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C/o Agent

Application no: HPK/2021/0081

Determined on: 22/07/2022

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:

Land Off Longclough Drive Longclough Drive Simmondley Glossop Derbyshire

Description of Development:

Application for approval of reserved matters following outline approval HPK/2016/0416

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:

Appearance, Landscaping, Layout and Scale.

This approval is subject to the following conditions.

1. The development hereby permitted shall be carried out in accordance with the following approved plans and supporting documents:

- 1218.01 Location Plan
- 9405-WML-00-XX-DR-C-1004 P11a - Site Layout Drawing
- 6424.01 Rev F Landscape Proposal
- 287.25 Type A2 Sections & Streetview

Plots 1 and 2

287.21 Rev A - Type D1 Elevations





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287.20 - Type D1 Plans

Plots 3 and 4

287.24 - Type A2 Elevations

287.23 - Type A2 Plans

Plot 5

287.16 Rev A - Type C1 Plans+ Section

287.17 Rev A - Type C1 Elevations

287.17.1 Rev A - Type C1 Elevations 2

Plot 6

287.09 Rev A - Type E Plans+Section

287.10 Rev A - Type E Elevations (with the exception of the north-east facing side elevation, which is superseded by the following plan)

287.10 Rev B Type E side elevation

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

2. The windows on the west elevation of plot 1, as shown on the approved plans, shall be obscured to a minimum level 3 on the Pilkington Scale and shall be retained for the lifetime of the development.

Reason: To avoid a harmful level of overlooking and loss of privacy to the occupants of the adjacent residences to the west, in accordance with policy EQ6 of the High Peak Local Plan 2016.

3. No part of the development shall be occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 1m (0.6m in the case of any vegetation) above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

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

4. Prior to the first occupation of the development hereby approved, the gradients and drainage arrangements of the driveways serving each of the approved houses shall be installed in accordance with the details indicated on the drawings appended to the 9405/DDI/02 Drainage Design Information report by WML Consulting dated June 2021

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

5. No development above foundation level shall be commenced until full details of hard and soft landscaping details for the individual plots have been submitted to and approved in writing by the Local Planning Authority. The details shall full details of all hard surface materials (paving, driveways, etc), planting details (species, numbers/densities of plants,



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planting height). The approved details shall be implemented in full no later than the end of the first planting season following first occupation of the approved units.

Reason: In the interest of achieving good design in accordance with policy EQ6 of the High Peak Local Plan 2016 and paragraph 111 of the National Planning Policy Framework.

6. No development above foundation level shall be commenced until full details of the footpath within the public open space have been submitted to and approved in writing by the Local Planning Authority. These details shall include full construction details, surfacing details, finished levels and design details of any retaining structures, steps and thresholds to the surrounding pavements. The approved details shall be completed in full prior to first occupation of the approved units.

Reason: In the interest of achieving good design in accordance with policy EQ6 of the High Peak Local Plan 2016 and paragraph 111 of the National Planning Policy Framework.

7. No development above foundation level shall commenced until details of the locations and design of bin stores serving each unit have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of each dwelling.

Reason: In the interest of achieving good design in accordance with policy EQ6 of the High Peak Local Plan 2016 and paragraph 111 of the National Planning Policy Framework.

8. Prior to the first use of any external facing materials, samples or full product details of all such materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.

Reason: In the interest of achieving good design in accordance with policy EQ6 of the High Peak Local Plan 2016 and paragraph 111 of the National Planning Policy Framework.

9. The development shall be undertaken in strict accordance with the details of tree works and tree protection measures set out in the Arboricultural Statement ref CW/10007-AS-3, dated July 2021, as supplemented by the revised Tree Protection Plan ref 10007-P-TP-9 dated 7 July 2022. In particular.

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 should 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



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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.

