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**High Peak Borough Council**

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Sherwood Homes Ltd  
1 Dominion Court  
Billington Road  
Burnley  
Lancashire  
BB11 5UB

Application no: HPK/2016/0520

Determined on: 26<sup>th</sup> March 2018

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

## **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.

### **Location of Development:**

Charlestown Works Charlestown Glossop Derbyshire SK13 8LJ

### **Description of Development:**

Application for reserved matters for proposed residential development consisting of 96 dwellings and associated parking including conversion of existing office pursuant to outline planning permission HPK/2013/0597

In pursuance of their power under the above mentioned Act, High Peak Borough Council Planning Authority, **APPROVES** the following matters which have been reserved for later approval on the grant of outline planning permission for development.

1. This notice of approval of reserved matters shall only relate to outline planning permission reference HPK/2013/0597.

Reason: For the avoidance of doubt.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg Nos.

016/043/SL/G

016/043/SS

016/043/CW01





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016/043/CW02  
016/043/CW9  
016/043/CW13E  
016/043/CW13P  
016/043/CW1S/A  
016/043/CWG2S  
016/043/CWG2TE  
016/043/CW3  
016/043/CWG7/A  
016/043/CWG7E  
016/043/CWG7P/A  
016/043/CWG8E/A  
016/043/CW10E/A  
016/043/CWG11/P1&2  
017/006/CWG12S  
016/043/CWG/GD/A  
017/006/CWG12T  
018/05/WDC5  
018/05/WDC1  
018/05/WDC2/A  
12732-5002/03 Rev J  
12732-5002/19 Rev H  
12732-5002-38  
12732-5002-39

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

3. No development (excluding demolition/site clearance) shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

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

4. No development (excluding demolition/site clearance) shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by 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) hard surfacing materials;
- (i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- (j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- (k) 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 Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

5. All soft landscaping comprised in the approved details of landscaping 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with 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 Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

6. No development (excluding demolition/site clearance) shall commence on site until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas has been 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 the interests of visual amenity, in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7. No development (excluding demolition/site clearance) 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 building(s) are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority.



Reason:- In the interest of visual amenity, in the interests of visual amenity, in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

8. 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 with 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 Policies EQ2 and EQ9 of the High Peak Local Plan 2016 and paragraph 118 of the National Planning Policy Framework.

9. A detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations shall be submitted within 3 months of the date of this consent. The AMS shall include full details of the following:

a) Detailed tree survey undertaken in accordance with recommendations of BS5837 (2012).

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 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 Policies EQ2 and EQ9 of the High Peak Local Plan 2016 and paragraph 118 of the National Planning Policy Framework.

10. 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 Policies EQ2 and EQ9 of the High Peak Local Plan 2016 and paragraph 118 of the National Planning Policy Framework.

11. Notwithstanding the provisions of the Town and Country Planning General Development Order 1987 (or any Order revoking and re-enacting that Order), planning permission shall be required in respect of development constituting a change of use of the office buildings hereby approved to uses within Use Class C3 (Dwellinghouses).

Reason:- For the avoidance of doubt.

12. No development (excluding demolition/site clearance) shall commence until samples of the materials to be used in the construction of external walls and roofs of the building and hard surfaces have been submitted to and approved in writing by the Local Planning Authority. 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 EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.



13. No development (excluding demolition/site clearance) shall take place unless and until details of joinery for each window and door of a different design and size, including colour scheme, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and shall be permanently so maintained.

