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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 Stephen Moss
Astor Property Group
28 Bolton Street
London
W1J 8BP

Application no. HPK/2012/0026

Registered on 13/01/2012

Determined on 12/04/2012

Agent Alex Willis
BNP Paribas Real Estate
1st Floor
Fountain Precinct
Balm Green
Sheffield
S1 2JA

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

Proposed Outline Planning Application for demolition of warehouse & residential development of land & associated works. at Former Samas Roneo Site and Adjacent Land Glossop Road Gamesley Glossop

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.

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Planning Applications Manager

2. An 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.

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

4. The development hereby permitted shall comprise between 70 and 93 residential dwellings.

5. Unless otherwise otherwise agreed in writing with the local planning authority, no construction work at the site shall take place outside the following hours:- 0700 hours to 1900 hours Mondays to Fridays. 0800 hours to 1600 hours on Saturdays. At any time on Sundays or Public Holidays.

6. 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.

7. 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.

8. Unless otherwise agreed in writing 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 the following 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 these conditions have been complied with in relation to that contamination.

A. 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: o human health, o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, o adjoining land, o groundwaters and surface waters, o ecological systems, o archeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of

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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'.

B. 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 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.

C. 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.

D. 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 A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, 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 C.

9. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased with five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

10. (a) No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) which provides for the retention

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Michael Green
Planning Applications Manager

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and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of any Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

(b) No operations shall commence on site in connection with the development hereby approved (including demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

11. No development or other operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved Method Statement. Such Method Statement shall include full details of the following:
a) Implementation, supervision and monitoring of the approved Tree Protection Scheme required in condition 10;
b) Implementation, supervision and monitoring of the approved Tree Work Specification including methods of working that take into account protected species on the site;
c) Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme ;
d) Timing and phasing of Arboricultural works in relation to the approved development.

12. The design and construction of vehicular drives and parking areas within the crown spread any trees to be retained on site and must be in line with appropriate guidelines (BS 5837: 'Trees in Relation to Construction' 2005). They must be constructed using 'no dig' techniques and incorporating permeable surfaces to avoid damage to trees. No development shall take place until there has been submitted to and improved in writing by the local planning authority technical details of the

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Michael Green
Planning Applications Manager

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proposed drives and parking areas, to include their dimensions and levels (including existing ground levels), when they are to be constructed in relation to other development operations and details of supervision of the works.

13. Unless otherwise agreed in writing by the Local Planning Authority All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the dwellings, and no later than 12 months of that occupation or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the approved scheme die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

14. No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and
- The programme and methodology of site investigation and recording
- The programme for post investigation assessment
- Provision to be made for analysis of the site investigation and recording
- Provision to be made for publication and dissemination of the analysis and records of the site investigation
- Provision to be made for archive deposition of the analysis and records of the site investigation
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation"

B No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition

C The development shall not be occupied until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 16 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

15. An access route through the development site to the proposed station, capable of accommodating bus access, shall be provided in a scheme to be submitted to and approved in writing by the Local Planning Authority, including any timetable for implementation.

16. Before any other operations are commenced details of the following matters shall be submitted to the Local Planning Authority for approval:
- location of pedestrian access points to Glossop Road including associated road

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crossing points
- any excavations within 5m of the public highway, including details of any temporary support to ensure the integrity of the public highway is maintained during and after the works take place
- details for the relocation of existing bus stop affected by the site access
- improvement / enhancements of existing public transport infrastructure on Glossop Road (including but not limited to raised bus boarding platforms, improved information, bus shelters, waiting areas)
- measures to prevent vehicular access to Orchard Drive
- details of cyclist connections from the site to existing cycle infrastructure in the vicinity

The approved details shall be fully implemented in a timescale to be agreed with the Local Planning Authority in advance of works commencing on site.

17. Before any other operations are commenced (excluding demolition/ site clearance) a temporary access for construction purposes shall be formed to Glossop Road, laid out, constructed and provided with 2.4m x 60m visibility splays in either direction in accordance with detailed designs to be submitted in advance to the Local Planning Authority and approved in writing, the area in advance of the sightlines being cleared of all obstructions greater than 1m in height (0.6m in the case of vegetation), maintained in accordance with the approved scheme throughout the contract period free from any impediment to its designated use. No other access point shall be used for construction vehicles and details for its permanent closure on cessation of its construction use shall be agreed with the Local Planning Authority. Any gates at the access point shall be set back into the site at least 16m and open into the site only.

18. Unless otherwise agreed in writing, within 14 days of the temporary or permanent access being formed (whichever the sooner) any existing redundant vehicular (and pedestrian) accesses to Glossop Road shall be permanently closed and the existing vehicle crossover reinstated as footway in a manner to be agreed in writing with the Local Planning Authority in consultation with the County Highway Authority.

