



High Peak Borough Council
working for our community

12/04/2016

My ref: KAT/DOC/2016/0008

Mr Michael Gilbert
Peter Brett Associates
Oxford Place
61 Oxford Street
Manchester
M1 6EQ

Dear Sir

DOC/2016/0008 - Proposed Discharge of Conditions 4, 6, 7, 15, 17, 21 and 23 relating to Planning Application HPK/2015/0338 at Land At Dale Road, Buxton

Further to your request to discharge conditions on the approved planning application HPK/2015/0338 under application DOC/2016/0008 and your Deemed Discharge Notice dated 30th March 2016. The Authority can respond as follows:

Condition 4

Please see below in regards to landscaping with Condition 17.

There is no information on the colour of the hard surfacing for Saxon Natural Textured Concrete Paving from Marshalls as shown on the plan334/01/15 Rev A. All other tarmac areas, parking areas and circulation areas are acceptable.

Condition 6

Landscape Management Plan. This is considered to be acceptable to discharge the condition, however this must be reflected from Condition 4 and 17 and has to adhere to an approved landscaping scheme. As such this condition can not be discharged until Condition 4 and 17 are acceptable.

Condition 7

This relates to boundary treatments:

In relation to condition 7 the information on fencing during and post construction is acceptable from an ecological perspective.

However, the plan shows a 600mm high stone boundary wall to the front which would be acceptable but no further details/materials. The condition stipulates that the positions, design, materials and type of boundary treatment including tress pass

fencing should be provided. The information is considered insufficient as submitted and the condition is therefore not discharged. Further information would need to be provided in accordance with the requirements of the condition on the decision to enable this to be acceptable and discharged.

Condition 15

In accordance with Schedule 6, (7(a)) Deemed discharge: exemptions of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

This condition relates to access between the development and the highway and is exempt from the Deemed Discharge Notice.

Following consultation with Derbyshire County Council regarding the submission of a Construction Management Plan. The following was submitted with the application, Site Traffic Management & Assessment Plan / Construction Method Statement.

It would be advisable for the contractor to look at using Stop / Go boards initially while deliveries take place between 0930 & 1500 hours only until vehicles can enter site straight off B5059 without the need to reverse. If deliveries are expected to reverse on site for the full time of site construction these deliveries can only take place during times mentioned above and contractor must apply on line using the appropriate application. Also the contractor must be mindful of various events in Buxton and ensure materials are restricted during these periods.

Subject to the above being adhered to at all times the submitted information is acceptable to discharge the condition. I would be grateful if you can clarify this.

Condition 17 / Condition 4

Replacement Trees / Planting / landscaping

The plan allows for 8 trees to be planted as 12-14cm. Given the layout of the site this is adequate. The Arboricultural Officer has advised that the three trees along the frontage to all be *Tilia Cordata* rather than a mixture of species as shown. The Officer anticipates the loss of the street trees and would like to ensure that this replacement planting is in keeping with the original avenue of trees along the highway.

Derbyshire Wildlife Trust has no concerns regarding the replacement trees at the site. However, some of the shrubs and grasses proposed as part of the landscaping are more typical of acid soils whereas the site is on limestone. *Molinia caerulea* for example is typical of moorlands and acid grasslands and will not thrive where the soils are more calcareous in nature. More appropriate grasses would be *Bromus erectus* (Upright brome) or *Helictotrichon pubescens* (Downy oat grass). However, this does depend on the nature of any soils being used in the landscaping. Overall the landscaping would blend in better if it reflects the calcareous nature of the geology and surroundings and minor modifications should be made.

The information as submitted is not acceptable to discharge the conditions 17 and 4 in regards to landscaping. An amended plan and further details to reflect the comments from the Arboricultural Officer, Derbyshire Wildlife Trust and hard surfacing areas would need to be submitted. As such condition 4 and 17 are refused.

It is also noted there is no application to discharge condition 16 and the Arboricultural Officer draws your attention to this that it will require discharge prior to starting on site. It is important that the have tree protection in place as works may destabilise the street trees and create a highway hazard unless you have taken appropriate action to protected the tree roots as far as practical they should have an arboricultural adviser providing advice and supervision as required.

Condition 21

The information as submitted is acceptable for the Construction Ecological Management Plan and the condition is discharged. The development shall be carried out in accordance with the approved details.

Condition 23

The information as submitted is acceptable for the Landscape Ecological Management Plan and the condition is discharged. The development shall be carried out in accordance with the approved details.

As such the decision of the Local Planning Authority for your application to discharge the conditions is set out above and is further issued in accordance with Section 27 and 28 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. If you wish to pursue a further application to discharge those conditions deemed not to be acceptable, containing the correct or revised information as stipulated within the conditions, an application can be made online through the Council's website.

No development should commence until conditions are formally approved and discharged by the Local Planning Authority as failure to do so would result in the permission null and void.

If you require further information then please do not hesitate to contact us.

Yours sincerely

Karen Taylor
Planning Officer

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