Reason:- To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

14. No development (excluding demolition/site clearance) shall commence until a scheme for protecting the housing development hereby approved, including details of acoustic barriers, has been submitted to and approved in writing by the local planning authority. No dwelling or residential unit, hereby approved, shall be occupied or brought into use until all works that form part of the approved scheme have been fully implemented and completed. The scheme shall be based on an appropriate noise survey and assessment and shall include details of windows, openings and means of ventilation in the buildings hereby approved and ensure the following noise levels are not exceeded and shall apply to all residential properties prior to occupation within the development hereby approved:

- i. An internal noise level for habitable rooms during the day (0700-2300hrs) of 35dB(A)LAeq,16hrs
- ii. An internal noise level for bedrooms during the night (2300-0700hrs) of 30dB(A)LAeq,8hrs and 45dB(A)LAm<sub>ax</sub>
- iii. Noise levels within external living areas such as balconies, terraces and gardens during the day (0700-2300hrs) of 50dB(A)LAeq,16hrs. Where this level cannot reasonably be achieved noise shall be reduced to a reasonable minimum, but not above a level of 55dB(A)LAeq,16hrs, subject to approval in writing by the LPA.

Where the assessment is made under BS4142 rated noise levels shall apply. Where internal noise levels can only be achieved with windows shut other adequate means of ventilation shall be provided, and shall also ensure thermal comfort.

Reason:- In order to protect the amenities of future occupiers of the dwellings in accordance with Policy EQ6 of the High Peak Local Plan 2016.

15. No development (excluding demolition/site clearance) shall take place until a construction management plan / 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 plan / statement shall provide for:

- i. Parking of vehicles for site operatives and visitors,
- ii. storage of plant and materials and site accommodation,
- iii. routes for construction traffic,
- iv. method of prevention of mud / debris being carried onto the public highway,
- v. proposed temporary traffic management / restrictions,
- vi. arrangements for loading / unloading and turning vehicles within the site,





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- vii. roadside fencing / hoarding,
- viii. construction compound details.

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

16. No development (excluding demolition/site clearance) shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.

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

17. Within three months of the date of this decision, a temporary access for demolition / construction purposes shall be provided in accordance with detailed designs which shall first have been submitted to and approved in writing by the Local Planning Authority. The access shall be provided with 2.4m x 70m visibility splays in each direction (the area in advance of the sightlines remaining free from any obstructions to visibility over 1m high - relative to the nearside carriageway channel level) and shall be retained in accordance with the approved scheme throughout the construction period, or such other period of time as may be agreed in writing by the Local Planning Authority, free from any impediment to its designated use.

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

18. Before any other operations are commenced (excluding demolition/site clearance) detailed designs shall be provided for the relocation and enhancements of the bus stop(s) located on Charlestown Road, on the site frontage (affected by the formation of the permanent access to the development sites), to be submitted to and approved in writing by the Local Planning Authority.

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

19. The works in connection with the above condition shall be laid out and constructed in accordance with the approved details, in a timescale to be agreed in writing with the Local Planning Authority prior to works commencing on site. (For the avoidance of doubt the developer will be required to enter into a Highways Act 1980 Agreement (Section 278) with the Highway Authority in order to comply with the requirements of this condition.)

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

20. Prior to occupation of the first dwelling / office accommodation being taken into use the permanent access arrangements to serve the development, generally as identified on the approved plans shall be laid out and constructed to adoptable criteria within public highway





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limits. The accesses shall be provided with minimum 2.4m x 64m visibility splays in each direction, the area in advance of the sightlines forming part of the estate street and not part of any plot or other sub-division of the site.

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

21. Notwithstanding any information submitted, no development shall take place, with the exception of demolition / site clearance, until construction details of the residential / industrial estate road 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.

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

22. The carriageways and footways shall be constructed in accordance with the details approved under condition 21 above, up to and including binder course surfacing, to ensure that each dwelling / industrial unit, prior to occupation, has a properly consolidated and surfaced carriageway and footway between the dwelling and the existing public highway. Until final surfacing is completed, the footway binder course shall be provided in a manner to avoid any upstands to gullies, covers 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 occupation of such dwelling, unless otherwise agreed in writing by the Local Planning Authority.

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

23. The premises, the subject of the application, shall not be occupied until the estate street has been provided with suitable turning arrangements to enable service and delivery vehicles to turn, all as may be agreed in writing with the Local Planning Authority in writing. In the case where interim turning arrangements are constructed these must remain available until any permanent estate street turning is available, in accordance with the approved estate street designs.

