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High Peak Borough Council

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Swinegate Court East 3
York
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Mr Satta
C/O Agent

Application no: HPK/2017/0318

Determined on: 6th October 2017

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:

Land Off Batham Gate Road & West of Waterswallows Fairfield Buxton Derbyshire

Description of Development:

Construction of an underground cable to connect a proposed Battery Storage Development to the primary substation off Waterswallows Lane

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 development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, AV1007-B-01.

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

3. No development shall take place until a written scheme of investigation (WSI) for archaeological monitoring has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and
 1. The programme and methodology of the site investigation and recording





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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/organisation 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 the site is in an area of heritage significance or an area of archaeological potential, in accordance with the provisions of Policies S7 and EQ7 of the High Peak Local Plan 2016 and Section 12 of the National Planning Policy Framework.

4. No development shall take place until the Investigation has been undertaken and other than in accordance with the archaeological Written Scheme of Investigation approved under condition (3).

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 Policies S7 and EQ7 of the High Peak Local Plan 2016 and Section 7 of the National Planning Policy Framework.

Informative

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

1. The applicant should note that the works within the public highway should be out carried under a Section 50 Licence New Roads and Streetworks Act 1991 with appropriate Traffic Management. The applicant should contact Highways Hub Streetworks /Operations section on 01629 538517 for advice and procedure re the Section 50 Notice and David Nicholson, from Traffic Management on 01629 538685 for advice and procedure re Traffic Management.
2. Pursuant to Section 50 of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy Transport & Communities at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of apparatus/undertakers equipment works within highway limits is available via email highways.hub@derbyshire.gov.uk or telephone Call Derbyshire on 01629 533190.
3. Construction works will require Traffic Management and advice regarding procedures should be sought from David Nicholson, Traffic Management on 01629 538685.





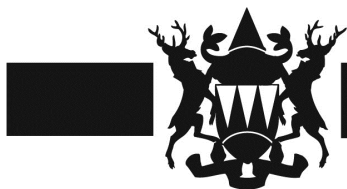
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X *B.J. Haywood*

Signed by: Ben Haywood

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.