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

FULL PLANNING APPLICATION

PERMISSION

Applicant	McCarthy & Stone Retirement Lifestyle Ltd Unit 3 Edward Court Altrincham Business Park Broadheath Altrincham WA14 5GL	Application no. HPK/2015/0063 Registered on 02/02/2015 Determined on 29/04/2015
Agent	The Planning Bureau Ltd Unit 3 Edward Court Altrincham Business Park Broadheath Altrincham WA14 5GL	

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

Proposed demolition of existing structures & erection of retirement living housing (category II type accommodation), communal facilities, landscaping & car parking at Land to the rear of Chapel Street, Glossop

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

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission unless some other specific period has been indicated in other conditions given.

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2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1988-1-001, 1988-1-002B, 1988-1-003, 1988-1-004B, 1988-1-005B, 1988-1-006A, 1988-1-007A, 1988-1-008A, 1988-1-009B, 1988-1-010A, 1988-1-012, 1988-1-013, 2106-01B.

3. The materials of external construction shall be coursed natural gritstone to the walls with natural blue slate to the roof.

4. No development shall commence until samples of the materials to be used in the construction of the external surfaces of the approved development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

5. All new pointing shall be carried out in accordance with the booklet "The Re-pointing of Stone" a copy of which is attached to this decision notice. The use of strap pointing shall be avoided.

6. All new rainwater goods shall be cast metal which shall be painted black.

7. No window or door frame shall be recessed less than 100mm from the external face into which it is set.

8. Notwithstanding the details shown on the approved drawings the new window frames and doors shall be constructed in timber or powder coated aluminium and not UPVC. No works shall take place on site until details of windows including glazing bar details at 1:2, together with details of the door joinery and finished colour have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

9. No construction work at the site shall take place outside the following hours:-

1. 0800 hours to 1800 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.

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

11. If piling is necessary a written method statement shall be submitted to the Local Planning Authority. This method statement should be inline with Environment Agency guidance (Environment Agency (2001), Piling and Penetrative Ground Improvements on Land Affected by Land Contamination NC/99/73). The effects of noise generation (inc. hours of operation) should also be considered, and should include noise mitigation measures consistent with best practical means. No piling shall take place until the

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method statement has been approved in writing and any piling shall take place in full accordance with the approved method statement.

12. Prior to the commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the local planning authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to, and approved in writing by, the local planning authority:

a) A preliminary risk assessment which has identified:

" all previous uses;

" potential contaminants associated with those uses;

" a conceptual model of the site indicating sources, pathways and receptors; and, potentially unacceptable risks arising from contamination at the site.

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

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

d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

13. Prior to commencement of development, (excluding site clearance) a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented and maintained as approved.

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

15. 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

(ii) storage of plant and materials used in constructing the development

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- (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- (v) measures to prevent mud drag out from site onto the highway, (inc. wheel washing facilities) as appropriate
- (vi) measures to control the emission of dust and dirt during construction
- (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works .

16. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by LK Consult (FRA 14 1042-R1) and the following mitigation measures detailed within the FRA:

1. The ground finished floor level is set no lower than 145.22 metres above Ordnance Datum (AOD) level.
2. The preparation of an emergency evacuation plan, including the registration with EA Floodline to receive Flood Warnings.
3. Identification and provision of safe routes into and out of the site to an appropriate safe haven.
4. Limiting the surface water run-off to no more than 5 l/s and retaining excess volumes of run-off up to the 1 in 100yr storm (30% increase for climate change) within the site.

17. No development until a detailed method statement for the 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 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 listed under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement.

18. a) No development shall take place until a Written Scheme of Investigation for archaeological monitoring has been submitted to and approved by the local planning authority in writing. 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 and provision to be made for post investigation analysis and reporting;
3. Provision to be made for publication and dissemination of the analysis and records of the site investigation
4. Provision to be made for archive deposition of the analysis and records of the site investigation.
5. 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).

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c) The development shall not be occupied until the site investigation and post investigation reporting 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 publication and dissemination of results and archive deposition has been secured.

19. Prior to any part of the development, the subject of the application being occupied, vehicular and pedestrian access shall be formed in accordance with a scheme first submitted to and approved in writing with the Local Planning Authority. The scheme shall include permanent closure of all lengths of Market street and Chapel Street made redundant as a result of the proposals by reinstatement of the footway /kerb to the appropriate level. The area in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway edge.