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

24. No dwelling shall be occupied until space has been provided within the site curtilage / plot for the parking and manoeuvring of residents and visitors vehicles associated with that dwelling, together with secure cycle parking, all to be laid out, constructed and approved in writing by the Local Planning Authority. The facilities shall be retained throughout the life of the development free from any impediment to their designated use.





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

25. The office accommodation shall not be taken into use until space has been provided within the site curtilage / plot for the parking and manoeuvring of staff, visitors and delivery vehicles, together with secure cycle parking, all to be laid out, constructed and marked out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The facilities shall be retained throughout the life of the development free from any impediment to their designated use.

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

26. The garage spaces provided 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 1995 (or any Order revoking and/or re-enacting that Order) the garage/car parking space(s) hereby permitted 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 further specific planning permission from the Local Planning Authority.

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

27. No gates, including any part of their opening arc shall be permitted to open out over public highway limits. Any gates shall therefore be set back an appropriate distance from the carriageway edge or be physically prevented from opening over the adjoining highway.

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

28. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.

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

29. Within 21 days of the permanent access arrangements being constructed any existing or temporary vehicular access to Charlestown Road made redundant by the proposals shall be permanently closed and the highway margin re-instated, in a manner to be agreed in writing with the Local Planning Authority.

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





30. Prior to the commencement of the development (excluding demolition/site clearance) details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto the highway. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.

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

31. The dwellings, the subject of the application, shall not be occupied until a Travel Plan document has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes, which are acceptable to the Local Planning Authority and shall be implemented in accordance with the timetable set out therein, unless otherwise agreed in writing by the Local Planning Authority. The approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually, on each anniversary of the date of the planning consent, to the Local Planning Authority for approval for a period of five years from substantial completion of the whole development.

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

32. The office accommodation / business space, the subject of the application, shall not be occupied until a Travel Plan document has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes, which are acceptable to the Local Planning Authority and shall be implemented in accordance with the timetable set out therein, unless otherwise agreed in writing by the Local Planning Authority. The approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually, on each anniversary of the date of the planning consent, to the Local Planning Authority for approval for a period of five years from substantial completion of the whole development.

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

33. The cobbled road surface to the west of Charlestown Road shall be retained in its entirety in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of protecting the character and appearance of the area in accordance with Policy EQ6 of the High Peak Local Plan.



**Informatives**

1. The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.
2. The attention of future purchasers is drawn to the existence of a culvert within the site.
3. The applicant is reminded of their legal obligations with regard to bats and no works should take place that are likely to impact upon bats until a EPS licence has been granted and a copy thereof has been submitted to the Local Planning Authority.
4. Pursuant to Section 38 and the Advance Payments Code of the Highways Act 1980, the proposed new estate roads should be laid out and constructed to adoptable standards and financially secured. Advice regarding the technical, financial, legal and administrative processes involved in achieving adoption of new residential roads may be obtained from the Strategic Director of the Economy, Transport and Communities Department at County Hall, Matlock. The applicant is advised to allow at least 16 weeks in any programme of works to obtain a Section 38 Agreement.
5. Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary 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.
6. 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 runoff from within the site is not permitted to discharge across the footway margin. 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.
7. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Street-works Act 1991 prior notification shall be given to the Strategic Director of the Economy, Transport and Communities Department 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 the County Council's website  
[http://www.derbyshire.gov.uk/transport\\_roads/roads\\_traffic/development\\_control/vehicular\\_access/default.asp](http://www.derbyshire.gov.uk/transport_roads/roads_traffic/development_control/vehicular_access/default.asp),  
Email - [ETENetmanadmin@derbyshire.gov.uk](mailto:ETENetmanadmin@derbyshire.gov.uk)  
or telephone Call Derbyshire on 01629 533190.
8. Pursuant to Sections 219/220 of the Highways Act 1980, relating to the Advance Payments Code, where development takes place fronting new estate streets the Highway Authority is obliged to serve notice on the developer, under the provisions of the Act, to financially secure the cost of bringing up the estate streets up to adoptable standards at some future date. This normally takes the form of a cash deposit equal to the calculated



