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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 Mr Stephen Moss
Astor Property Group
28 Bolton Street
London
W1J 8BP

Application no. HPK/2014/0665

Registered on 22/12/2014

Determined on 13/04/2015

Agent BNP Paribas Real Estate
1st Floor Fountain Precinct
Balm Green
Sheffield
S1 2JA

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

Outline Planning Permission for Proposed Demolition of Warehouse and Residential Development of Land and Associated Works. at Samas Roneo Ltd Glossop Road Gamesley 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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Signed on Behalf of High Peak Borough Council

High Peak Borough Council, Development Services, Municipal Buildings, Glossop, Derbyshire SK13 8AF

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3. Approval of the details of layout, scale, appearance and landscaping (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 shall be carried out in accordance with the following approved plans: 110570-Prl-100 Rev G, 110570-100 Rev A, 110570-500 Rev B, 1070/GA/03 Rev B, 3642 Rev O.
5. An access route through the development site, capable of accommodating bus access, shall be provided/protected in a scheme to be submitted and approved in writing by the Local Planning Authority, including any timetable for implementation. Thereafter the development shall proceed in accordance with the approved scheme.
6. 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:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including facilities for public viewing, where appropriate
 - v. wheel washing facilities to prevent the deposition of extraneous material on the adjoining public highways
 - vi. measures to control the emission of dust and dirt during construction
 - vii. phasing of works
7. Before any other operations are commenced details of the following matters shall be submitted to the Local Planning Authority for approval:
 - a) location of pedestrian access points to Glossop Road including associated road crossing points and a timetable for their implementation
 - b) a scheme to demonstrate bus access / general access through the development site to the proposed station site, including any protected corridor through controlled land
 - c) any excavations within 5m of the public highway, including details of any temporary support to ensure the integrity of the public highway is maintained during and after the works take place
 - d) details for the relocation of existing bus stop affected by the site access
 - e) improvement / enhancements of existing public transport infrastructure on Glossop Road (including but not limited to raised bus boarding platforms, improved information, bus shelters, waiting areas)
 - f) measures to prevent vehicular access to Orchard Drive

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g) details of cyclist connections from the site to existing cycle infrastructure in the vicinity.

The approved details shall be fully implemented in a timescale to be agreed with the Local Planning Authority in advance of works commencing on site.

8. Before any other operations are commenced (excluding demolition/ site clearance) a temporary access for construction purposes shall be formed to Glossop Road, laid out, constructed and provided with 2.4m x 60m 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. No other access point shall be used for construction vehicles and details for its permanent closure on cessation of its construction use shall be agreed with the Local Planning Authority. Any gates at the access point shall be set back into the site at least 16m and open into the site only.
9. Prior to occupation of the 10th dwelling, the permanent estate street junction shall be formed to Glossop Road in accordance with the revised application drawings (Staggered Site Access Junction - figure 01, indicating a central pedestrian refuge), laid out, constructed to base level and provided with 2.4m x 60m 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.
10. Unless otherwise agreed in writing by the Local Planning Authority, within 14 days of the temporary or permanent access being formed (whichever the sooner) any existing redundant vehicular (and pedestrian) accesses to Glossop Road shall be permanently closed and the existing vehicle crossover reinstated as footway in a manner to be agreed in writing with the Local Planning Authority in consultation with the County Highway Authority.
11. The sole means of vehicular access to the application site shall be from Glossop Road only. There shall be no means of vehicular access to Orchard Drive.
12. A 2m wide (minimum) footway shall be provided across the entire controlled site frontage to Glossop Road. The footway to be laid out and fully constructed to an adoptable standard in a timescale which has previously been agreed in writing by the Local Planning Authority or prior to the occupation of the 10th dwelling, whichever the sooner.
13. Each dwelling, the subject of the application, shall not be occupied until the proposed new estate streets between each respective plot and the existing public highway have been laid out to conform to the County Council's current design guide, constructed to binder course level, drained and lit in accordance with the County Council's specification for new housing development roads. The roads being fully surfaced and completed in a timescale agreed in writing with the Local Planning Authority and County Highway Authority prior to occupation of the 50th dwelling.

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14. Prior to the commencement of development a plan for the provision of parking and manoeuvring of residents and visitors, service and delivery vehicles (including secure covered cycle parking) shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be implemented in accordance with an agreed timetable and maintained throughout the life of the development free from any impediment to its designated use.
15. 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 shall be submitted annually, on each anniversary of the date of first occupation, to the Local Planning Authority for approval for a period of five years from first occupation of the development, all as may be agreed with the Local Planning Authority.
16. No external lighting shall be erected on the properties fronting Glossop Road without details being first agreed with the Local Planning Authority. Precise details of the intensity, direction, spread of luminance and shielding of light sources (so as to minimise the risk of drivers on the highway being dazzled), shall be submitted to and approved in writing by the Local Planning Authority, the lighting thereafter being maintained in accordance with the approved scheme.
17. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation;
 - and iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
18. a) 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 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

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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 archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the 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.