20. No part of the development, the subject of the application, shall be occupied until space has been laid out within the site in the accordance with the approved layout (1988-1-002B) for the parking of cars, loading and unloading of service/delivery vehicles and for vehicles to enter and leave the site in forward gear. These areas shall thereafter be maintained free from obstruction for their intended use.

21. The development hereby permitted shall not be occupied until the /mobility buggy/cycle parking facilities shown on the approved plans have been provided and are available for the use. These facilities shall be retained thereafter for the use of the occupants and visitors of the premises at all times.

22. No part of the development hereby permitted shall be occupied until details of the storage of bins and the collection of waste have been submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details and the facilities shall be retained for their designated purposes at all times thereafter.

23. The facilities for the loading, unloading, circulation and manoeuvring shall be maintained free from obstruction available for these uses at all times.

24. There shall be no gates of other barriers within 6m of the nearside highway boundary and any gates shall open inwards only.

25. All planting, seeding or turfing comprised in the approved details of landscaping (2106-01B) shall be carried out in the first planting and seeding season following the first occupation of the buildings and no later than 12 months of that occupation or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the approved scheme die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.

26. 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

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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.

27. (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.

28. 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 use hereby permitted is commenced, or before the building is 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.

29. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.

Foul shall be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details.

This development shall be completed maintained and managed in accordance with the approved details.

30. Prior to the commencement of any development, a surface water drainage scheme and means of disposal, based on sustainable drainage principles with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

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The surface water drainage scheme must be restricted to existing runoff rates and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

31. Before development commences a scheme for external lighting shall be submitted to and approved in writing with the Local Planning Authority. The scheme shall avoid illuminating the Brook to avoid impact on foraging bats. The lighting shall be erected in full accordance with the approved details.

32. No tree/shrub clearance works shall be carried out on the site between 1st March and 31st August inclusive, unless the site is surveyed beforehand for breeding birds and a scheme to protect breeding birds is submitted to and approved in writing by the local planning authority. The development shall thereafter only be carried out in accordance with the approved scheme.

33. No development shall take place until a biodiversity enhancement strategy to include details of nesting and roosting provision for birds and bats has been submitted to and approved in writing with the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

34. Each of the residential units hereby permitted shall be occupied only by:

- a) persons aged 55 years and over;
- b) persons aged 50 years or over and living as part of a single household with such a person or persons;
- c) persons who were living in the unit as part of a single household with such a person or persons who have since died.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990 and section 51 of the Planning and Compulsory Purchase Act 2004.

2. For the avoidance of doubt and in the interests of proper planning.

3. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

4. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

5. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

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6. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

7. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

8. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

9. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

10. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

11. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

12. 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.

13. 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.

14. 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.

15. 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.

16. 1. To reduce the impact of flooding on the proposed development and future occupants.

2. To reduce risk to future occupants of the development.

3. To ensure safe access and egress from and to the site.

4. To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

17. 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

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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.

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

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 a satisfactory standard of development, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

23. 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.

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

25. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

26. 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.

27. 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.

28. To ensure adequate and appropriate treatment to all boundaries.

29. To ensure a satisfactory standard of drainage and in the interests of the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

30. To ensure a satisfactory standard of drainage and in the interests of the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

31. To safeguard wildlife in the interests of nature conservation.

32. To safeguard wildlife in the interests of nature conservation.

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33. To safeguard wildlife in the interests of nature conservation.

34. To meet an identified housing need in the area and to meet the provisions of Policy TC11 of the High Peak Saved Local Plan 2008.

