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Application no: HPK/2022/0445

Determined on: 10/03/2023

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 To The Rear Hallsteads Dove Holes Derbyshire

Description of Development:

Variation of condition 2 relating to HPK/2016/0488

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/2013/0319, HPK/2013/0625 (APP/H1033/A/2215445) and HPK/2018/0526.

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

2. The development hereby permitted shall be carried out in complete accordance with the following drawings and details:

SE 0809-01LMP J01D DH 20 January 2017 Final Rev B, Landscape Management Plan.

SE 0809-03 5 January 2017 Landscape Enhancement Plan.





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L558/21 Rev B 3 bed type B plans and elevations (not now an affordable unit)
L558 / 141 4 bed floor plans and elevations.
L558/23 Rev B 3 bed bungalow type D plans and elevations
L558/25 Rev B 3 bed type G plans and elevations
L558/26 Rev C 4 bed type F (room in the roof) plans and elevations
L558/28 Rev B 2 bed type H plans and elevations - affordable
L558/34 3 bed house type J plans and elevations (formerly type B) - affordable
L558/36 3 bed house type GL plans and elevations
L558/56 & 57 5 bed house type L plans and elevations
L558/68 4 bed house type M plans and elevations
L558/66 Rev G (definitive) scheme setting out
SCP 15970 SK007 Rev A & 0013 & 0014 & 0015 drawings to show fire tender swept path and turning for the cul de sacs
SCP 15970 SK010 Rev A & 011 Rev A & 012 Rev A swept paths at carriageway junctions
SCP 15970 SK008 Rev A & 009 Rev A visibility splays at carriageway junctions
L558/72 cul de sac visibility splays (including dropped crossing points and temporary bin storage)
UPVC window and door samples, and technical door and window drawings L558/60 and L558/61.
Doveholes Asset Management, Doveholes 15970/TN01 Highway Asset Management, May 2016.
Suds Analysis and Drainage Statement' March 2015, by Structural and Technical Systems Ltd.
Archaeology – Written Scheme of Investigation (CgMs) 2014 and Archaeological Evaluation Report (Wessex Archaeology, January 2015).
Surface Water Drainage – drawings SCP/15970/D012A & D013A & D014A & P001A & P002A & P003A & P004A & P005A & P006A & P007A. Also document entitled Storm Sewer Design by SCP 20 July 2016.
Phase 2 Site Investigation (RPS Phase 2 ref:RCEi43989-002 Rev 1, updated 5 August 2016), with proviso.
L558/142 site block plan, elevations and floor plans (Plot 71)
L558/143 plot location (Plot 71)
L558 / 144 4 bed type F (room in the roof) floor plans and elevations. (Plot 52)

* NB any reference to 'phase two' shall be taken to mean the new phase two and phase three (i.e. the remainder of the site for reserved matters approval under HPK/2016/0488).

Reason: for the avoidance of doubt and to ensure that development takes place in accordance with the approved plans.





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3. The materials to be used in the development hereby permitted shall be in accordance with those specified on all of the elevational drawings and shall match the phase one approved details, (including materials samples, plus UPVC window and door samples, and technical drawings L558/60 and L558/61) which were approved by the Council's discharge letter dated 10 January 2017 under DOC/2016/0052).

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 Policies 2016 and the National Planning Policy Framework.

4. The approved scheme of boundary treatment shall be completed before the dwelling(s) to which it relates are occupied.

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

5. The streets within the development hereby permitted shall be managed and maintained in accordance with the management and maintenance details approved by the Council letter dated 5 October 2018 in relation to phase one HPK/2015/0563 under DOC/2016/0052, (Doveholes Asset Management, Doveholes 15970/TN01 Highway Asset Management, May 2016) until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

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

6. All soft and hard 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 Policy EQ6 of the High Peak Local Plan Policies 2016 and the National Planning Policy Framework.



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7. The Development shall be carried out and subsequently managed and maintained in complete accordance with

- SE 0809-01LMP J01D DH 20 January 2017 Final Rev B, Landscape Management Plan.

SE 0809-03 5 January 2017 Landscape Enhancement Plan. Notwithstanding references in the documents to base drawing L558/54 Rev C, development shall be carried out in accordance with drawing L558/66 Rev G.

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

8. Notwithstanding the detail shown on the approved plans, the existing eastern boundary wall to the site shall be retained, protected, restored and repaired.

