

Planning and Buildings Services
High Peak Borough Council
Buxton Town Hall
Market Place
Buxton, Derbyshire
SK17 6EL

Dear Sir/Madam,

Re: Section 73 Application to Vary Condition 2 (Plans) of Approved Permission HPK/2021/0695 at Victoria Works, Hyde Bank Road, New Mills, SK22 4BP.

This covering letter has been prepared in support of a section 73 application at Victoria Works, Hyde Bank Road, New Mills, SK22 4BP. This is to vary Condition 2 of application HPK/2021/0695. This permission was approved in May 2022.

Condition 2 is detailed below.

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

- *Location Plan*
- *Site Plan 01-02 REV D*
- *D5481-1PD-001 REV B*
- *01-03 REV A*
- *01-04 REV A*
- *01-05*

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

The plan that this application wishes to vary is the site frontage plan for the proposed pavement, D5481-1PD-001 REV B. The plan as approved shows a full height kerb spanning the length of the site frontage.

This pavement is being provided by the applicant on land within the ownership of Derbyshire District Council to increase the safety for pedestrians.

Revisions

The proposed alteration is for a narrow two kerb wide dropped kerb to be inserted, to allow for deliveries and loading to be wheeled into/out of the commercial building below the approved apartment, from a vehicle parked along Hyde Bank Road to ensure safety and ease for loading and unloading. This is shown on the proposed revised plan D5481-1PD-001 REV C Proposed Alterations Site Frontage.

This small, dropped kerb is proposed opposite the southern doorway. There is already an existing concrete ramp into the building which will remain but will be reconstructed in bituminous material. It will also involve the removal of a weighbridge from the footway. This has already been suggested by Derbyshire County Councils Highways, to whom these proposals have been discussed as part of

proposed S278 works.

It is recognised from previously refused application that parking along this frontage would not be acceptable and that a full size dropped kerb across the frontage would not be appropriate. This alternative arrangement would ensure that vehicles are unable to park on the pavement, but that the operations of the business are not compromised in terms of delivery access.

This amendment will not impact the residential development approved in application ref: HPK/2021/0695.

Planning Policy

The proposed development would be in line with the relevant policy and guidance from the National Planning Policy Framework 2021 (the 'Framework') and High Peak Local Plan.

The proposals, as described above, will not adversely impact highways safety or pedestrian safety, and will ensure safe access to the commercial building, for deliveries and loading. This is therefore compliant with Paragraph 111 of the Framework and this application is not expected to be refused on highways grounds.

The proposals will also be compliant with Policy CF6 of the High Peak Local Plan which refers to traffic accommodation, which will remain unaffected. Improvements to highways infrastructure is also mentioned, which this proposal will continue to do as with the original application.

Summary

This covering letter is submitted with a Section 73 application to vary Condition 2: plans, of application ref: HPK/2021/0695 at Victoria Works, New Mills. This proposes amendments to the kerb on the site frontage plan (D5481-1PD-001 REV B to be replaced with A revision of this plan has been submitted alongside this application (D5481-1PD-001 REV C), revising this to be a small, dropped kerb to allow for deliveries loading/unloading to business below.

I trust that sufficient information has been provided in order to determine this S73 application to vary Condition 2. However, if further information is required, please do not hesitate to contact either myself or my colleague Abigail Baker.

Yours faithfully,

Abigail Baker BA (Hons) MA
Planner