

Barber, Teresa

From: planningcomments@highpeak.gov.uk
Sent: 06 February 2015 11:41
To: Planning Comments
Subject: Comment Received from Public Access

Application Reference No. : HPK/2014/0560

Site Address: Buxton Mineral Water Co Ltd Station Road Buxton Derbyshire SK17 6AQ

Comments by: Peak Rail plc

From:
Matlock Station

Matlock
Derbyshire
DE4 3NA

Phone: 01629 760645

Email: peakrail@peakrail.co.uk

Submission: Objection

Comments: 1. The proposal does not meet the objectives set out in the draft High Peak Local Plan.

2. No agreement has been reached with the applicant on the disposal of any part of our site in respect of this proposed development.

3. The proposal will obstruct our legal road access to our land, which crosses the application site.

4. The reinstatement of the former Matlock to Buxton railway remains a key goal for Peak Rail. Should approval for this application be granted and the scheme subsequently implemented, our proposed terminus on the site will be impossible to construct in such a way as will comply with railway operational requirements.

5. We have a Light Railway Order granting us a statutory right to run a railway on our part of the land the subject of the application (The Peak Railway Light Railway Order 1990 & SI 1990 No. 2350. ISBN 0 11 005350 8). This right extends to land on the application site which is not currently in Peak Rail's ownership. If therefore we are unable, by agreement, to acquire this additional land, or such part of it as may be necessary for railway operating purposes, it would be our intention as a statutory undertaker to apply to the Secretary of State for Transport for additional powers of compulsory acquisition.

We would however only wish to pursue such a course of action as a last resort and would hope that our future proposals can be accommodated through negotiation and agreement with all the relevant interested parties. In this latter respect we would draw your authority's attention to the case of the fairly recent review of the Haywards Heath Goods Yard regeneration scheme in Sussex and how Mid Sussex District Council addressed the issue of railway use in the planning agreement.