19. 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'.

20. 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

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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.

21. 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.

22. 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 21, 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 22.

23. Unless otherwise agreed in writing by the Local Planning Authority, no construction/demolition work at the site shall take place outside the following hours:-
- (i) 07:00 hours to 19:00 hours Mondays to Fridays.
 - (ii) 08:00 hours to 16:00 hours on Saturdays.
 - (iii) At any time on Sundays or Public Holidays except by agreement with the Local Planning Authority.
 - (iv) All deliveries to the site shall be limited to within the above hours.
- 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.
24. If piling is necessary, a written method statement shall be submitted to the Local Planning Authority. This method statement shall be in line with current Environment Agency guidance. The effects of noise generation (hours of operation) should also be considered and in any event piling shall not take place outside the hours 09:00 to 16:00 Mondays to Fridays. No piling shall take place until the method statement has been approved.

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25. Prior to the commencement of development, a scheme of dust suppression shall be submitted to and approved in writing by the Local Planning Authority which details measures to prevent dust escaping from site e.g. wet suppression of dust, cessation of works during inclement weather and measures to clean vehicular wheel. The scheme shall be implemented as agreed and carried out throughout the construction period.
26. No development or other operations shall take place unless within one month prior to commencement an assessment of the trees on the site for bat roosts has been undertaken by a licensed bat ecologist and a report setting out any necessary mitigation plan has been submitted to and approved in writing by the local planning authority. Any approved mitigation measures shall be implemented in accordance with the approved plan and retained thereafter.
27. Before work commences, an additional habitat survey shall be undertaken by a licensed ecologist, details of which shall be submitted to the Local Planning Authority and any necessary mitigation plan shall be submitted to and agreed in writing by the Local Planning Authority.
28. No tree/shrub clearance work shall be carried out between 1 March and 31 August inclusive in any year, unless the site has been surveyed in advance for breeding birds and a scheme to protect breeding birds has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.
29. No development shall take place 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 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.
30. No development shall commence until a biodiversity enhancement scheme to include 'dark corridors', including a timetable for implementation, has been submitted to the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and maintained thereafter.
31. The development hereby permitted shall be limited to a maximum of no more than 93 dwellings.
32. 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

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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.

33. No development shall take place until a scheme for vehicular driveways and parking areas within the root protection areas of the trees to be retained has been submitted to and improved in writing by the local planning authority. The scheme shall include;

- 1. A plan showing the extent of the area over which the no dig construction is to be laid. This must be at least consistent with the root protection areas defined by BS58387:2012 including a an offset of 20% as allowed by section 4.6
- 2. A cross section showing the construction of the no dig construction and technical details of the proposed drives and parking areas, to include their dimension (in relation to existing ground levels).
- 3. Confirmation of the timing of the works in relation to other development operations.
- 4. Details of how the works will be supervised on site

Thereafter the development shall be carried out in accordance with the approved scheme.

34. (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

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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.
- 35. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased with five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

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 in the interests of proper planning.
- 5. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
- 6. 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.
- 7. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
- 8. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
- 9. 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. For the avoidance of doubt and in the interests of highway safety.
- 12. In the interests of highway safety, in accordance with Policy TR5 of the High Peak saved Local Plan Policies 2008.

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13. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
14. 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.
15. In the interests of sustainability, in accordance with Policy TR1 of the High Peak Saved Local Plan Policies 2008.
16. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
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 the interests of amenity and highway safety, in accordance with Policies GD5 and TR5 of the High Peak Saved Local Plan Policies 2008.
26. To safeguard wildlife in the interests of nature conservation.
27. To safeguard wildlife in the interests of nature conservation.
28. To safeguard wildlife in the interests of nature conservation.
29. 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

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minimising impacts on biodiversity and providing net gains in biodiversity where possible.

30. In the interests of biodiversity enhancement in accordance with the provisions of Section 11 of the National Planning Policy Framework 2012.
31. To ensure a satisfactory standard of development, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
32. 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.
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.

This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

EMP1 - Industry and business allcoations in the Glossop area.
EMP 7 - Industry and business in the countryside
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD5 - Amenity
H2 - Housing andI infrastructure in Glossopdale
H5 - Housing within the Built up Area Boundaries
H9 - Affordable Housing for Local Needs
OC1 - Countryside Development
OC4 - Landscape Character and Design
OC10 - Trees and Woodlands

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TR5 - Access, parking and design
TR7 - New Railway Infrastructure

National Planning Policy Framework 2012

Core Planning Principles;

- Section 4 Promoting sustainable transport
- 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

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 the Economy, Transport and Environment Department at County Hall, Matlock (tel: 01629 533190). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 38 Agreement.

