www.highpeak.gov.uk

High Peak Borough Council

working for our community

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

FULL PLANNING APPLICATION

PERMISSION

Applicant Mr Michael Johnson
Seddon Homes Ltd
3 Cinnamon Park Crab Lane
Warrington
WA2 0XP

Agent Philip Millson Associates
Hyde Park House Cartwright Street
Newton
Hyde
SK14 4EH

Application no. HPK/2013/0056

Registered on 31/01/2013

Determined on 30/04/2013

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

Proposed demolition of existing industrial premises, erection of 44 dwellings with associated parking & landscaping & new car park for the Firth Rixson Superalloys Facility at Land North of Shepley Street Glossop

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

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission unless some other specific period has been indicated in other conditions given.

2. The materials of external construction shall be coursed natural gritstone to the walls with natural blue slate to the roof unless otherwise agreed in writing with the Local Planning

……
Michael Green
Planning Applications Manager

Authority.

3. No development shall commence until samples of the materials to be used in the construction of the external surfaces of the approved development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

4. All new pointing shall be carried out in accordance with the booklet "The Re-pointing of Stone" a copy of which is attached to this decision notice. The use of strap pointing shall be avoided.

5. All new rainwater goods shall be cast metal which shall be painted black unless otherwise agreed in writing with the Local Planning Authority.

6. No works shall take place on site until details of windows, including glazing bar details at 1:2, together with details of the door joinery, have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

7. No window or door frame shall be recessed less than 100mm from the external face into which it is set.

8. All external timber shall be painted in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall be maintained thereafter.

9. 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.

10. Before any other operations are commenced (excluding demolition/ site clearance) a temporary access for construction purposes shall be formed to Shepley Street, laid out, constructed and provided with 2.4m x 43m 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.

11. Before any other operations are commenced (excluding those required by conditions 9 and 10 above), detailed designs for the modifications required to Shepley Street to extend the pavement along its northern edge to the West of the application site, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to the occupation of the first dwelling.

……

Michael Green
Planning Applications Manager

12. Before any of the operations hereby approved are commenced, which involve the movement of material in bulk to or from the site, facilities shall be provided as prior agreed in writing with the Local Planning Authority to prevent the deposition of extraneous material on the public highway and shall be maintained throughout the contract period/ throughout the life of the development whenever the said operations are carried out.

13. The dwellings hereby permitted shall not be occupied until a new estate street junction shall be formed to Shepley Street in accordance with the revised application drawings, laid out, constructed to base level and provided with 2.4m x 43m 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.

14. The dwellings hereby permitted shall not be occupied until the proposed new estate streets between each respective plot and the existing public highway have been laid out in accordance with the revised application drawings to conform to the 6C's design guide, constructed to base level, drained and lit in accordance with the 6C's adoptable specification for new housing development roads.

15. The dwellings hereby permitted, shall not be occupied until new vehicular accesses have been created to the new estate street in accordance with the revised application drawings, laid out, constructed and provided with 2.4m x 18m visibility spays in either direction to Plots 1 to 8 and 43/44 amd 2.4m x 25m to Plots 9 to 42 inclusive, 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 the adjoining nearside carriageway channel edge.

16. The access, the subject of condition 15 above, 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.

17. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the revised application drawings for the parking of residents and visitors vehicles (including secure covered cycle parking), laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

18. There shall be no gates of other barriers within 5m of the nearside highway boundary or adoptable highway boundary and any gates shall open inwards only.

19. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (Michael Lambert Associates version 2 dated 5/9/2012) and the following mitigation measures detailed within the FRA:
• Limiting the surface water run-off generated by the proposed development, so that it will not exceed the run-off rates (section 7 of the FRA) from the predevelopment

……
Michael Green
Planning Applications Manager

site and not increase the risk of flooding off-site.
• Finished floor levels of proposed buildings are set no lower than the minimum level of 169.93m AOD (section 7 of the FRA).

20. 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 1 to 4 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 4 has been complied with in relation to that contamination.
1) 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'.
2) 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.
3) 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.

……
Michael Green
Planning Applications Manager

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.
4) 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 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.
5) 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 3.