10. The development shall be undertaken in strict accordance with the measures proposed in the Biodiversity Management Plan (Rev v4 authored by Avian Ecology and dated 01/07/2022). The measures shall be undertaken in strict accordance with the timescales set out in the plan. Implementation of the measures shall commence prior to first occupation of any of the approved dwellings and shall then follow the schedule in section 6 of the BMP. The public open space indicated in the approved landscape plan shall be completed and made available for public use within 12 months of the first occupation of any of the approved dwellings, and be publicly available permanently thereafter. Maintenance and management of the public open space area of the development shall be in accordance with the details noted in section 5.4 of the BMP. Litter removal shall be undertaken no less frequently than once every three months.

Reason:- To ensure adequate provision of open space in accordance with policy CF4 of the High Peak Local Plan 2016, and to protect and enhance biodiversity in accordance with policy EQ5 of the Local Plan.

11. Implementation of the bird and bat boxes and hibernacula shall occur in accordance with the schedule set out in the approved Biodiversity Management Plan and as indicated by the plan titled Figure 2 within the BMP. Photographic evidence of implementation of these works shall be submitted to the Local Planning Authority within two months of completion of these elements and before the first occupation of the development hereby approved.

Reason:- In the interest of protecting and enhancing biodiversity in accordance with policy EQ5 of the Local Plan.

12. A report (to be undertaken by Avian Ecology or another appropriately qualified ecologist) providing a full review of the Biodiversity Management Plan, and the implemented measures, shall be submitted to and approved in writing by the Local Planning Authority no later than five years following completion of the enhancements indicated in the BMP.

Following approval of the review report, any recommendations within the report for amendments to the provisions of the BMP (or other works or enhancements) shall be implemented within a timescale to be set out in the review report or otherwise agreed with the Local Planning Authority.

Reason:- In the interest of protecting and enhancing biodiversity in accordance with policy EQ5 of the Local Plan.

13. This notice of approval of reserved matters shall only relate to outline planning consent ref HPK/2016/0416 dated 22 February 2018, granted at appeal.

Reason:- For the avoidance of doubt and to comply with Section 92 of the Town and County Planning Act 1990 and Article 5 of the Town and County Planning (Development Management Procedure) (England) Order 2015.

Informatives

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1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

2. The outline permission ref HPK/2016/0416 is subject to a section 106 agreement for the provision and future management of the open space approved as part of this reserved matters scheme. The outline permission is also subject to a number of pre-commencement planning conditions which should be resolved before any building works begin.

3. United Utilities have provided advice on matters relating to sustainable drainage, water supply, and United Utilities assets which may be effected by the development. This advice is available in their consultation response available on the webpage for this application on the High Peak Borough Council website.

4. The Lead Local Flood Risk Authority at Derbyshire County Council has provided the following advisory notes:

It should be noted that the information detailed below (where applicable), will be required as an absolute minimum in order to discharge any of the drainage conditions set by the LPA):

A. The County Council does not adopt any SuDS schemes at present (although may consider ones which are served by highway drainage only). As such, it should be confirmed prior to commencement of works who will be responsible for SuDS maintenance/management once the development is completed.

B. Any works in or nearby an ordinary watercourse may require consent under the Land Drainage Act (1991) from the County Council. For further advice, or to make an application please contact Flood.Team@derbyshire.gov.uk.

C. No part of the proposed development shall be constructed within 5-8m of an ordinary watercourse and a minimum 3 m for a culverted watercourse (increases with size of culvert). It should be noted that DCC have an anti-culverting policy.

D. The applicant should be mindful to obtain all the relevant information pertaining to proposed discharge in land that is not within their control, which is fundamental to allow the drainage of the proposed development site.

E. The applicant should demonstrate, to the satisfaction of the Local Planning Authority, the appropriate level of treatment stages from the resultant surface water discharge, in line with Table 4.3 of the CIRIA SuDS Manual C753.

F. The County Council would prefer the applicant to utilise existing landform to manage surface water in mini/sub-catchments. The applicant is advised to contact the County Council's Flood Risk Management team should any guidance on the drainage strategy for the proposed development be required.

