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High Peak Borough Council

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

FULL PLANNING APPLICATION

PERMISSION

Applicant Mr Ruairi McCafferty
Federal Mogul
Federal Mogul c/o Agent
Agent DPP Consulting Ltd
53 Fountain Street
Manchester
M2 2AN

Application no. HPK/2012/0454

Registered on 02/11/2012

Determined on 29/07/2013

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

Proposed Demolition of Blocks E & U. Erection of New Security Lodge & Perimeter Fence. Alterations to Existing Access & New Access to Hayfield Road. Improvements to Openings & Elevations to Block C, L, R & S. Resiting of Plant and Landscaping. at Federal Mogul Friction Products Ltd Hayfield Road Chapel-En-Le-Frith

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. 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

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Michael Green
Planning Applications Manager

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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.

3. Prior to the commencement of the development of the northern car park, the existing northern access to Hayfield Road shall be modified in accordance with the approved drawings, laid out, constructed and provided with 2.4m x maximum achievable visibility splays in either direction, the area in advance of the sightlines being maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the nearside carriageway channel level.

4. There shall be no gates of other barriers within 15m of the nearside highway boundary and any gates shall open inwards only.

5. Within 1 month of all works being completed, a Travel Plan shall be 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 agreed sustainable modes, and shall be implemented in accordance with the timetable set out therein, unless otherwise agreed in writing with the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning permission, to the Local Planning Authority for approval, for a period of five years.

6. The portacabin hereby approved shall be removed from the site within 12 months of the date of its installation/construction. The Local Planning Authority shall be notified of the date of installation as soon as it is the structure is installed.

7. A suitable scheme of works shall be drawn up to protect the health of site workers and the general public by limiting the release of asbestos fibres into the air during construction and demolition phases. The scheme shall be submitted to the Local Planning Authority prior to the commencement of development and shall include:

an assessment of the hazards presented by the development with regard to asbestos;
appropriate mitigation methods to limit the release of asbestos fibres into the air; air monitoring on the boundary of relevant works to verify that the agreed mitigation measures are working
a procedure for reporting any airborne asbestos fibres detected to Environmental Health and the HSE without delay.

The approved scheme shall be implemented prior to the commencement of development and maintained throughout the life of the development.

8. The development hereby approved shall be subject to the siting and re-siting of dust extracts and RTO's as specified in the deposited plan. Noise emissions from the resited plant following demolition etc shall not exceed the levels specified in the WSP noise report dated 13.09.2012 table 5 for positions 1a, 1b and 2-6, the measurement positions being as specified in figure A2 of the report.

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9. No construction work at the site, audible at the nearest noise sensitive property, shall take place outside the following hours:-

1. 0800 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.

10. 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.

11. Construction work shall not commence on site until a scheme for dust suppression has been submitted and approved by the Local Planning Authority and subsequently implemented throughout the demolition and construction operations.

12. Development shall not begin until a surface water drainage scheme for the site based on sustainable drainage principles and the Flood Risk Assessment (FRA) from WSP (ref 11191078-IF1 rev 3, dated July 2012 has been submitted to and approved in writing by the Local Planning Authority. The surface water run-off into Black Brook shall be limited to 2.46 l/s. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

details of volumetric run-off control as per CIRIA SUDS Manual C697 with the rate set at Qbar if no infiltration is provided.

details of exceedance event up to a 1 in 100 year event including climate change allowance
details of how the scheme shall be maintained and managed after completion.

13. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

all previous uses

potential contaminants associated with those uses

a conceptual model of the site indicating sources, pathways and receptors

potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and

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identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

14. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

16. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

17. The development hereby permitted shall not be commenced until such time as a scheme to install oil and petrol separators has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved

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. 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.
3. 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.
4. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

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5. In the interests of sustainability, in accordance with Policy TR1 of the High Peak Saved Local Plan Policies 2008.
6. In the interests of visual amenity, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
8. 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.
9. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
10. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
11. 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.
12. To prevent increased risk of flooding and ensure future maintenance of the surface water drainage scheme.
13. In order to protect the amenities of the area in accordance with Policies GD5 and GD12 of the adopted High Peak Local Plan 2008.
14. In order to protect the amenities of the area in accordance with Policy GD5 and GD12 of the adopted High Peak Local Plan 2008.
15. In order to protect the amenities of the area in accordance with Policy GD5 and GD12 of the adopted High Peak Local Plan 2008.
16. To protect the water environment.
17. To protect the water environment.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

- EMP 4 - Primary Employment Zones
- EMP 6 - Industry and business within the built-up area boundaries and homeworking
- EMP 7 - Industry and business in the countryside
- GD2 - Built up area boundaries
- GD5 Amenity
- GD12 Unstable Land, Landfill and Contaminated sites

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National Planning Policy Framework

Paragraph 17 Core Planning Principles

Chapter 1 Building a Strong Competitive Economy

Chapter 11 Conserving and Enhancing the Natural Environment

Notes to Applicant

For the avoidance of doubt this consent does not grant or imply consent for the redevelopment of the remainder of the Federal Mogul land edged in blue on the submitted plan.

An application should be made as soon as possible for a permanent replacement structure for the portacabin.

Plans

The plans to which this Notice refers are listed below:

Location Plan 07198 MAN 25

01

02

03

2561-01

1078/GA/01 A

BBF0409148

HD/9020/01

FM_01

FM_02

FM_03

FM_10

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

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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:

- (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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Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway [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 gully laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.

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.

Where development has been approved subject to the preparation and implementation of a Travel Plan, the applicant is obliged to submit the appropriate documentation to the Local Planning Authority well in advance of the development being taken into use. Advice regarding the content of Travel Plans may be obtained from the Strategic Director of Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the Transportation Section).

Construction works are likely to require Traffic Management and advice regarding procedures should be sought from Dave Nicholson, Traffic Management - telephone 01629 538685.

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