

Innovation Centre Maidstone Road
Kent
ME5 9FD



High Peak Borough Council

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Mr Chris Smith
Plan A (North West) Limited

Innovation Centre Maidstone Road
Kent
ME5 9FD

Application no: HPK/2015/0571

Determined on: 01/07/2016

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015**

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990 (as amended).

Location of Development:

Woods Mill Milltown Glossop Derbyshire SK13 8DJ

Description of Development:

Proposed Demolition of existing buildings and structures and erection of 2,470sqm Class A1 retail unit, refurbishment of existing retail unit and extension to provide 155sqm additional Class B1 offices and 594sqm additional Class A1 retail floor space, erection of 57 dwellings, associated access including new bridges, car parking, landscaping and associated works.

In pursuance of their power under the above mentioned Act, High Peak Borough Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The materials to be used for the residential development hereby approved shall comprise natural stone and slate. No works shall commence in respect of the residential development hereby approved until a sample of the stone and slate has been submitted to and approved in writing by the Local Planning Authority. The work shall be completed in strict accordance with the agreed details.

Reason:- To preserve the setting and architectural and historical integrity of the listed building and preserve the character and appearance of the conservation area, in accordance with Policy EQ7 of the High Peak Local Plan 2016.

3.No development (excluding demolition) shall take place on the retail development until samples of the materials to be used in the construction of all external walls and roofs of the buildings have been submitted to and approved in writing by the Local Planning Authority.





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Development shall be carried out in complete accordance with the approved materials.
Reason:- To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ5 of the High Peak Local Plan 2016.

4. No development (excluding demolition) shall take place commence on the residential development until a plan indicating the details of all joinery, including cross sections of glazing bars, to a scale not less than 1:10 have been submitted to and approved in writing by the Local Planning Authority. The work shall be completed in strict accordance with the agreed details.

Reason:- To preserve the character and appearance of the conservation area in accordance with Policy EQ7 of the High Peak Local Plan 2016.

5. All external doors and windows on buildings within the residential development hereby permitted shall be set back from the face of the building by a minimum of 100mm

Reason:- To preserve the character and appearance of the conservation area in accordance with Policy EQ7 of the High Peak Local Plan 2016.

6. Prior to commencement of development (excluding demolition), a scheme outlining the phasing of development, including a site layout plan identifying all land uses including formal and informal open space and infrastructure, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing scheme or such alternative as may be agreed in writing by the Local Planning Authority.

Reason:- To secure the programming and phasing of, and an orderly pattern to the development, in accordance with Policies EQ6 and EQ7 of the High Peak Local Plan 2016.

7. No loading or unloading in connection with the A1 use hereby permitted shall take place between 2300 hours and 0700 hours on weekdays, Saturdays, Sundays or public holidays.

Reason:- To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected in accordance with Policy EQ6 of the High Peak Local Plan 2016 and paragraph(s) 17 and 123 of the National Planning Policy Framework.

8. Within 3 months of the commencement of development a noise attenuation scheme shall be submitted and to and approved in writing by the Local Planning Authority in accordance with the Miller Goodall Noise Report (ref: 101121, dated 3rd June 2016), detailing the noise control requirements for the fixed plant and noise mitigation to the loading dock including the acoustic barrier. The approved scheme shall be fully implemented prior to the first occupation of the retail development and retained thereafter.

Within 3 months of the commencement of development a noise management plan shall be submitted to and approved in writing by the Local Planning Authority in accordance with that in the Miller Goodall Report ref 101121 and the approved noise management plan shall be implemented throughout the life of the development hereby approved.





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Reason:- In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy EQ6 of the High Peak Local Plan 2016.

9. Unless otherwise agreed in writing 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 10 to 13 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 9 has been complied with in relation to that contamination.

Reason: In the interests of amenity, in accordance with Policy EQ6 of the High Peak Local Plan 2016.

10. Prior to the commencement of development 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'.

Reason:- In the interests of amenity, in accordance with Policy EQ6 of the High Peak Local Plan 2016.