The Highway Authority recommends that the first 5m of the proposed access driveway 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 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.

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 gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.

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

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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 by contacting DCC.

Pursuant to Section 50 (Schedule 3) of the New Roads and Streetworks Act 1991, before any excavation works are commenced within the limits of the public highway (including public Rights of Way), at least 6 weeks prior notification should be given to the Strategic Director of the Economy, Transport and Environment Department at County Hall, Matlock (tel: 01629 533190 and ask for the New Roads and Streetworks Section).

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 Economy, Transport and Environment 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 Mr D Nicholson, Traffic Section (tel : 01629 580000).

Before any excavation works commence which may affect the integrity of the public highway, the written consent of the County Council as Highway Authority must be obtained (tel : 01629 535437 and ask for Mr J Gould in the County Council's Structures Section).

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 soakaways for highway purposes is generally not sanctioned.

Network Rail's route to our right of access should remain open and unblocked during the construction phase of the proposal and as a permanent arrangement. Access must be maintained around the clock (24/7, 365) and this will need to take into consideration emergency vehicles.

The council and the developer should be made aware the Orchard Road which leads to Network Rail's right of access will be used by our maintenance and project teams as well as approved contractors to gain access to the operational railway. Network Rail will need to access the operational railway at any time of the day or night and this includes weekends and Bank Holidays. Equally, Network Rail may need to bring down Orchard Road, cranes and plant as is required to

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undertake works. Therefore, any future residents should be made aware that the existing right of access to the railway is reached via Orchard Road, and that at times there may be disturbance from vehicles, cranes, plant etc, works which it is not possible to flag up in advance. The applicant is advised that, in carrying out the work, he should comply with the advice contained in the submitted ecological surveys, and that details of methods of working etc. are adhered to. 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 licence that may be required.

Breeding birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended), as are all bat species. It is an offence to disturb, injure or kill these species. If bats are found during the course of the development, works must stop immediately and a local representative of Natural England should be contacted.

Due to the former land use(s), soil and /or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by:

1. Following the risk management framework provide in CLR11, Model procedures for the management of land contamination
. <https://www.gov.uk/government/publications/managing-land-contamination>
2. Referring to the Environment Agency guiding principles for land contamination and the land contamination sections in the Environment Agency's Groundwater Protection: Principles and Practice
. <https://www.gov.uk/government/publications/managing-and-reducing-landcontamination>
. <https://www.gov.uk/government/publications/groundwater-protection-principlesand-practice-gp3>
3. Further information may be found on the land contamination technical guidance pages on the direct.gov website
. <https://www.gov.uk/government/collections/land-contamination-technicalguidance>

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites.

The competent person would normally be expected to be chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

The Specialist in Land Condition (SiLC) qualification administered by the Institution of Environmental Management provides an accredited status for those responsible for signing off LCR's. For further information see - www.silc.org.uk.

Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice:

The CLAIRE definition of waste: development code of practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation

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and /or land development works are waste or have ceased to be waste. The code of practice is available at: <http://www.claire.co.uk>

Under the Code of practice:

- o Excavated materials that are recovered via a treatment operation can be reused on site providing they are treated to a standard such they are fit for purpose and unlikely to cause pollution
- o Treated materials can be transferred between sites as part of a "hub and cluster" project
- o Some naturally occurring clean material can be directly transferred between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically and that the permitting status off any proposed operations are clear. If in doubt the Environment Agency should be contacted on 03708 506 506 or at enquiries@environment-agency.gov.uk for advice at an early stage to avoid any delays.

Waste to be taken off site:

Contaminated soil that is, or must be, disposed of is waste. Therefore it's handling, transport and disposal is subject to waste management legislation which includes:

- o Duty of Care Regulations 1991
- o Hazardous Waste (England and Wales) Regulations 2005
- o Environmental permitting (England and Wales) Regulations 2010
- o The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 "characterisation of waste" - sampling of waste materials - framework for the preparation and application of a sampling plan" and the permitting status of any proposed treatment or disposal activity is clear.

If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid delays on 03708 506 506 or enquiries@environment-agency.gov.uk for further advice and to discuss the issues likely to be raised.

You should be aware that any permit may not be granted. Additional 'Environmental Permitting Guidance' can be accessed via the government website at: <https://www.gov.uk/environmental-permit-check-if-you-need-one> if the total quantity of waste material to be produced or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer.

Please note this application should be read in conjunction with the Section 106 dated 13TH April 2015.

Plans

The plans to which this Notice refers are listed below:

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Signed on Behalf of High Peak Borough Council

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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Signed on Behalf of High Peak Borough Council