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High Peak Borough Council

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

OUTLINE PLANNING APPLICATION

PERMISSION

Applicant
Hallstead Homes
Commercial House Commercial STreet
Sheffield
SA 2AT

Agent
Cordonier Architects
29 Park Street
Macclesfield
SK11 6SR

Application no. HPK/2013/0417

Registered on 01/08/2013

Determined on 31/10/2013

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

Application for Outline Planning Permission for the Erection of Housing including 25 Affordable Units with Flats, Shop and Car Parking, Sub Station & Pumping Stations (includes 4 Bungalows) at Land Off Hallsteads Doveholes Buxton

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

Conditions

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

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Planning Applications Manager

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

4. 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"

5. No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition 4. 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 4 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

6. 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'.

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7. 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.

8. 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.

9. 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 7, 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 8.

10. 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.
    4. All deliveries to the site shall be limited to within the above hours.

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

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

12. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwellings hereby permitted are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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13. No works shall take place on site until a measures survey of the site has been undertaken and a plan prepared to a scale of not less than 1:500 showing details of existing and intended final ground and finished floor levels from a specified bench mark has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.

14. The development hereby permitted shall not commence until a scheme to limit surface water runoff generated by the proposed development has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details and before the first occupation of the dwellings hereby approved .

15. The development hereby permitted shall not commence until a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved details.

16. The development hereby permitted shall not commence until a scheme for the diposal of foul sewage has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.

17. Prior to the commencement of development, a revised plan showing the parking provision for the shop and residential accommodation above shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved parking shall be laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

18. The shop hereby approved shall be used for A1 purposes only, and for no other purposes whatsoever as defined in the Town and Country Planning (Use Classes) Order 1987 or any statutory instrument revoking and re-enacting that Order with or without modification.

19. Prior to the commencement of development a scheme for biodiversity improvements, including a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of species type, distribution and the long term management and responsibilities of the biodiversity interests. Thereafter the approved scheme shall be implemented prior to the first occupation of the dwellings hereby approved.

20. Before any other operations are commenced, a new vehicular (and pedestrian) access shall be formed to the A6 located, designed, laid out, constructed and provided with visibility splays in either direction, in accordance with Plan ref PL01 Rev F, 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.

21. Prior to the commencement of development, detailed designs for the proposed road layout shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed to adoptable highway standards and in accordance with the approved details.

22. The development, 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

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the parking/ loading and unloading/ picking up and setting down passengers/ manoeuvring of residents/ visitors/ staff/ customers/ service and delivery 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.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of section 92 of the Town and Country Planning Act 1990.
2. The time limit condition is imposed in order to comply with the requirements of Sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990.
3. To ensure a satisfactory standard of development, in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.
4. To 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 and paragrpah 128 of the National Planning Policy Framework.
5. 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 and paragrpah 141 of the National Planning Policy Framework.
6. To ensure that the site is developed in a safe manner in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008 and paragraph 17 of the National Planning Policy Framework.
7. To ensure that the site is developed in a safe manner in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008 and paragraph 17 of the National Planning Policy Framework.
8. To ensure that the site is developed in a safe manner in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008 and paragraph 17 of the National Planning Policy Framework.
9. To ensure that the site is developed in a safe manner in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008 and paragraph 17 of the National Planning Policy Framework.
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 to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
12. To ensure adequate and appropriate treatment to all boundaries and in accordance with Policy GD4 of the High Peak Saved Local Plan Policies.
13. In the interests of the visual and residential character of the area and in accordance with Policies GD4 and GD5 of the High Peak Saved Local Plan Policies 2008.

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14. To prevent the increased risk of flooding by ensuring the satisfactory storage / disposal of surface water from the site and in accordance with paragraphs 102 and 103 of the National Planning Policy Framework.
15. To prevent the increased risk of flooding by ensuring the satisfactory storage / disposal of surface water from the site and in accordance with paragraphs 102 and 103 of the National Planning Policy Framework.
16. In the interests of amenity and in accordance with Policy GD5 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.
18. In the interests of sustainability and in accordance with paragraph 17 of the National Planning Policy Framework.
19. In the interests of nature conservation and in accordance with paragraphs 109 and 118 of the National Planning Policy Framework
20. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
21. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
22. To ensure satisfactory service provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

Summary of reasons for granting permission

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.

During the course of the consideration of the application the Council sought amendments to the proposals to ensure that it reflected the character of the surrounding area and provided a safe means of access within the site. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC10 -Archaeological and Other Heritage Features
GD3 - Improvement Corridors
GD4 - Character Form and Design
GD5 - Amenity
H1 - Principles of Housing Provision
H9 - Affordable Housing for Local Needs
H11 - Layout and Design of residential development

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OC1 - Countryside Development
OC4 - Landscape Character and Design
TR5 - Access, parking and design

National Planning Policy Framework
Para 17: Core planning principles;
Section 1: Building a strong, competitive economy;
Section 6: Delivering a wide choice of high quality homes;
Section 7: Requiring good design;
Section 8: Promoting healthy communities;
Section 11: Conserving and enhancing the natural environment.

Notes to Applicant

1. The discharge of surface water from the proposed development is to mimic that which discharges from the existing site. The Flood Risk Assessment (FRA) prepared by Morgan Tucker (dated November 2012, ref: MT/NWK/RG/1345) suggests that infiltration may be a suitable method for the disposal of surface water post development. Percolation tests should be undertaken to confirm that this is the case and possible infiltration rates. In the event that surface water is to be disposed of via watercourse and a single rate of discharge is proposed, this is to be the mean annual runoff (Qbar) from the existing undeveloped greenfield site. For discharges above the allowable rate, attenuation will be required for up to the 1% annual probability event, including allowances for climate change.
2. The discharge of surface water should, wherever practicable, be by Sustainable Drainage Systems (SuDS). SuDS, in the form of grassy swales, detention ponds, soakaways, permeable paving etc., can help to remove the harmful contaminants found in surface water and can help to reduce the discharge rate.

3. During times of severe rainfall overland flow of surface water could cause a flooding problem. The site layout is to be designed to contain any such flooding within the site, to ensure that existing and new buildings are not affected.

Plans
The plans to which this Notice refers are listed below:
LP01
RU-01
FGA-2A
HT 1A
HT 1B
HT 2A
HT 2B
HT 2C
HT 2D
HT 2E
HT 3A
HT 3B
HT 3C

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HT 3D
HT 3E
HT 4
FT-2A
FT-2B
FT 2C
PL01 Rev F
T01
B01
B02

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

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.highpeak.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
(b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

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

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

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Michael Green
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