11. Prior to the commencement of development, other than demolition, 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 shall be submitted to and approved in writing by 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.

Reason:- In the interests of amenity, in accordance with Policy EQ6 of the High Peak Local Plan 2016.

12. The approved remediation scheme must be carried out in accordance with the timetable of works agreed through Condition 10 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





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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.

Reason:- In the interests of amenity, in accordance with Policy EQ6 of the High Peak Saved Local Plan 2016.

13. 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 11, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 11, which is subject to the approval in writing of the Local Planning Authority.

Reason:- In the interests of amenity, in accordance with Policy EQ6 of the High Peak Local Plan 2016.

14. No construction/demolition work at the site shall take place outside the following hours:-

(i) 08:00 hours to 19:00 hours Mondays to Fridays.

(ii) 08:00 hours to 13:00 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 in writing with the Local Planning Authority.

Reason:- In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy EQ6 of the High Peak Local Plan 2016.

15. No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays

Reason:- In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy EQ6 of the High Peak Local Plan 2016.

16. Prior to the commencement of development detailed schemes showing the proposed new and modified junction layouts for the new estate street with Milltown and Mill Street with the A57 shall be submitted to the Local Planning Authority for written approval.

Reason:- In the interests of highway safety Policy CF6 of the High Peak Local Plan 2016.

17. Prior to the first occupation of the residential element of the proposals other than the dwellings accessed directly from Mill Street, a new estate street junction shall be formed to Milltown in accordance with the approved scheme, the subject of Condition 16 above.

Reason: In the interests of highway safety, in accordance with Policy CF6 of the High Peak Saved Local Plan 2016.

18. Prior to the commencement of development (other than demolition) the existing junction of Mill Street with the A57 shall be modified in accordance with the approved scheme, the subject of Condition 16 above.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak



Local Plan 2016.

19. No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/ statement shall be adhered to throughout the construction period. The statement shall provide for:

- Parking of vehicles of site operatives and visitors
- routes for construction traffic
- hours of operation
- method of prevention of debris being carried onto highway
- pedestrian and cyclist protection
- proposed temporary traffic restrictions
- arrangements for turning vehicles

Reason:- In the interests of amenity, in accordance with Policy EQ6 of the High Peak Local Plan 2016.

20. Other than the dwellings accessed directly from Mill Street, the residential development hereby permitted shall not commence until construction details of the residential estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016.

21. The carriageways of the proposed estate roads serving the residential development hereby permitted shall be constructed in accordance with Condition 20, up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from the roads. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surface course within twelve months from the first occupation of the dwellings unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016.

22. All areas within the residential element of the development hereby permitted located between the line of the front face of buildings and the nearside highway boundary shall be maintained for the life of the development clear of all obstructions greater than 1.0m in height (600mm in the case of vegetation) relative to the nearside carriageway channel level.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016.

23. No dwellings to be accessed directly from Mill Street shall be occupied until the fronting footway has been modified (including creation of footway crossings at each access and closure of any redundant footway crossings) in accordance details first submitted to and approved in writing by the Local Planning Authority

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016.



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24. The development, the subject of each phase agreed under condition 6 shall not be occupied/ taken into use until space has been provided within the site curtilage for the parking/ loading and unloading/ manoeuvring of residents/ visitors/ staff/ customers/ service and delivery vehicles located, designed, laid out and constructed in accordance with the approved details.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016.

25. The retail development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the retail development hereby permitted and shall thereafter be retained for use at all times.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016.

26. There shall be no gates or other barriers within the residential element of the proposals within 6.0m of the nearside rear of footway/ margin.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016.

27. Within 3 months of the commencement of development details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016.

28. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Waterco (dated 19th June 2015) and the following mitigation measures detailed within the FRA:

1. Limiting the surface water run-off generated by the development to predevelopment 1 in 1yr rate of 140 l/s.

2. Finished floor levels are set in accordance with sections 17.1 & 17.2 of the FRA

3. The soffit level of the new access bridge shall be set no lower than 600mm above the 1% AEP climate change flood level.