19. Prior to occupation of the 10th dwelling the permanent estate street junction shall be formed to Glossop Road in accordance with approved plan ref 1070/GA/03/B, laid out, constructed to base level and provided with 2.4m x 60m visibility splays in either direction, the area in advance of the sightlines being levelled, constructed as footway and not being included in any plot or other sub-division of the site.

20. A 2m wide (minimum) footway shall be provided across the entire controlled site frontage to Glossop Road. The footway to be laid out and fully constructed to an adoptable standard in a timescale which has previously been agreed in writing by the Local Planning Authority or prior to the occupation of the 10th dwelling, whichever the sooner.

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21. The sole means of vehicular access to the application site shall be from Glossop Road only. There shall be no means of vehicular access to Orchard Drive.

22. Each dwelling, the subject of the application, shall not be occupied until the proposed new estate streets between each respective plot and the existing public highway have been laid out to conform to the County Council's current design guide, constructed to binder course level, drained and lit in accordance with the County Council's specification for new housing development roads. Prior to the occupation of the 50th dwelling a plan detailing the timescale for the surfacing and completion of the roads to adoptable standard shall be submitted to and agreed in writing with the Local Planning Authority and County Highway Authority. The agreed works shall thereafter be implemented in accordance with an agreed timetable and maintained throughout the life of the development free from any impediment to its designated use.

23. Prior to the commencement of development a plan for the provision of parking and manoeuvring of residents and visitors, service and delivery vehicles (including secure covered cycle parking) shall be submitted and approved in writing by the Local Planning Authority. The works shall thereafter be implemented in accordance with an agreed timetable and maintained throughout the life of the development free from any impediment to its designated use.

24. The development, the subject of the application, shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the Local Planning Authority, and shall be implemented in accordance with the timetable set out therein, unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress shall be submitted annually, on each anniversary of the date of first occupation, to the Local Planning Authority for approval for a period of five years from first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

25. The development shall not commence until details of a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

" provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

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-include a timetable for its implementation; and
- provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reasons

1. 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. The condition is imposed in accordance with the Town & Country Planning Act 1990.

4. To ensure a satisfactory standard of development, in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.

5. In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

6. In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

7. In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

8. To ensure a satisfactory standard of development, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

9. To enable proper consideration to be given to the impact of the proposed development on existing trees, in accordance with Policy OC10 of the High Peak Saved Local Plan Policies 2008.

10. To enable proper consideration to be given to the impact of the proposed development on existing trees, in accordance with Policy OC10 of the High Peak Saved Local Plan Policies 2008.

11. To enable proper consideration to be given to the impact of the proposed development on existing trees, in accordance with Policy OC10 of the High Peak Saved Local Plan Policies 2008.

12. To ensure the continued well-being of the trees in the interests of the amenity

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and environmental quality of the locality, in accordance with Policy GD5 and OC10 of the High Peak Saved Local Plan Policies 2008.

13. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

14. To enable the site's archaeological remains to be properly investigated and recorded, in accordance with Policy BC10 of the High Peak Saved Local Plan Policies 2008.

15. In the interests of sustainability, in accordance with Policy TR1 of the High Peak Saved Local Plan Policies 2008.

16. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

17. In order to provide adequate visibility from the site in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

18. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

19. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

20. In the interests of sustainability, in accordance with Policy TR1 of the High Peak Saved Local Plan Policies 2008.

21. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

22. 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.

23. To ensure adequate car parking provision within the site in accordance with the adopted standards of the Local Planning Authority and in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

24. In the interests of sustainability, in accordance with Policy TR1 of the High Peak Saved Local Plan Policies 2008.

25. To ensure a satisfactory standard of drainage and in the interests of the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

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Planning Applications Manager

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Tel 0845 129 7777 or 01298 28400 Fax 01457 860290 Minicom 0845 129 48 76
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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 is acceptable in principle, and subject to conditions and associated S106 contributions is appropriate development for the site proposed.

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

EMP1 - Industry and business allcoations in the Glossop area.
EMP 7 - Industry and business in the countryside
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD5 - Amenity
H2 - Housing andl infrastructure in Glossopdale
H5 - Housing within the Built up Area Boundaries
H9 - Affordable Housing for Local Needs
H13 - Replacement Dwellings in the Countryside
OC1 - Countryside Development
OC4 - Landscape Character and Design
OC10 - Trees and Woodlands
TR5 - Access, parking and design
TR7 - New Railway Infrastructure

Notes to Applicant

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Plans

The plans to which this Notice refers are listed below:

Location Plan 110570-100
110570-Pr-100

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Michael Green
Planning Applications Manager

Figure 1
3642 Rev 0
1070/GA/03/B

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 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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Michael Green
Planning Applications Manager