by the Water Authority (or their agent), Highway Authority or Environment Agency respectively. The use of soakaways for highway purposes is generally not sanctioned.

For the avoidance of doubt the contamination investigation/remediation works should include a methodology for the eradication and appropriate disposal of Japenese Knotweed which is present on the site.

Plans
The plans to which this Notice refers are listed below:
Location Plan
90486/8004 Rev A

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.highpeak.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the

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development this is called a “condition precedent”. The following should be noted with regards to conditions precedent:
(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
(b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

The permission is granted in strict accordance with the approved plans. It should be noted however that:
(a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
(b) Variation to the approved plans will require the submission of a new planning application.

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