G. The applicant should provide a flood evacuation plan which outlines:



- The flood warning procedure
- A safe point of extraction
- How users can safely evacuate the site upon receipt of a flood warning
- The areas of responsibility for those participating in the plan
- The procedures for implementing the plan
- How users will be made aware of flood risk
- How users will be made aware of flood resilience
- Who will be responsible for the update of the flood evacuation plan

H. Flood resilience should be duly considered in the design of the new building(s) or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.

I. Surface water drainage plans should include the following:

- Rainwater pipes, gullies and drainage channels including cover levels.
- Inspection chambers, manholes and silt traps including cover and invert levels.
- Pipe sizes, pipe materials, gradients, flow directions and pipe numbers.
- Soakaways, including size and material.
- Typical inspection chamber / soakaway / silt trap and SW attenuation details.
- Site ground levels and finished floor levels.

J. On Site Surface Water Management;

- The site is required to accommodate rainfall volumes up to the 1% probability annual rainfall event (plus climate change) whilst ensuring no flooding to buildings or adjacent land.
- The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas, etc, to demonstrate how the 100 year + 40% Climate Change rainfall volumes will be controlled and accommodated. In addition, an appropriate allowance should be made for urban creep throughout the lifetime of the development as per 'BS 8582:2013 Code of Practice for Surface Water Management for Developed Sites' (to be agreed with the LLFA).
- Production of a plan showing above ground flood pathways (where relevant) for events in excess of the 1% probability annual rainfall event, to ensure exceedance routes can be safely managed.
- A plan detailing the impermeable area attributed to each drainage asset (pipes, swales, etc).

Peak Flow Control

- For greenfield developments, the peak run-off rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event, should never exceed the peak greenfield run-off rate for the same event.
- For developments which were previously developed, the peak run-off rate from the development to any drain, sewer or surface water body for the 100% probability annual rainfall event and the 1% probability annual rainfall event must be as close as reasonably practicable to the greenfield run-off rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development, prior to redevelopment for that event.



Volume Control

- For greenfield developments, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual rainfall event must not exceed the greenfield runoff volume for the same event.
- For developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but must not exceed the runoff volume for the development site prior to redevelopment for that event.

Note:- If the greenfield run-off for a site is calculated at less than 2 l/s, then a minimum of 2 l/s could be used (subject to approval from the LLFA).

- Details of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure the features remain functional.
- Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within the highway.
- Guidance on flood pathways can be found in BS EN 752.
- The Greenfield runoff rate which is to be used for assessing the requirements for limiting discharge flow rates and attenuation storage for a site should be calculated for the whole development area (paved and pervious surfaces - houses, gardens, roads, and other open space) that is within the area served by the drainage network, whatever the size of the site and type of drainage system. Significant green areas such as recreation parks, general public open space, etc., which are not served by the drainage system and do not play a part in the runoff management for the site, and which can be assumed to have a runoff response which is similar to that prior to the development taking place, may be excluded from the greenfield analysis.

K. If infiltration systems are to be used for surface water disposal, the following information must be provided:

- Ground percolation tests to BRE 365.
 - Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.
 - Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689-1:2003.
 - Volume design calculations to 1% probability annual rainfall event + 30% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 – Table 25.2.
 - Location plans indicating position (soakaways serving more than one property must be located in an accessible position for maintenance). Soakaways should not be used within 5m of buildings or the highway or any other structure.
 - Drawing details including sizes and material.
 - Details of a sedimentation chamber (silt trap) upstream of the inlet should be included.
- Soakaway detailed design guidance is given in CIRIA Report 753, CIRIA Report 156 and BRE Digest 365.

L. All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA.
(Other methods of drainage calculations are acceptable.)

M. The applicant should submit a comprehensive management plan detailing how surface water shall be managed on site during the construction phase of the development ensuring there is no increase in flood risk off site or to occupied buildings within the development

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council



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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 do so within 12 weeks of the date of this notice. All other types of development



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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.