21. A sound insulation scheme to be submitted to and approved by the local planning authority in relation to appropriate glazing and trickle ventilator combinations to the houses on the Southern boundary of the site. The scheme shall be no less effective than the acoustic performance detailed in section 7 of the Noise assessment dated 14/6/12 by AEC ref P2511/R1/PJK.

22. All garden areas to be screened to achieve a level of not greater than 50dBLAeq daytime and evening due to industrial noise. Full details of any screening required shall be submitted to and approved in writing by the Local Planning Authority and shall be screeded in full accordance with the approved details
.
23. No construction work at the site shall take place outside the following hours:-

1. 0700 hours to 1800 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.

24. 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.

25. 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.

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

27. Construction work shall not commence on site until a scheme for dust suppression has been submitted and been approved by the Local Planning Authority. The approved scheme shall be implemented throughout the duration of the development.

……
Michael Green
Planning Applications Manager

28. 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 approved 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
1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization 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 (a).
c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

29. Notwithstanding the details shown on Drawing No. 4180.02 Rev A no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include the number, sizes and species of the proposed planting; the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg drainage power, communications, cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

30. 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 buildings 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, unless the local planning authority gives written consent to any variation.

32. No development until a detailed method statement for removing or the long-term management / control of Japanese Knotweed on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures

……
Michael Green
Planning Applications Manager

that will be used to prevent the spread of Japanese Knotweed during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root/ stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

33. Vegetation clearance works should be undertaken outside the bird nesting season (ie between October and March). Where this is not possible, then a suitably qualified ecologist should undertake a site survey of active nests. If active nests are identified then these must be retained in-situ until the birds have fledged. Written confirmation of the timing of vegetation removal and any necessary surveys should be submitted to the local planning authority prior to development commencing.

34. No development shall commence until a biodiversity enhancement strategy to include details of nesting and roosting provision for birds and bats and landscaping proposals has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be carried out in complete accordance with the approved details.

35. Prior to development commencing a lighting scheme shall be submitted to and approved by Local Planning Authority. The scheme should ensure that light spill onto the area of the bat roost, the tree lines and the reservoir is avoided.

36. Notwithstanding the provisions of Classes A, B, C, D, E, F or G of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) no extensions, alterations or curtilage buildings shall be constructed without the prior written approval of the local planning authority.

37. The new car park hereby permitted shall be constructed, laid out and available use prior to the first occupation of any of the dwellings.

38. Prior to the commencement of development a Section 106 agreement shall be completed which is in the same form or a substantially like form to the Agreement which is attached to this consent.

Reasons

1. 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 and section 51 of the Planning and Compulsory Purchase Act 2004.

2. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

3. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

……

Michael Green
Planning Applications Manager

4. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

5. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

6. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

7. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

8. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

9. 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.

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

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

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

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

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

15. 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.

16. 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.

17. 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.

.....

Michael Green
Planning Applications Manager

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

19.To reduce the risk of flooding on the proposed development and future occupants, by ensuring the satisfactory storage of/disposal of surface water from the site.

20. 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.

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

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

23. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

24. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

25. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

26. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

27. 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.

28. 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.

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

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

32. This condition is necessary to prevent the spread of Japanese Knotweed which is an invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in the National Planning Policy Framework paragraph 109, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

……

Michael Green
Planning Applications Manager

33. To safeguard wildlife in the interests of nature conservation.

34. To safeguard wildlife in the interests of nature conservation.

35. To minimise impact upon bats and to safeguard wildlife in the interests of nature conservation.

36. To enable the Council to exercise control over future developments at the site, in accordance with Policy GD4 and Policy GD5 of the High Peak Saved Local Plan Policies 2008.

37. 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.

38. To secure the provision and retention of affordable housing within the development, and contributions towards the provision of allotments and school provision to comply with Policy H9 of the High Peak Saved Local Plan Policies 2008 and provisions of the NPPF.

Summary of reasons for granting permission

The Council entered into pre-application discussions with the applicant to secure a revised/improved scheme, as has been submitted and consequently approved. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal which is in a sustainable location and will deliver a recognised housing need whilst preserving the character and appearance of the locality and without prejudicing amenity, highway safety or wildlife interests.