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

9. The current storage compound built against the west boundary, starting at the north corner of the pumping station and running approximately 27m north by approximately 17m wide, as shown on drawing L558/50 Rev E approved under DOC/2016/0052 and the Council's discharge letter dated 10 January 2017 shall be retained and available for use for its designated purpose throughout the Phase 2 construction works. When reaching phase three the sequential approach shall be, with reference to the definitive site layout drawing L558/66 Rev G, as follows:

- a. Build all plots to the south and south east of the compound ie no.s 41 – 44, 45 – 52, 68, 69 & 72, leaving plot 67 free initially, then reduce the compound size and reposition over plot 67.
- b. Continue to build plot no.s 52 - 62 and also plots 65 & 66 but leaving plots 63 & 64 to allow the continued use of the wheel wash and the temporary exit onto the A6.
- c. On completion of the above plots, close off the temporary A6 access and build plots no.s 63 & 64 using materials coming to site on a 'just in time' basis.
- d. The roads to be finished and most machinery moved from site.
- e. The compound to be removed and plot no. 67 (bungalow) to be completed as per plots no.s 63 & 64.

The principles set out in the 'Construction Method Statement' approved under DOC/2016/0052 and the Council's discharge letter dated 10 January 2017, shall continue to apply except where references to the compound are superseded by the above arrangements for the phase three works. The existing wheelwashing facilities shall be retained free from any impediment to their designated use until the temporary access from the A6 has been closed in accordance with (b) above. The wheel wash facilities shall be used to clean



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vehicles wheels as appropriate when leaving the site to avoid the deposition of extraneous material on the residential estate streets or public highways.

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

10. No development shall take place except in complete accordance with the construction method statement approved pursuant to condition 16 of the outline planning permission HPK/2013/0319 and HPK/2013/0625

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

11. Prior to the first occupation of the development hereby permitted a temporary turning facility shall be provided in accordance with the plan contained within the document Entitled Update Letter July 2019 by Michael Green Planning Services.

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

12. On completion of construction activities, or other such timescale as may be agreed with the Local Planning Authority, the temporary access to the A6 shall be permanently closed and the footway margin reinstated with full height kerbs and new footway construction, in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

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

13. No development shall take place on any phase until construction details of the new road(s) and footway(s) within that phase (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 interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan Policies 2016 and the National Planning Policy Framework.

14. The carriageway(s) of the new roads hereby permitted shall be constructed in accordance with Condition 13 above up to and including at least binder course level, prior to the commencement of the erection of any dwelling intended to take access from that road(s). The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling, prior to occupation, has a properly consolidated and surfaced carriageway and footway, between the dwelling



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and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs 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 that dwelling, unless otherwise agreed in writing by the Local Planning Authority.

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

15. Internal estate street junctions shall be laid out 5.5m wide with 6m junction radii, or other such dimensions as may be agreed in writing with the Local Planning Authority. The junction shall be provided with 2.4m x 25m visibility sightlines 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 interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan Policies 2016 and the National Planning Policy Framework.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that Order) the garage parking spaces 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 interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan Policies 2016 and the National Planning Policy Framework.

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

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

18. The bin storage and waste collection facilities shown on on drawing L558/66 Rev G shall be provided prior to the dwellings to which they relate being brought into use and the facilities shall be retained for the designated purposes at all times thereafter.



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

19. The means to prevent the discharge of water from the development onto the estate streets / highway approved pursuant to condition 20 of HPK/2015/0563 (under reference DOC/2016/0052 discharge letter dated 5 October 2018) shall be undertaken and completed prior to the first use of the access and retained as such thereafter..

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

20. Prior to the occupation of any dwelling it serves, a driveway shall be formed to the new estate street and provided with 2.4m x 25m visibility splays in each direction, or other such dimension as may be agreed in writing with the Local Planning Authority. The splay being measured up to 1m into the carriageway at the extremity of the sightline and the area in advance of the sightlines remaining free from obstructions to visibility over 1m high (relative to the nearside carriageway edge) for the life of the development.

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

21. The dwellings, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawings for the parking and manoeuvring of residents, service and delivery vehicles (including secure covered cycle parking), laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

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

22. The development hereby permitted shall be undertaken in complete accordance with 'existing & proposed levels plan 001' including finished floor levels and site boundary levels.

Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties, in accordance with Policy EQ6 of the High Peak Local Plan and the National Planning Policy Framework .

23. The private (unadopted) cul-de-sacs and any communal areas and areas of incidental open space within the development hereby permitted shall be transferred to a private management company or companies details of which shall first be submitted to and agreed in writing by the Local Planning Authority and shall thereafter be

managed and maintained in accordance with the plans and schemes approved pursuant to this planning permission

Reason: In the interests of visual amenity and in accordance with Policy EQ6 of the High Peak Local Plan and the National Planning Policy Framework .

Informative

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.

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.