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To: [Williamson, John](#)
Subject: 2017 11 27 HA RESPONSE Waterswallows
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Attachments: [image001.png](#)

John

**Proposed energy reserve facility – Land off Waterswallows Road (CIII) Buxton TP16419
HPK/2017/0558**

The above application has been referred for highway comments.

Waterswallows Road is a busy road serving the quarry to the east and the town of Buxton and the busy industrial estate to the west. The plot of land is located to the rear of the recycling centre but is served by an existing field gate rather than the industrial estate access.

The proposals have been the subject of pre-application discussions with this Authority.

Exit visibility from the access is unlikely to meet current design criteria but it is understood that once built the facility would be unmanned with only infrequent maintenance visits. It was recommended that the applicant should take the opportunity to maximise achievable visibility over controlled land.

The construction period, which is likely to take up to 9 months, will be the busiest period regarding traffic generation and it was recommended that appropriate traffic management is employed to reduce impact on the adjacent carriageway. The applicant was advised that a construction management statement should accompany the formal planning submission and, from a highway point of view, details should include; parking of vehicles of site operatives and visitors, routes for construction traffic, method of prevention of debris being carried onto highway, proposed temporary traffic restrictions and arrangements for turning vehicles. Having consulted with colleagues I confirm that the submitted scheme is acceptable in principle from a highway point of view. Given the proposed temporary speed limit reduction the applicant will need to contact David Nicholson in my Council's Traffic Management Team on 01629 538685 or via email - david.nicholson@derbyshire.gov.uk for advice and procedural information. You will appreciate there is formal process required and no works can be carried out until this has been successfully secured and all fees paid in the usual manner.

The proposed gates are shown set back to allow such vehicles to be parked whilst awaiting opening of gates and should open inwards only.

Any proposed lighting schemes should be static and shielded to prevent dazzling/distracting passing motorists.

The application site is affected by a Public Right of Way {no.} on the Derbyshire Definitive Map. The route must remain unobstructed on its lawful alignment at all times and safety of the public using it must not be prejudiced either during or after development works take place. Advice on the procedures for the temporary or permanent diversion of such routes may be obtained from the County Council's Public Rights of Way Section at Shand House: tel 01629 533190 or email etcprow@derbyshire.gov.uk.

Subject to the applicant suitably addressing the above issues this Authority would not wish to raise objections. If your Authority is minded to approve then I would ask for conditions to cover the following;

1) 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, including abnormal loads/cranes etc

- hours of operation
- method of prevention of debris being carried onto highway
- pedestrian and cyclist protection
- proposed temporary traffic restrictions
- arrangements for turning vehicles

2) Before any other operations are commenced a new vehicular access shall be created to Waterswallows Road in accordance with the application drawings, laid out, constructed and provided with visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centre line of the access, to the extremities of the site frontage abutting the highway in each direction. The land in advance of the sightlines shall be maintained in perpetuity clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway edge.

3) The premises, the subject of the application, shall not be occupied until the on-site parking spaces have been provided for in accordance with the application drawings laid out and constructed as may be agreed with the Local Planning Authority and maintained thereafter free from any impediment to designated use.

4) The access shall not be gated within 5m of the highway limits and where fitted, shall open into the site only unless otherwise agreed with the Local Planning Authority.

5) Any lighting scheme shall be static and shielded to prevent dazzle/distraction to passing motorists.

The following notes should be included for the applicant;

1) Under Section 151, Highways Act 1980, the applicant must take all 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 (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

2) Under Section 50 (Schedule 3), New Roads and Street Works Act 1991, before any excavation works are commenced within the limits of the existing highway, at least 6 weeks prior notification shall be given to the County Highway Authority (contact the Streetworks Co-ordinator - tel.no. 01629 538516).

3) Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy Transport & Environment at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via email highways.hub@derbyshire.gov.uk or telephone Call Derbyshire on 01629 533190 or via the County Council's website http://www.derbyshire.gov.uk/transport_roads/roads_traffic/development_control/vehicular_access/default.asp

4) The application site is affected by a Public Right of Way {FP21 Buxton} on the Derbyshire Definitive Map. The route must remain unobstructed on its lawful alignment at all times and safety of the public using it must not be prejudiced either during or after development works take place. Advice on the procedures for the temporary or permanent diversion of such routes may be obtained from the County Council's Public Rights of Way Section at Shand House, tel: tel 01629 533190 or email eteprow@derbyshire.gov.uk.

- The granting of planning permission is not consent to divert or obstruct a public right of way.
- If it is necessary to temporarily obstruct a right of way to undertake development works then a temporary closure is obtainable from the County Council. Please contact 01629 533190 for further information and an application form or email eteprow@derbyshire.gov.uk
- If a right of way is required to be permanently diverted then the Council that determines the planning application (The Planning Authority) has the necessary powers to make a diversion order.

- Any development insofar as it will permanently affect a public right of way must not commence until a diversion order (obtainable from the planning authority) has been confirmed. A temporary closure of the public right of way to facilitate public safety during the works may then be granted by the County Council.
- To avoid delays, where there is reasonable expectation that planning permission will be forthcoming, the proposals for any permanent stopping up or diversion of a public right of way can be considered concurrently with the application for the proposed development rather than await the granting of permission.

5) Construction works are likely to require Traffic Management and advice regarding procedures should be sought from David Nicholson, Traffic Management on 01629 538685.

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