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

BC1 - External Materials
BC5 - Conservation Areas
EMP 4 - Primary Employment Zones
EMP 9 - Change of Use from Industry or business
GD4 - Character Form and Design
GD5 - Amenity
GD7 - Crime Prevention
H1 - Principles of Housing Provision

……
Michael Green
Planning Applications Manager

H5 - Housing within the Built up Area Boundaries
H9 - Affordable Housing for Local Needs
H11 - Layout and Design of residential development
TR5 - Access, parking and design

National Planning Policy Framework

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 Strategic Director of Environmental Services at County Hall, Matlock (tel: 01629 580000).

Pursuant to Sections 219/220 of the Highways Act 1980, relating to the Advance Payments Code, where development takes place fronting new estate streets 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 estate streets up to adoptable standards at some future date. This takes the form of a cash deposit equal to the calculated construction costs and may be held indefinitely. The developer normally discharges his obligations under this Act by producing a layout suitable for adoption and entering into an Agreement under Section 38 of the Highways Act 1980.

Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. It must be ensured that public transport services in the vicinity of the site are not adversely affected by the development works.

Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from Mr C Allwood in the Environmental Services Department at County Hall, Matlock (tel: 01629 538582). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.

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 soak-aways for highway purposes is generally not sanctioned.

Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (eg; street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

.....
Michael Green
Planning Applications Manager

The Highway Authority recommends that the first 5m of the proposed access driveways should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users the Authority reserves the right to take any necessary action against the householder.

Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the new estate street measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site

Attenuation will be required for surface water discharges above the allowable rate up to the 1 in 100 year event that includes an allowance for climate change.
We recommend that floor levels are set such that they would be no lower than the 0.1% AEP flood levels.
Shelf Brook is designated "main river". In accordance with the Water Resources Act 1991 and the Land Drainage Byelaws, the Environment Agency's prior written consent will be required for any proposed works or structures in, under, over, or within 8 metres of the top of the banks of Shelf Brook.
Buffer zones to watercourses are required for the following purposes:
• To allow the watercourse to undergo natural processes of erosion and deposition, and associated changes in alignment and bank profile, without the need for artificial bank protection works and the associated destruction of natural bank habitat.
• To provide for the terrestrial life stages of aquatic insects, for nesting of waterrelated bird species, and for bank dwelling small mammals.
• To provide a "wildlife corridor" bringing more general benefits by linking a number of habitats and affording species a wider and therefore more robust and sustainable range of linked habitats.
• To allow for the maintenance of a zone of natural character with vegetation that gives rise to a range of conditions of light and shade in the watercourse itself.
This mix of conditions encourages proliferation of a wide range of aquatic species, including fish.
• To allow, where appropriate, for the regrading of banks to a lower and safer profile, in areas where there is public access.
• To prevent overshadowing of watercourses by buildings.
• Reduce the risk of accidental pollution from run-off.

Plans
The plans to which this Notice refers are listed below:

Location Plan 1216-OS
1216-BLK-01
1216-BLK-01.2 Rev A
1216-BLK-02
1216-BLK-03
1216-BLK-04
1216-BLK-04.2
1216-BLK-05

……
Michael Green
Planning Applications Manager

1216-BLK-06
1216-BLK-07
1216-BLK-07.2
1216-BLK-08
1216-BLK-09
1216-BLK-10
1216-BLK-10.2
1216-BRI-01 Rev B
1216-BRI-02 Rev B
1216-EDE-01 Rev B
1216-EDE-02 Rev B
1216-SHE-01 Rev B
1216-SHE-02 Rev B
1216-ALS-01 Rev B
1216-ALS-02 Rev B
1216-BOW-01 Rev B
1216-ASH-01
1216-TOPO
4180.02 Rev B
1216-1 Rev F
Draft Section 106 Agreement

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.

Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section on 0845 129 7777.

Any other statutory consent necessary must be obtained from the appropriate authority.

Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority, Derbyshire, County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.

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:

……
Michael Green
Planning Applications Manager

(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.

