

Wainhomes NW Ltd
Cedarwood
2 Kelvin Close
Birchwood
Warrington
WA3 7PB



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Wainhomes NW Ltd
Cedarwood
2 Kelvin Close
Birchwood
Warrington
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Innovation Forge Ltd
Oakfield House
Springfield Way
Macclesfield
Cheshire
SK10 2XA

Application no: HPK/2016/0313

Determined on: 29th November 2017

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

APPLICATION FOR APPROVAL OF RESERVED MATTERS

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:

Forge Works, Forge Road, Chinley, High Peak, SK23 6BW

Description of Development:

Reserved matters application (revised) with details of the appearance, landscaping, layout and scale for Phase 2 of the residential development comprising 62 no. dwellings and associated works pursuant to planning appeal reference APP/H1033/A/13/2189819 (HPK/2012/0323)

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):

Approved Plans

1. The development hereby approved shall be carried out in accordance with the plans and specifications as shown on drawing nos:

- Location Plan 916 A 000
- Site Layout 1566WHD/FRC-PL01 Rev F
- Oakmere Apartments 'Stone' 2.346/P/S/L10 Rev A
- Churchill 'Stone' 089/2.214/P/S/L10/300
- Baird 'Stone' 089/3.217/P/S/L10/300
- Claydon SA 'Stone' 089/3.118SA/P/S/L10/300
- Claydon 'Stone' 089/3.118/P/S/L10/300
- Jenner 'Render' 089/4.209CB/P/R/L10/300





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- Wren DA 089/4.404CBDA/P/S/L10/300
- Haversham SA 'Stone' 4.341SA/P/S/L
- Haversham BAY 'Stone' 4.341BAY/P/S/L
- Nightingale 'Stone' 089/4.204CB/P/S/L10/300
- Whitemoor 'Stone' 4.234/P/S/G Rev A
- Scott 'Stone' 4.207/P/S/G
- Shakespeare 'Stone' 4.341/P/S/L
- Priestley 'Stone' 4.210/P/S/L10/300
- Wordsworth 'Stone' 4.132/P/S/L10/300 Rev A
- Wordsworth SA 'Stone' 4.132SA/P/S/L10/300 Rev A
- Brancaster SA 'Stone' 3.113SA/P/S/L10/300
- Newton 'Stone' 4.201/P/S/L10/300 Rev A
- Shackleton 'Stone' 0000/P/S/L10/300
- Landscape Proposals 4588.06 Rev C (1 of 3) Sept 2017
- Landscape Proposals 4588.07 Rev C (2 of 3) Sept 2017
- Landscape Proposals 4588.08 Rev C (3 of 3) Sept 2017

Reason:- For the avoidance of doubt and in the interests of proper planning.

2. The development hereby approved shall not be commenced until details (and samples if requested) of all roof tiles, facing materials, windows, doors (including garage) and hard surfaces have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason:- In order to ensure that the external appearance of the development is satisfactory in accordance with policy EQ6 of the Adopted High Peak Local Plan 2016.

Boundary Treatment

3. Notwithstanding the site layout drawing ref. 1566WHD/FRC-PL01 Rev F hereby approved, development shall not be commenced until a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details and prior to first occupation of the individual dwelling.

Reason:- In order to ensure the satisfactory appearance of the development in accordance with policy EQ6 of the Adopted High Peak Local Plan 2016.

Levels

4. The development hereby approved shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details.

Reason:- In order to ensure the satisfactory appearance of the development in accordance with policy EQ6 of the Adopted High Peak Local Plan 2016.



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Construction Management Plan

5. No development hereby approved shall take place until a Construction and Environmental Method Statement for the site has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- I. The method and duration of any pile driving operations (expected starting date and completion date);
- II. The hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside 07:00 to 19:00 hours Mondays to Fridays, and 08:00 to 16:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
- III. Pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
- IV. The arrangements for prior notification to the occupiers of potentially affected properties;
- V. The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- VI. A scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
- VII. A scheme for recycling/disposal of waste resulting from the construction works;
- VIII. The parking of vehicles of site operatives and visitors;
- IX. The loading and unloading of plant and materials;
- X. The storage of plant and materials used in constructing the development;
- XI. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate, and,
- XII. Details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works.

All works within the development shall be carried out in accordance with the approved details.

Reason:- In order to protect the amenities of the area, in accordance with policies EQ10 and CF6 of the Adopted High Peak Local Plan 2016.