4. Flood resilient construction and recommendations included in the RIBA publication 'Improving the Flood Performance of New Buildings' shall be incorporated in all shall below the 0.1% flood level.

5. The developer should prepare a flood plan to inform users/occupiers of the flood risk to the site and provide advice on what to do in the event of a flood.

The mitigation measures shall be fully implemented prior to occupation and subsequently 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.





High Peak Borough Council

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Reason:- In the interests of flood prevention, in accordance with Policy EQ11 of the High Peak Local Plan 2016.

29. No removal of trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the site for active birds' nests immediately before the work is undertaken and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation shall be submitted to and agreed in writing by the Local Planning Authority.
Reason: To safeguard wildlife in the interests of nature conservation and in accordance with Policy EQ5 of the High Peak Local Plan 2016.

30. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved in writing by the Local Planning Authority, detailing the containment, control and removal of Japanese Knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.
To safeguard wildlife in the interests of nature conservation and in accordance with Policy EQ5 of the High Peak Local Plan 2016.

31. Prior to the construction of the bridge over Glossop Brook a survey of the Brook by a suitably competent ecologist for a distance of at least 10m upstream and downstream of the new bridge shall be carried out to assess for the presence of nesting birds and riparian mammal interest and appropriate measures to ensure their protection shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved details.
Reason:- To provide adequate safeguards for the protection of any protected species existing on the site, in accordance with Policy CF6 of the High Peak Local Plan 2016.

32. No development, including demolition, shall take place on any phase of development agreed under condition 6 until a Written Scheme of Investigation for historic building recording for that phase has been submitted to and approved in writing by the local planning authority. No demolition shall take place until all on-site elements of the approved scheme have been completed to the written satisfaction of the local planning authority, and until the provision to be made for analysis, reporting, publication and dissemination of the results and archive deposition has been secured. The Written Scheme of Investigation shall include an assessment of significance and research questions;

1. The programme and methodology of site investigation and recording
2. The programme and provision 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.

Reason:- To enable the recording of any matters of archaeological/built heritage interest as





High Peak Borough Council

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the site is in an area of heritage significance or an area of archaeological potential, in accordance with the provisions of Policy EQ7 of the High Peak Local Plan 2016.

33. a) No development below ground level/slab level (including below-ground aspects of demolition) shall take place on any phase of development agreed under condition 6 until a Written Scheme of Investigation for archaeological work for that phase 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 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 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.

Reason:- To enable the recording of any matters of archaeological/built heritage interest as the site is in an area of heritage significance or an area of archaeological potential, in accordance with the provisions of Policy EQ6 of the High Peak Local Plan 2016.

34. 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 in accordance with the approved details before the first occupation of the development within any phase approved under condition 6.

Reason:- In the interest of visual amenity, in accordance with Policy EQ6 of the High Peak Local Plan 2016.

35. The net sales area of Unit C as show on plan ref 02 Rev B shall be restricted to 1,425 sq m and notwithstanding the provision of Class A1 of the Town and County Planning (Use Classes) Order 1987 or any provision equivalent to that Use Class in any Statutory Instrument the sale of comparison retail goods from Unit C shall be restricted to 250 sq m.

Reason: In the interests of the vitality and viability of the surrounding town centre and in accordance with Policy CF1 of the High Peak Local Plan 2016.

36. Notwithstanding the details shown on plan ref R1743 3 no development shall commence on site until a scheme of soft landscaping has been submitted to and approved in writing by





High Peak Borough Council

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the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- (i) retained historic landscape features and proposed restoration, where relevant.

Reason:- To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features, in the interests of visual amenity, in accordance with Policy EQ9 of the High Peak Local Plan 2016.

37. All soft landscaping comprised in the approved details of landscaping, within each phase agreed in condition 6, shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, 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 otherwise agreed in writing by the Local Planning Authority.

Reason:- To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features, in the interests of visual amenity, in accordance with Policy EQ9 of the High Peak Local Plan.