……
Michael Green
Planning Applications Manager

www.highpeak.gov.uk

High Peak Borough Council

working for our community

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

FULL PLANNING APPLICATION

PERMISSION

Applicant Mr Michael Johnson
Seddon Homes Ltd
3 Cinnamon Park Crab Lane
Warrington
WA2 0XP

Agent Philip Millson Associates
Hyde Park House Cartwright Street
Newton
Hyde
SK14 4EH

Application no. HPK/2013/0056

Registered on 31/01/2013

Determined on 30/04/2013

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

Proposed demolition of existing industrial premises, erection of 44 dwellings with associated parking & landscaping & new car park for the Firth Rixson Superalloys Facility at Land North of Shepley Street Glossop

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

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission unless some other specific period has been indicated in other conditions given.

2. The materials of external construction shall be coursed natural gritstone to the walls with natural blue slate to the roof unless otherwise agreed in writing with the Local Planning

……
Michael Green
Planning Applications Manager

Authority.

3. No development shall commence until samples of the materials to be used in the construction of the external surfaces of the approved development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

4. All new pointing shall be carried out in accordance with the booklet "The Re-pointing of Stone" a copy of which is attached to this decision notice. The use of strap pointing shall be avoided.

5. All new rainwater goods shall be cast metal which shall be painted black unless otherwise agreed in writing with the Local Planning Authority.

6. No works shall take place on site until details of windows, including glazing bar details at 1:2, together with details of the door joinery, have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

7. No window or door frame shall be recessed less than 100mm from the external face into which it is set.

8. All external timber shall be painted in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall be maintained thereafter.

9. 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.

10. Before any other operations are commenced (excluding demolition/ site clearance) a temporary access for construction purposes shall be formed to Shepley Street, laid out, constructed and provided with 2.4m x 43m 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.

11. Before any other operations are commenced (excluding those required by conditions 9 and 10 above), detailed designs for the modifications required to Shepley Street to extend the pavement along its northern edge to the West of the application site, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to the occupation of the first dwelling.

……

Michael Green
Planning Applications Manager

12. Before any of the operations hereby approved are commenced, which involve the movement of material in bulk to or from the site, facilities shall be provided as prior agreed in writing with the Local Planning Authority to prevent the deposition of extraneous material on the public highway and shall be maintained throughout the contract period/ throughout the life of the development whenever the said operations are carried out.

13. The dwellings hereby permitted shall not be occupied until a new estate street junction shall be formed to Shepley Street in accordance with the revised application drawings, laid out, constructed to base level and provided with 2.4m x 43m 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.

14. The dwellings hereby permitted shall not be occupied until the proposed new estate streets between each respective plot and the existing public highway have been laid out in accordance with the revised application drawings to conform to the 6C's design guide, constructed to base level, drained and lit in accordance with the 6C's adoptable specification for new housing development roads.

15. The dwellings hereby permitted, shall not be occupied until new vehicular accesses have been created to the new estate street in accordance with the revised application drawings, laid out, constructed and provided with 2.4m x 18m visibility spays in either direction to Plots 1 to 8 and 43/44 amd 2.4m x 25m to Plots 9 to 42 inclusive, 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 the adjoining nearside carriageway channel edge.

16. The access, the subject of condition 15 above, 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.

17. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the revised application drawings for the parking of residents and visitors vehicles (including secure covered cycle parking), laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

18. There shall be no gates of other barriers within 5m of the nearside highway boundary or adoptable highway boundary and any gates shall open inwards only.

19. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (Michael Lambert Associates version 2 dated 5/9/2012) and the following mitigation measures detailed within the FRA:
• Limiting the surface water run-off generated by the proposed development, so that it will not exceed the run-off rates (section 7 of the FRA) from the predevelopment

……
Michael Green
Planning Applications Manager

site and not increase the risk of flooding off-site.
• Finished floor levels of proposed buildings are set no lower than the minimum level of 169.93m AOD (section 7 of the FRA).

20. 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 1 to 4 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 4 has been complied with in relation to that contamination.
1) 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'.
2) 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.
3) 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.

……
Michael Green
Planning Applications Manager

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.
4) 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 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.
5) 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 3.