Highways

6. No development hereby approved shall take place until a detailed design for a temporary access for construction purposes has been submitted to and approved in writing by the Local Planning Authority. The access shall be retained in accordance with the approved scheme throughout the construction period and free from any impediment to its designated use.

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



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7. No development hereby approved shall take place 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. Development shall thereafter be undertaken in accordance with the approved details.

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

8. The carriageways of the proposed estate roads shall be constructed in accordance with Condition 07 above up to and including at least road base level, prior to the first occupation of any dwelling intended to take access from that road(s). The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or abutting the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surface course within twelve months (or three months in the case of a shared surface road) from the first occupation of such dwelling.

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

9. Private accesses shall not be taken into use until 2m x 2m x 45° pedestrian intervisibility splays have been provided on either side of the accesses at the back of the footway, the splay area being maintained throughout the life of the development clear of any object greater than 0.6m in height relative to footway level.

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

10. No part of the development shall be occupied until a new estate street junction has been formed to the new estate street and provided with visibility sightlines extending from a point 2.4m metres from the carriageway edge, measured along the centreline of the access, for a distance of 25.0m in each direction measured along the nearside carriageway edge in each direction in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority. The area in advance of the visibility sightlines being levelled, forming part of the new street constructed as footway and not forming part of any plot or other sub-division of the site. Development shall thereafter be undertaken in accordance with the approved details.

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

11. No development shall take place until a detailed design for the proposed bridge crossing has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details prior to first occupation of any dwelling and subsequently shall be maintained throughout the life of the development free from any impediment to its designated use.

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



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12. No dwelling shall be first occupied until space has been laid out within the site in accordance with revised drawing No 1566WHD/FRC-PL01 Rev F for parking of residents and visitors vehicles for that dwelling and shall be maintained throughout the life of the development free from any impediment to its designated use.

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

13. The approved garages and car parking spaces shall be kept available for the parking of motor vehicles at all times. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that Order) permitted garages / car parking spaces shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property without the grant of a further specific planning permission from the Local Planning Authority.

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

14. The proposed access driveways to the new estate street shall be no steeper than 1 in 14 for the first 5.0m from the nearside adoptable highway boundary and 1 in 10 thereafter.

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

Trees

15. (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.

Reason:- In order to ensure the satisfactory appearance of the development in accordance with policy EQ6 of the Adopted High Peak Local Plan 2016.

16. No development or other operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil



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moving, temporary access construction and/or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved Method Statement. Such Method Statement shall include full details of the following:

- a) Implementation, supervision and monitoring of the approved Tree Protection Scheme,
- b) Implementation, supervision and monitoring of the approved Tree Work Specification,
- c) Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme, and,
- d) Timing and phasing of Arboricultural works in relation to the approved development.

Reason:- In order to ensure the satisfactory appearance of the development in accordance with policy EQ6 of the Adopted High Peak Local Plan 2016.

17. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased 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.

Reason:- In order to ensure the satisfactory appearance of the development in accordance with policy EQ6 of the Adopted High Peak Local Plan 2016.

18. Notwithstanding the site layout drawing ref. 1566WHD/FRC-PL01 Rev F hereby approved, development shall not be commenced until a plan showing the boundaries between public and private space has been submitted to and approved in writing by the Local Planning Authority. Any space designated as a public open space shall be the subject of a long term landscape management plan, which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall include details for any landscaping, hard surfacing and a longterm management schedule for such areas. The approved management plan shall be implemented prior to the occupation of any individual dwelling within the development and the land to which the plan relates shall subsequently be maintained in accordance with the approved details.

Reason:- In order to ensure the satisfactory appearance of the development in accordance with policy EQ6 of the Adopted High Peak Local Plan 2016.

19. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the dwellings 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.

Reason:- In order to ensure the satisfactory appearance of the development in accordance with policy EQ6 of the Adopted High Peak Local Plan 2016.





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Informative(s)

1. The applicant is advised that the development should only commence in accordance with the conditions imposed under the outline consent HPK/2012/0323 and the terms of the Section 106 agreements.
2. Where relevant, the applicant is advised that all condition precedents imposed under the outline consent HPK/2013/0323 shall be agreed in writing by the Local Planning Authority.
3. During the course of the consideration of the application, the Council has sought significant amendments to the scheme to ensure that the overall layout and design of this large scale residential scheme reflects the character of both the adjoining estate and surrounding area. It is therefore considered that the proposals meet with the provisions of paragraphs 186-187 of the National Planning Policy Framework (NPPF).

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.