Summary of reasons for granting permission

The Council entered into pre-application discussions with the applicant to secure a revised/improved scheme, as has been submitted and consequently approved. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

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.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
BC5 - Conservation Areas
Archaeological and Other Heritage Features
GD3 - Improvement Corridors
GD4 - Character Form and Design
GD5 - Amenity
GD7 - Crime Prevention
H1 - Principles of Housing Provision
H9 - Affordable Housing for Local Needs
TC1 - Town Centres
TC2 - Town Centre Environment
TC11 - Regeneration Areas in Glossop
TR1 - Transport Implications of new development
TR5 - Access, parking and design
TR14 - The protection and construction of trails

High Peak Local Plan Submission Version 2014

S1 – Sustainable Development Principles
S1a – Presumption in Favour of Sustainable Development
S2 – Settlement Hierarchy
S3 – Housing Land Supply and Distribution
S5 – Glossopdale Sub-area Strategy
EQ1 – Climate Change
EQ4 – Biodiversity
EQ5 – Design and Place Making
EQ6 – Built and Historic Environment
EQ9 – Pollution Control and Unstable Land

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EQ10 – Flood Risk Management
H1 – Location of Housing Development
H4 – New Housing Development
H5 – Affordable Housing
CF1 – Retail and Town Centres
CF6 – Accessibility and Transport
CF7 – Planning Obligations and Community Infrastructure Levy

National Planning Policy Framework

Para 17 Core Planning Principles;
Section 1 Building a strong, competitive economy;
Section 2 Ensuring the vitality of town centres;
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;
Section 12 Conserving and enhancing the historic environment;
Para 173 Ensuring viability and deliverability

Notes to Applicant

a) Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway [new estate street] measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gully laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.

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 Director of Economy Transport and Environment at County Hall, Matlock (tel: 01629 538578). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.

c) 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.

d) 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 notice to be submitted to Derbyshire County Council for Highway Developer and Street Works. Works that involve road closures and/or Developer's Works will generally require a 3 months notice. Developers and Utilities (for associated services) should prepare

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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 Highways Noticing Section at the earliest stage possible.

e) Under the terms of the Water Resources Act 1991, and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Glossop Brook which, is designated a 'main river'. The Environment Agency has discretionary powers to carry out maintenance works on the channels of "main river" watercourses to remove blockages and ensure the free flow of water. The responsibility for the repair and condition of Glossop Brook, its channel, banks and adjacent structures, lies ultimately with the riparian owner.

f) The redevelopment of the site may give rise to waste management issues and we would advise the Applicant as follows:

Reuse of material on site

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to our:

- Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at www.environment-agency.gov.uk for further guidance.

Waste to be taken off site

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

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- 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 Standards BS EN 14899:2005

'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that 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 any delays.

If the total quantity of waste material to be produced at 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. Refer to our website at www.environmentagency.gov.uk for more information.

In principle the Environment Agency have no objection to the proposed additional works to undertake further investigations to assess the route, depth, condition and construction of the culvert identified within the east part of the site which is currently discharging into Glossop Brook. However, we recommend the additional works include the following to ensure

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the risks to controlled waters are fully assessed and the relevant reports updated accordingly.

- . Completion of three additional surface water monitoring rounds of Glossop Brook including discharge from culvert given surface water monitoring was last completed in 2006. We recommend any additional surface water monitoring includes up and downstream samples and includes all relevant contaminants of concern, notably hydrocarbons and metals.
- . Further consideration given to the potential risk posed to controlled waters from the hotspots identified within the soils at trial pits TP1, TP2 and borehole BH1 (Kingfisher 2006) and window sample WS8 (Arc Environmental 2014) given the elevated concentrations recorded do not appear to have been considered in the latest report and consideration given to source removal given the proximity to the Glossop Brook.
- . Sampling of the vegetated spoil mound and land beneath it.
- . Provision of appropriate piling risk assessment in line with our guidance 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention'. Environment Agency 2001. National Groundwater and Contaminated Land Centre, Project NC/99/73' given an augured pile solution into the underlying sandstone is proposed.
- . Provision of Phase I Geo-Environmental Appraisal report. Arc Environmental/ Report Ref: 13-433. Date: July 2012.

g)The Environment Agency would be pleased to review the results of additional work completed and any proposed Remediation Strategy for the site. Should you wish to discuss our comments in further detail please contact Lindsey Berends (Technical Specialist) 01772 714253.

Plans

The plans to which this Notice refers are listed below:

1988-1-001, 1988-1-002B, 1988-1-003, 1988-1-004B, 1988-1-005B, 1988-1-006A,
1988-1-007A, 1988-1-008A, 1988-1-009B, 1988-1-010A, 1988-1-012, 1988-1-013,
2106-01B

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

Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section on 0845 129 7777.

Any other statutory consent necessary must be obtained from the appropriate authority.

Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority, Derbyshire, County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance

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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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