21. A sound insulation scheme to be submitted to and approved by the local planning authority in relation to appropriate glazing and trickle ventilator combinations to the houses on the Southern boundary of the site. The scheme shall be no less effective than the acoustic performance detailed in section 7 of the Noise assessment dated 14/6/12 by AEC ref P2511/R1/PJK.

22. All garden areas to be screened to achieve a level of not greater than 50dBLAeq daytime and evening due to industrial noise. Full details of any screening required shall be submitted to and approved in writing by the Local Planning Authority and shall be screeded in full accordance with the approved details
.
23. No construction work at the site shall take place outside the following hours:-

1. 0700 hours to 1800 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.

24. 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.

25. 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.

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

27. Construction work shall not commence on site until a scheme for dust suppression has been submitted and been approved by the Local Planning Authority. The approved scheme shall be implemented throughout the duration of the development.

……
Michael Green
Planning Applications Manager

28. 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 approved 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
1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization 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 (a).
c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

29. Notwithstanding the details shown on Drawing No. 4180.02 Rev A no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include the number, sizes and species of the proposed planting; the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg drainage power, communications, cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

30. 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 buildings 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, unless the local planning authority gives written consent to any variation.

32. No development until a detailed method statement for removing or the long-term management / control of Japanese Knotweed on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures

……
Michael Green
Planning Applications Manager

that will be used to prevent the spread of Japanese Knotweed during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root/ stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

33. Vegetation clearance works should be undertaken outside the bird nesting season (ie between October and March). Where this is not possible, then a suitably qualified ecologist should undertake a site survey of active nests. If active nests are identified then these must be retained in-situ until the birds have fledged. Written confirmation of the timing of vegetation removal and any necessary surveys should be submitted to the local planning authority prior to development commencing.

34. No development shall commence until a biodiversity enhancement strategy to include details of nesting and roosting provision for birds and bats and landscaping proposals has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be carried out in complete accordance with the approved details.

35. Prior to development commencing a lighting scheme shall be submitted to and approved by Local Planning Authority. The scheme should ensure that light spill onto the area of the bat roost, the tree lines and the reservoir is avoided.

36. Notwithstanding the provisions of Classes A, B, C, D, E, F or G of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) no extensions, alterations or curtilage buildings shall be constructed without the prior written approval of the local planning authority.

37. The new car park hereby permitted shall be constructed, laid out and available use prior to the first occupation of any of the dwellings.

38. Prior to the commencement of development a Section 106 agreement shall be completed which is in the same form or a substantially like form to the Agreement which is attached to this consent.

Reasons

1. 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 and section 51 of the Planning and Compulsory Purchase Act 2004.

2. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

3. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

……

Michael Green
Planning Applications Manager

4. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

5. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

6. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

7. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

8. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

9. 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.

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

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

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

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

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

15. 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.

16. 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.

17. 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.

.....

Michael Green
Planning Applications Manager

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

19.To reduce the risk of flooding on the proposed development and future occupants, by ensuring the satisfactory storage of/disposal of surface water from the site.

20. 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.

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

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

23. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

24. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

25. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

26. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

27. 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.

28. 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.

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

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

32. This condition is necessary to prevent the spread of Japanese Knotweed which is an invasive species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in the National Planning Policy Framework paragraph 109, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

……

Michael Green
Planning Applications Manager

33. To safeguard wildlife in the interests of nature conservation.

34. To safeguard wildlife in the interests of nature conservation.

35. To minimise impact upon bats and to safeguard wildlife in the interests of nature conservation.

36. To enable the Council to exercise control over future developments at the site, in accordance with Policy GD4 and Policy GD5 of the High Peak Saved Local Plan Policies 2008.

37. 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.

38. To secure the provision and retention of affordable housing within the development, and contributions towards the provision of allotments and school provision to comply with Policy H9 of the High Peak Saved Local Plan Policies 2008 and provisions of the NPPF.

Summary of reasons for granting permission

The Council entered into pre-application discussions with the applicant to secure a revised/improved scheme, as has been submitted and consequently approved. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal which is in a sustainable location and will deliver a recognised housing need whilst preserving the character and appearance of the locality and without prejudicing amenity, highway safety or wildlife interests.