38. Within 3 months of the commencement of development a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, 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 in accordance with the approved details.

Reason:- In the interest of visual amenity, in accordance with Policy EQ9 of the High Peak Local Plan 2016.

39. No development (exception demolition) shall commence on any phase of development until details of the surfacing materials to be used in the construction of all pedestrian footways, riverside walkway and public realm spaces for that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in complete accordance with the approved samples, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of visual amenity, in accordance with Policy EQ6 of the High Peak





High Peak Borough Council

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40. No trees, shrubs or hedges within the site which irrespective of whether being shown as removed are to be felled, uprooted, willfully 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 within five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

Reason:- To protect the health and amenity of the trees in accordance with Policy EQ9 of the High Peak Local Plan 2016.

41. No operations shall commence on site in connection with the development hereby approved (including demolition works, tree works, fires, 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 (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations has been submitted to and approved in writing by the Local Planning Authority and the protective fencing is erected as required by the AMS.

The AMS shall include full details of the following:

- a) Timing and phasing of Arboricultural works in relation to the approved development.
- b) Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works.
- c) Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site which are shown to be retained on the approved plan and trees which are the subject of any Tree Preservation Order.
- d) Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme
- e) Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order, 1995 (as amended by The Town and Country Planning (General Permitted Development) Order 2015), no services shall be dug or laid into the ground other than in accordance with the approved details.
- f) Details of any changes in ground level, including existing and proposed spot levels required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme.
- g) Details of any vehicular drives, parking areas and other hard surfacing within the root





High Peak Borough Council

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protection area (as defined by BS5837:2012). The design and construction must in accordance with the recommendations of BS5837:2012. Include details of existing ground levels, proposed levels and depth of excavation.

h) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.

Reason:- To protect the health and amenity of the trees in accordance with Policy EQ9 of the High Peak Local Plan 2016.

42. a) All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works.

b) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

c) No fires shall be lit within 6m of the furthest extent of the canopy of any tree or tree group to be retained as part of the approved 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.

e) No development or other operations shall take place except in complete accordance with the approved protection scheme and Arboricultural Method Statement.

Reason:- To protect the health and amenity of the trees in accordance with Policy EQ9 of the High Peak Local Plan 2016.

43. The site shall be drained on a separate system with only foul water drainage connected into the foul sewer unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

44. The development hereby permitted shall be carried out in accordance with the approved plans on the plan schedule dated 6th June 2016.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

45. Within 3 months of the commencement of development, a scheme for the provision of all lighting columns, signage, refuse bins and any public realm facilities shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the





High Peak Borough Council

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siting, size and a timetable for the construction of the facilities. Thereafter the development shall be completed strictly in accordance with the approved details.

Reason: In the interests of a safe and accessible environment and in accordance with Policy EQ6 of the High Peak Saved Local Plan 2016.

Informatives

1. The Highway Authority recommends that the first 6m of the proposed access driveways 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 landowner
2. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge onto the highway. 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.
3. 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 Economy Transport and Environment at County Hall, Matlock (tel: 01629 538658). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.
4. The application site is affected by Public Rights of Way (Footpaths 57 and 62 Chapel-en-le-Frith on the Derbyshire Definitive Map). The routes must remain unobstructed on their legal alignment at all times and the safety of the public using them 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 Economy Transport and Environment at County Hall, Matlock (tel: 01529 580000 and ask for the Rights of Way Officer).
5. 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





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stage possible and this includes prior to final planning consents.

6. 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).

7. The applicant is advised that to discharge condition 17 that the Local Planning Authority requires a copy of a completed Agreement between the applicant and the Local Highway Authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

8. The applicants attention is drawn to the comments of Derbyshire County Council, Public Rights of Way Officer dated 11th December 2015.

X *B.J. Haywood*

Signed by: Haywood, Ben

On behalf of High Peak Borough Council





NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section.
2. 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 at Derbyshire County Council.
3. 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.
4. 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.
5. 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.
6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must



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do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate#other-ways-to-apply>. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

