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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	Aitchison Raffety	Application no.	HPK/2013/0597
Agent	Brian Barber Associates The Granary Spring Hill Office Park Harborough Road Pitsford NN6 9AA	Registered on	30/10/2013
		Determined on	

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

Amended number of dwellings - Proposed demolition of existing structures & erection of up to 100 dwellings including 14 in the conversion of the former office building 1660m² of B1 commercial floor space and including restoration of former mill pond are to create public open space. at Charlestown Works Charlestown Glossop

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

Conditions

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

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3. Approval of the details of the layout, scale, appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
4. The development hereby permitted does not imply consent or provide any commitment at reserved matters stage, to the illustrative layout (Drawing no: 0110152G) which accompanied this application.
5. 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.
6. Before any other operations are commenced, (excluding Condition 5, above) the new estate street junctions shall be formed to Charlestown Road, located, designed, laid out, constructed and provided with 2.4m x 64m exit visibility splays in either direction, all as agreed in writing with the Local Planning Authority, the area in advance of the sightlines being levelled, forming part of the new street constructed as footway and not forming part of any plot or other sub-division of the site.
7. The premises, the subject of the application, shall not be occupied/ taken into use until the proposed new estate streets within the application site have been designed and laid out in accordance with the County Council's current design guide and constructed to binder course level to adoptable standards all as agreed in writing with the Local Planning Authority.
8. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the vehicular accesses, driveways, parking spaces and turning areas to serve the dwellings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to first occupation of each dwelling and thereafter the turning area and car parking spaces shall not be used for any other purpose other than the parking and manoeuvring of vehicles.
9. Throughout the construction period within any phase, vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud or other extraneous material on the public highway.
10. Before any other operations are commenced (excluding creation of the new accesses, the subject of Condition 6 above), all existing vehicular and pedestrian accesses to Charlestown Road made redundant by the proposed development shall be permanently closed with a physical barrier and the existing vehicle crossovers reinstated as footway (or verge) in a manner to be agreed in writing with the Local Planning Authority in consultation with the County Highway Authority.
11. All means of vehicular and pedestrian access to the application sites shall be only from those accesses demonstrated on the Site Entrance Improvement Works drawings submitted as a part of the application details. There shall be no means of access (either

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vehicular or pedestrian) to any other part of Charlestown Road and to this end, permanent physical barriers shall be erected across the remaining site frontage all as agreed in writing with the Local Planning Authority in consultation with the County Highway Authority.

12. The private access drives to the proposed highways shall be no steeper than 1 in 15 for the first 10m from the nearside highway boundary and 1 in 10 thereafter.
13. The premises, the subject of the application, shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable), to promote travel by sustainable modes which are acceptable to the Local Planning Authority, and shall be implemented in accordance with the timetable set out therein, unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually, on each anniversary of the date of the planning consent, to the Local Planning Authority for approval for a period of five years from first occupation of the development.
14. 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 i to iv 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 iv has been complied with in relation to that contamination.

i) 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).

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This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

ii). 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.

iii). Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

iv. 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 i, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition ii, 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 iii.

15. 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 1600 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.

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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.

16. No piling shall take place outside the hours 0900 hours to 1600 hours Mondays to Fridays.
17. There shall be no visible dust emissions beyond the site boundary associated with works undertaken at the site.
18. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - a) the parking of vehicles of site operatives and visitors
 - b) loading and unloading of plant and materials
 - c) storage of plant and materials used in constructing the development
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - e) wheel washing facilities
 - f) measures to control the emission of dust and dirt during construction
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works.
19.
 - a) The specification of the acoustic barrier and its location shall be the subject to a scheme submitted to and approved by the local planning authority as part of the reserved matters application. Such a scheme shall show the detailed position, size and attenuation provided to the garden areas of the development and shall be supported by appropriate calculation showing the range of attenuation across individual garden areas to ensure the specified noise criteria in these areas are met and maintained.
 - b) Before occupation of any of the development screened by the said acoustic fence, validation testing shall be carried out to ensure the range of attenuation approved has been achieved and as such shall be discharged before any of the said dwellings are occupied.
20.
 - a) No development shall take place until a Written Scheme of Investigation for historic building recording and 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