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

BC1 - External Materials
BC5 - Conservation Areas
EMP 4 - Primary Employment Zones
EMP 9 - Change of Use from Industry or business
GD4 - Character Form and Design
GD5 - Amenity
GD7 - Crime Prevention
H1 - Principles of Housing Provision

……
Michael Green
Planning Applications Manager

H5 - Housing within the Built up Area Boundaries
H9 - Affordable Housing for Local Needs
H11 - Layout and Design of residential development
TR5 - Access, parking and design

National Planning Policy Framework

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 Strategic Director of Environmental Services at County Hall, Matlock (tel: 01629 580000).

Pursuant to Sections 219/220 of the Highways Act 1980, relating to the Advance Payments Code, where development takes place fronting new estate streets 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 estate streets up to adoptable standards at some future date. This takes the form of a cash deposit equal to the calculated construction costs and may be held indefinitely. The developer normally discharges his obligations under this Act by producing a layout suitable for adoption and entering into an Agreement under Section 38 of the Highways Act 1980.

Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. It must be ensured that public transport services in the vicinity of the site are not adversely affected by the development works.

Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from Mr C Allwood in the Environmental Services Department at County Hall, Matlock (tel: 01629 538582). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.

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 soak-aways for highway purposes is generally not sanctioned.

Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (eg; street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

.....
Michael Green
Planning Applications Manager

The Highway Authority recommends that the first 5m of the proposed access driveways should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users the Authority reserves the right to take any necessary action against the householder.

Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the new estate street measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site

Attenuation will be required for surface water discharges above the allowable rate up to the 1 in 100 year event that includes an allowance for climate change.
We recommend that floor levels are set such that they would be no lower than the 0.1% AEP flood levels.
Shelf Brook is designated "main river". In accordance with the Water Resources Act 1991 and the Land Drainage Byelaws, the Environment Agency's prior written consent will be required for any proposed works or structures in, under, over, or within 8 metres of the top of the banks of Shelf Brook.
Buffer zones to watercourses are required for the following purposes:
• To allow the watercourse to undergo natural processes of erosion and deposition, and associated changes in alignment and bank profile, without the need for artificial bank protection works and the associated destruction of natural bank habitat.
• To provide for the terrestrial life stages of aquatic insects, for nesting of waterrelated bird species, and for bank dwelling small mammals.
• To provide a "wildlife corridor" bringing more general benefits by linking a number of habitats and affording species a wider and therefore more robust and sustainable range of linked habitats.
• To allow for the maintenance of a zone of natural character with vegetation that gives rise to a range of conditions of light and shade in the watercourse itself.
This mix of conditions encourages proliferation of a wide range of aquatic species, including fish.
• To allow, where appropriate, for the regrading of banks to a lower and safer profile, in areas where there is public access.
• To prevent overshadowing of watercourses by buildings.
• Reduce the risk of accidental pollution from run-off.

Plans
The plans to which this Notice refers are listed below:

Location Plan 1216-OS
1216-BLK-01
1216-BLK-01.2 Rev A
1216-BLK-02
1216-BLK-03
1216-BLK-04
1216-BLK-04.2
1216-BLK-05

……
Michael Green
Planning Applications Manager

1216-BLK-06
1216-BLK-07
1216-BLK-07.2
1216-BLK-08
1216-BLK-09
1216-BLK-10
1216-BLK-10.2
1216-BRI-01 Rev B
1216-BRI-02 Rev B
1216-EDE-01 Rev B
1216-EDE-02 Rev B
1216-SHE-01 Rev B
1216-SHE-02 Rev B
1216-ALS-01 Rev B
1216-ALS-02 Rev B
1216-BOW-01 Rev B
1216-ASH-01
1216-TOPO
4180.02 Rev B
1216-1 Rev F
Draft Section 106 Agreement

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.

Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section on 0845 129 7777.

Any other statutory consent necessary must be obtained from the appropriate authority.

Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority, Derbyshire, County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.

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:

……
Michael Green
Planning Applications Manager

(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.

……
Michael Green
Planning Applications Manager