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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	Tornillo Homes (Hadfield) Limited Acting By Joe Pitt and Ben Moon	Application no.	HPK/2012/0701
Agent	BNP Paribas Real Estate 1st Floor Fountain Precinct Balm Green Sheffield S1 2JA	Registered on	13/12/2012
		Determined on	06/02/2013

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

Proposed Outline Planning Application for Residential Development of Land and Associated Works at Land to the North East of Station Road Hadfield 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.

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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Michael Green
Planning Applications Manager

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. 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. Before any other operations are commenced, a new vehicular (and pedestrian) access shall be formed to the unadopted access road, located, designed, laid out, constructed and provided with 2m x 18m visibility splays in either direction, all as agreed in writing with the Local Planning Authority, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

6. Any new access shall not be taken into use until 2m x 2m x 45º pedestrian intervisibility splays have been provided on either side of the access at the back of the footway, the splay area being maintained throughout the life of the development clear of any object greater than 0.6m in height relative to footway level.

7. 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'.

8. 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

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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.

9. 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.

10. 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 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, 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 9.

11. 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 1300 hours on Saturdays.
    3. At any time on Sundays or Public Holidays except by agreement with the Local Planning Authority.

12. If piling is necessary, a written method statement shall be submitted to the Local Planning Authority. This method statement should be in line with Environment Agency guidance (Environment Agency 2001), Piling and Penetrative Ground Improvements on Land affected by Land Contamination. No piling shall take place outside the hours of 0900 hours to 1600 hours Monday to Fridays. No piling shall take place until the method statement has been approved.

13. A scheme of dust suppression shall be submitted to include measures to prevent dust escaping from the site e.g. wet suppression of dust during dry periods or cessation of activities during windy. The scheme shall be implemented for the duration of the development works.

Reasons

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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.
5. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
6. 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.
7. To ensure that any contamination is adequately addressed, in the interests of the amenities of the site and in accordance with Policy GD12 of the High Peak Saved Local Plan Policies 2008.
8. To ensure that any contamination is adequately addressed, in the interests of the amenities of the site and in accordance with Policy GD12 of the High Peak Saved Local Plan Policies 2008.
9. To ensure that any contamination is adequately addressed, in the interests of the amenities of the site and in accordance with Policy GD12 of the High Peak Saved Local Plan Policies 2008.
10. To ensure that any contamination is adequately addressed, in the interests of the amenities of the site and in accordance with Policy GD12 of the High Peak Saved Local Plan Policies 2008.
11. In order to protect the amenities of the area and in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
12. In the interests of the residential amenities of the locality and in accordance with Policy GD5 of the High Peak saved Local Plan Policies 2008.
13. In the interests of the residential amenities of the locality and in accordance with Policy GD5 of the High Peak saved Local Plan Policies 2008.

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 given its sustainable location would provide housing to meet the Councils housing targets, and provide a safe means of access into the site.

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.

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POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD5 - Amenity
H1 - Principles of Housing Provision
H5 - Housing within the Built up Area Boundaries
H11 - Layout and Design of residential development
TR5 - Access, parking and design

National Planning Policy Framework

Notes to Applicant

1.The applicant's attention is drawn to the comments provided by Derbyshire County Councils Public Right of Way Officer dated 2nd January 2013.

2.The applicant's attention is drawn to the comments provided by United Utilities dated 24th January 2013.

3.Although not forming part of this consent, the indicative layout provided on plan ref WB000011 would provide a layout which could harm the residential amenities of surrounding residential properties. As such the applicant is encouraged to discuss with the Local Planning Authority any subsequent layout, scale and appearance matters prior to a reserved matters application.

4. Pusuant to Section 219/220 of the Highway Act 1980, relating to the Advacne Payments Code, where development takes place fronting o private street the Highway Authority is obliged to serve notice on the developer under the provisions of the Act to financially secure the cost of bringing up the street up to adoptable standards at some futre date. This takes the form of a cash deposit equal to the calcualted construction costs and my be held indefinitely.

Plans
The plans to which this Notice refers are listed below:
Location Plan
Site Plan
3741

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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