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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
 7. Details of the provision to be made for retention and restoration of historic water management features in the mill pond area.
 - 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.
21. 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 Met Consulting Engineers Ltd, (Ref 12732-5002 Rev 01 dated June 2012), has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- Details of exceedence event up to a 1 in 100 year including climate change allowance.
 - Details of how the scheme shall be maintained and managed after completion.
- The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
22. No development approved by this permission shall be commenced until details of the existing and proposed floor levels have been submitted and approved by the Local Planning Authority. The proposed levels shall take into consideration the groundwater levels and mitigations made in the FRA from Met Consulting Engineers Ltd, (Ref 12732-5002 Rev 01 dated June 2012) Section 19. The scheme shall be constructed and completed in accordance with the approved details.
23. Prior to the commencement of development a scheme for the provision and management of a buffer zone alongside the watercourse shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:
- Plans showing the extent and layout of the buffer zone. Plans showing the details of the de-culverted sections (re-naturalised banks, soft solutions where feasible, cross section details).

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- Details of the planting scheme (for example, native species).
 - A management plan demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term.
 - Details of any footpaths, fencing, lighting etc.
24. Prior to the commencement of development a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:
- Detail extent and type of new planting (NB planting to be of native species).
 - Details of maintenance regimes.
 - Details of any new habitat created on site.
 - Details of treatment of site boundaries and/or buffers around water bodies.
25. No development until a detailed method statement for removing or the long-term management / control of Japanese Knotweed and Himalayan Balsam on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Japanese Knotweed and Himalayan Balsam 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.
26. The mitigation measures set out in Section 5 of the Outline Method Statement for Bats prepared by Thomson Ecology dated October 2012 should form the basis for a detailed mitigation and monitoring strategy that shall be submitted to and agreed in writing by the local planning authority prior to the commencement of any works.
27. No vegetation removal nor demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.
28. Prior to the first occupancy of the development an Ecological Management Plan for an initial five year period should be submitted to and approved in writing by the Local Planning Authority that provides details of the positive nature conservation management of the retained areas of woodland and ponds together with the incorporation of biodiversity enhancement measures within the development. The Plan should also provide details of how the positive nature conservation management of the retained and created habitats will be funded and implemented.

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29. Prior to development commencing a lighting strategy should be submitted to and approved in writing by the LPA. The lighting strategy should ensure that areas of broad-leaved woodland and the ponds are not unnecessarily lit to prevent impacts on foraging bats and birds. The approved scheme shall be implemented prior to the first occupation of any dwellings and shall thereafter be so maintained.
30. No surface water from this development is discharged either directly or indirectly to the combined sewer network. This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to Long Clough Brook as stated in the Flood Risk Assessment which accompanied this application.
31. Notwithstanding any details provided in the Arboricultural Impact Assessment and Method Statement, this consent does not grant or imply consent for the removal or work to any protected trees on the site.
32. Details of all existing trees on or adjoining the site with a stem diameter of 100mm or greater at a height of 1.3 metres above ground level together with shrubs and other natural features shall be supplied to the Local Planning Authority as part of any reserved matters application for the site layout and shall include the following information: location, species, reference number, girth or stem diameter, accurate crown spread and an assessment of condition. Existing ground levels at the base of trees shall be given where nearby changes in level or excavations are proposed. Trees to be removed in conjunction with the proposed development shall be clearly marked as such on a plan. Positions and details of fencing or hoardings, prohibited areas and other physical means of protecting trees shall be submitted to and agreed with the Local Planning Authority prior to carrying out any works on site.
33. (a) No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of any Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.
- (b) No operations shall commence on site in connection with the development hereby approved (including demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.
- (c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
- (d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

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34. No development or other operations shall commence on site in connection with the development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority. All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998 (1989) Recommendations for Tree Works.
35. No development or other operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved Method Statement. Such Method Statement shall include full details of the following:
 - a) Implementation, supervision and monitoring of the approved Tree Protection Scheme.
 - b) Implementation, supervision and monitoring of the approved Tree Work Specification.
 - c) Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme
 - d) Timing and phasing of Arboricultural works in relation to the approved development.

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. For the avoidance of doubt and to allow the impact of the development on residential amenity to be assessed.
5. 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.
6. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
7. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
8. 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.

