

Tom Hiles
High Peak Borough Council
Buxton Town Hall
Market Place
Buxton
Derbyshire
SK17 6EL

Your Ref TBC
Our Ref Toddbrook Reservoir DOC
 7, 10 and 34

Submitted via Planning Portal

13 December 2022

Dear Tom Hiles,

Details in support of the discharge of conditions 7, 10 & 34 attached to planning permission HPK/2021/0607 for the construction of replacement spillway and associated dam infrastructure works

Toddbrook Reservoir, Reservoir Road, Whaley Bridge

I am pleased to submit, on behalf of Canal & River Trust, an application to discharge conditions 7, 10 & 34 attached to planning permission HPK/2021/0607 for the construction of replacement spillway and associated dam infrastructure works at Toddbrook Reservoir.

Conditions 7, 10 & 34 have previously been discharged under reference TCH/DOC/2022/0029. However, as a result of changes to the Construction Traffic Management Plan, consequential changes have arisen to the documents previously submitted to discharge these conditions. The immediate application to re-discharge conditions 7, 10 & 34 is therefore necessary.

The application has been submitted via the Planning Portal (Reference PP-11541169) and the appropriate fee has been paid.

The requirements of conditions 7, 10 & 34 are summarised below:

Canal & River Trust

National Waterways Museum, South Pier Road, Ellesmere Port,
Cheshire, CH65 4FW
T 0303 040 4040 E canalrivertrust.org.uk/contact-us

Patron: H.R.H. The Prince of Wales. Canal & River Trust, a charitable company limited by guarantee registered in England and Wales with company number 7807276 and registered charity number 1146792. registered office address First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB

Condition No	Condition Title	Condition Type
7	Construction surface water management	Pre-commencement
10	Construction Environmental Management Plan	Pre-commencement
34	Construction Environmental Management Plan	Pre-commencement

In addition to this covering letter, the following documents comprise the present application:

- Application Form
- Plans and documents, as follows:

Condition No	Information submitted
7	• Kier, "Water Quality Management Plan" (ref: P11742/WQMP/0.3), updated 17/10/2022 • Kier, "Construction Environmental Management Plan" (ref: P11742/CEMP/0.5), updated 31/10/2022
10	• Kier, "Construction Environmental Management Plan" (ref: P11742/CEMP/0.5), updated 31/10/2022
34	• Kier, "Construction Environmental Management Plan" (ref: P11742/CEMP/0.5), updated 31/10/2022 • Kier, "Site Compound: External Works and Drainage GA" (ref: 55-19020-DR-0205 C02), updated 15/09/2022

Condition 7

Condition 7 provides as follows:

Prior to commencement of development, details indicating how additional surface water runoff from the site will be managed during the construction phase shall be submitted to and approved in writing by the Local Planning Authority (LPA). (The details shall include collection, balancing and/or settlement systems for these flows as required). The approved system shall be operating, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development, in accordance with Local Plan policy EQ11 and NPPF paragraph 166.

The following details are submitted in support of the full discharge of Condition 7:

- Water Quality Management Plan
- Construction Environmental Management Plan

Condition 10

Condition 10 provides as follows:

Prior to commencement of development, a fully detailed Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall reflect the ecological mitigation measures identified in section 4.5 of Chapter 4 of the Environmental Statement submitted with the application, and shall cover all mitigation measures required prior to and during the construction phase. The development shall be undertaken in strict accordance with the approved detailed CEMP and the identified ecological mitigation shall be implemented in full.

Reasons: To ensure that the development complies with policy EQ5 of the High Peak Local Plan 2016 and Chapter 15 of the National Planning Policy Framework. The application is supported by an outline Construction Environmental Management Plan which does not provide sufficient details to ensure that the impact of the construction phase and the completed development would avoid an unacceptable impact on ecology, including the Toddbrook Reservoir SSSI.

An updated Construction Environmental Management Plan is submitted in support of the full discharge of Condition 10.

Condition 34

Condition 34 provides as follows:

Prior to commencement of development, a fully detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The detailed CEMP shall set out full details of measures to mitigate noise and vibration impacts upon the local area and nearby residents. Full details of the positions, designs and height of site cabins, enclosures and fencing shall be included. Development Shall take place in accordance with the approved CEMP.

Reason: In the interest of protecting the amenity of nearby residents in accordance with High Peak Local Plan policies EQ6 and EQ10 and NPPF paragraphs 130, 174(e) and 185.

An updated *Construction Environmental Management Plan* and *Site Compound: External Works and Drainage GA* is submitted in support of the full discharge of Condition 34. These documents supersede the following documents approved on 15 June 2022 (ref TCH/DOC/2022/0029).

- Kier, "Construction Management Plan" (ref: P11742/CEMP/0.3), dated 29 April 2022
- 55-19020-SK-0013 P 09 SITE COMPOUND GA

The following details, approved under TCH/DOC/2022/0029, remain correct and are not affected by this application.

- Kier, "Noise and Vibration Management Plan" (ref: P11742/NVMP/1.3 Final), dated 24 June 2022
- Create Consulting Engineers Limited, "Interim Noise and Vibration Assessment" (ref: BD/CS/P22-2639/01 Rev B), dated 23 June 2022
- Kier, 55-19020-SK-0015 P 01 "SITE COMPOUND ELEVATION", dated 7/04/2022
- Wernick, 22-0480-001a "Ground Floor Plan, First Floor Plan, Front Elevation, Rear Elevation, Side Elevation 1, Side Elevation 2", dated 28/04/2022

I trust that this application provides all necessary information for conditions 7, 10 and 34 to be discharged. Should you have any queries please do not hesitate to contact me.

Yours sincerely,

James Dunn MRTPI

Planning Assistant

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