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construction costs of the street and may be held indefinitely. The developer normally discharges his obligations under this Act by producing a layout suitable for adoption and entering into an Agreement under Section 38 of the Highways Act 1980. Where the developer wishes for the development to remain private it is expected that the streets are constructed to an acceptable standard and a management company set up, by the developer, to take on the future maintenance responsibilities for the estate streets on the development.

9. Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority and the works being covered by the appropriate legal Agreement. It must be ensured that public transport services in the vicinity of the site are not adversely affected by the development works. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Strategic Director of the Economy, Transport and Communities Department at County Hall, Matlock. The applicant is advised to allow at least 16 weeks in any programme of works to obtain a Section 278 Agreement.

10. Pursuant to Section 50 (Schedule 3) of the New Roads and Street Works Act 1991, before any excavation works are commenced within the limits of the public highway (including public Rights of Way), at least 6 weeks prior notification should be given to the Strategic Director of the Economy, Transport and Communities Department at County Hall, Matlock (telephone: 01629 533190 and ask for the New Roads and Street Works Section).

11. Construction works will require Temporary Traffic Management and possibly road closures. Advice regarding procedures should be sought from David Nicholson, Traffic Management - telephone 01629 538685.

12. 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. Works that involve road closures and / or are for a duration of more than 11 days require a three month notice; developers' works will generally fall into this category. Developers and Utility companies (for associated services) should prepare programmes for all works that are required for the development, such that these can be approved through the coordination, noticing and licencing processes. This will require developers and Utility companies to work to agreed programmes and booked slots for each part of the works. Discussions should therefore take place with Derbyshire County Council's Highway Noticing Section, at County Hall, Matlock at the earliest stage possible.

13. Derbyshire County Council strongly promotes Sustainable Drainage Systems (SuDS) to be incorporated within the design of a drainage strategy, applying the SuDS management train. The applicant should also seek to promote betterment or meet green-field runoff rates taking into account the impacts of climate change. For more advice regarding the County Council's requirements please contact [flood.team@derbyshire.gov.uk](mailto:flood.team@derbyshire.gov.uk) .





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14. The applicant is advised to obtain a technical approval for all estate street details from the Local Highway Authority prior to the submission of such approved details to the Local Planning Authority to discharge Condition #8# of this consent.

15. 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 Communities Department at County Hall, Matlock (Tel 01629 580000 and ask for the Transportation Section).

16. The application site is affected by a public Right of Way (Footpath number 30 Glossop, on the Derbyshire Definitive Map). The route must remain unobstructed on its 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. Further advice can be obtained by calling 08456 058058 and asking for the Rights of Way Duty Officer. Please note that 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 08456 058058 for further information and an application form. If a right of way is required to be permanently diverted then the Council that determines the planning application (The Local 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.

17. Under the Environmental Permitting Regulations, a flood risk activity permit from the Environment Agency may be required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of Long Clough brook which, is designated a 'main river'. Please check online at:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

The Environment Agency has discretionary powers to carry out maintenance works on the channels of "main river" watercourses to remove blockages and ensure the free flow of water. The responsibility for the repair and condition of Long Clough brook, its channel, banks and adjacent structures, lies ultimately with the riparian owner.

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](http://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 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.
9. Developers should also be aware of the provisions of the Gas Safety Regulations 1972 and Gas Safety (Installation and Use) Regulations 1984. It is possible that the existing gas service pipe which lies within the area of the proposed extension of alterations which will contravene the provisions of these Regulations. It is necessary that you contact British Gas, North West House, Gould Street, Manchester, M4 4DJ, who will advise if the existing gas service pipe requires alterations.