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9. 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.
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 sustainability, in accordance with Policy TR1 of the High Peak Saved Local Plan Policies 2008.
14. 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.
15. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
16. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
17. 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.
18. 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.
19. In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
20. 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.
21. To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system.
22. To ensure that the development is subject to minimum risk of flooding.
23. Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to government policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.
24. This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

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25. This condition is necessary to prevent the spread of Japanese Knotweed and Himalayan Balsam which are 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.
26. To safeguard wildlife in the interests of nature conservation.
27. To safeguard wildlife in the interests of nature conservation.
28. To safeguard interests of nature conservation.
29. To safeguard wildlife in the interests of nature conservation.
30. 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.
31. For the avoidance of doubt and to ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality, in accordance with Policy GD5 and OC10 of the High Peak Saved Local Plan Policies 2008.
32. To enable proper consideration to be given to the impact of the proposed development on existing trees, in accordance with Policy OC10 of the High Peak Saved Local Plan Policies 2008.
33. To ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality, in accordance with Policy GD5 and OC10 of the High Peak Saved Local Plan Policies 2008.
34. To ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality, in accordance with Policy GD5 and OC10 of the High Peak Saved Local Plan Policies 2008.
35. To ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality, in accordance with Policy GD5 and OC10 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.

The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

Notes to Applicant

- a. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991, at least 6 weeks prior notification should be given

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to the Strategic Director of Environmental Services at County Hall, Matlock (tel: 01629 538537) before any works commence on the vehicular access within highway limits.

- b. Pursuant to Section 278 of the Highways Act 1980, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Strategic Director of Environmental Services 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.
- c. 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 538578).
- d. The application site is affected by a Public Right of Way (Footpath30 Glossop on the Derbyshire Definitive Map). The route must remain unobstructed on its legal alignment at all times and the safety of the public using it must not be prejudiced either during or after development works take place. Advice regarding the temporary (or permanent) diversion of such routes may be obtained from the Strategic Director of Environmental Services at County Hall, Matlock (tel: 01529 580000 and ask for the Rights of Way Officer).
- e. Under the provisions of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, all works that involve breaking up, resurfacing and / or reducing the width of the carriageway require a notice to be submitted to Derbyshire County Council for Highway, Developer and Street Works. Works that involve road closures and / or are for a duration of more than 11 days require a three months notice. Developer's Works will generally require a three months notice. Developers and Utilities (for associated services) should prepare programmes for all works that are required for the development by all parties such that these can be approved through the coordination, noticing and licensing processes. This will require utilities and developers to work to agreed programmes and booked slots for each part of the works. Developers considering all scales of development are advised to enter into dialogue with Derbyshire County Council's Highway Noticing Section at the earliest stage possible and this includes prior to final planning consents.
- f. 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).

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- g. The Flood Risk Assessment (FRA) from Met Consulting Engineers Ltd, (Ref 12732-5002 Rev 01 dated June 2012) has identified various mitigations measures to enable the proposed development on the site. However, paragraph 14.4 states that "Long Clough Brook is Main River and is therefore maintained by the Environment Agency." We would like to clarify that the Environment Agency has powers contained within the Water Resources Act 1991 to enter onto land to carry out maintenance and improvement works to a watercourse. These powers are however permissive not mandatory and the Agency is under no obligation to carry out any works. The ultimate responsibility of the repair and maintenance of the watercourse lies with the riparian landowner. We would recommend that since the area is subject to intense short duration rainfall, the site owner maintains the channel regularly and removes any large debris that could cause blockages and hence flooding.
- h. The applicants attention is drawn to advice set out by the Environment Agency in their letter dated 11th February 2013 which is appended to this consent.
- i. The applicants attention is drawn to advice set out by United Utilities in their letter dated 6th January 2014 which is appended to this consent.
- J The granting of planning permission does not absolve the applicant from complying with the relevant law on protected species, including obtaining and complying with the terms of any EPS licence that may be required.

Plans

The plans to which this Notice refers are listed below:

Location Plan 011/015/1 C

011 015 2 G

011/015/3/A12732-100-2_FP

12732-100-2_S

12732-100_2DT (1)

12732-100_2DT (2)

12732-100_2DT (3)

12732-100_2DT (4)

12732-100_2DT (5)

12732-100_2DT (6)

12732-100_2DT (7)

12732-100_2DT (8)

12732-100_2DT (9)

12732-5002/03G

12732-5002/19F

12732-2002/22B

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

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition.**

Please refer to our web site : www.highpeak.gov.uk for details. If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the

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development this is called a “condition precedent”. The following should be noted with regards to conditions precedent:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
- (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

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

The permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
- (b) Variation to the approved plans will require the submission of a new planning application.

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