

**Dealt with by:** Rachael Simpkin

**Our Ref:** DOC/2022/0005

**Direct Dial:** (01538) 395400 ext. 4122

27<sup>th</sup> July 2023

Mr Jonathan Burns  
Pegasus Group  
Queens House  
Queen Street  
Manchester  
United Kingdom  
M2 5HT

Dear Jonathan,

**Discharge of conditions 12, 15, 20, 27, 32 & 35 relating to planning permission ref.  
HPK/2021/0145 (Phase Units B & C: Retail Parade & Nursery)  
at land at Foxlow Fields, Ashbourne Road, Buxton.**

I refer to correspondence in connection with conditions imposed on the above planning permission and for the purposes of this letter, please note my comments as follows:

**External Appearance: Buildings & Hard Surfacing**

12. Notwithstanding any description of materials in the application, no above ground construction works relating to the development hereby approved in any phase of development shall take place, other than those works included within the enabling works phase as approved through condition 03, until samples and full specifications of materials to be used externally on the approved buildings and site hard surfacing, together with eaves, verges, windows, door details within that phase have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall be carried out in accordance with the approved details prior to first occupation of the relevant phase of development.

**Reason:-** In the interests of visual amenity and to comply with Policies EQ6 and EQ10 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

**CONDITION SATISFIED as follows:**

**Elevations:**

- **Nursery Elevations drawing ref. 1240-310 Rev P**
- **Nursery Materials 1240-8102-P-02**
- **Retail Units Elevations drawing ref. 1240-320 Rev Y**
- **Retail Unit Materials 1240-8101-P-02**

**Hard surfacing:**



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- **Hard Landscaping Plan drawing ref. 1240-111 Plan Rev N**
- **Paving Materials Sheet ref. 1240-8103-V2**

#### Refuse Storage

15. No above ground construction works relating to the development hereby approved shall be commenced in any phase of development, other than those works included within the enabling works phase as approved through condition 03, until details of the storage of refuse and collection points including location, size, means of enclosure and materials for that phase have been submitted to and approved in writing by the Local Planning Authority. No phase of development shall be first occupied until the approved refuse storage scheme for that phase has been completed and made available for use in accordance with the approved details. The approved scheme shall be maintained for those purposes at all times thereafter.

**Reason:-** In the interests of visual amenity and to comply with Policies EQ6 and CF6 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

#### **CONDITION SATISFIED as follows:**

**Drawing Ref. 1240-121 Rev 05 'Retail Bin Store Details':**

***Note: There is a clear requirement and expectation to deliver a fully enclosed service yard area as per Approved Plans Boundary Phasing Plan ref. 1240-113 Rev C and Proposed Site Plan 1240-110 (Rev AB).***

***As a consequence, boundary walling to fully enclose the retail units service area must extend beyond the extent of the refuse store area and should be dealt with as part of a condition discharge submission in relation to Condition 13.***

#### Landscaping & Nature Conservation

20. No above ground construction works relating to any phase of the development hereby approved other than those works included within the enabling works phase as approved through condition 03 shall take place until a detailed bat and bird box scheme for that phase has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details for each phase prior to first occupation of that phase of development and thereafter maintained for the lifetime of the scheme.

**Reason:-** In the interests of nature conservation and to comply with Policy EQ5 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

#### **CONDITION SATISFIED as follows:**

- **Drawing Ref. 1240-120 Rev 03 'Bird & Bat Box Location'.**



### Construction and Environmental Management Plan

27. No development hereby approved on any phase of development, including site clearance / site stripping and the enabling phase shall be commenced until a Construction and Environmental Management Plan relating for to the relevant phase of development has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- i. the hours of work, which shall not exceed the following: Construction and associated deliveries to the site shall not take place outside of 07:30 to 18:00 hours Mondays to Fridays and 08:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;
- ii. the method and duration of any pile driving operations (including expected starting date and completion date);
- iii. pile driving shall not take place outside of 09:00 to 16:00 hours Mondays to Fridays, nor at any time on Saturdays, Sundays or Bank Holidays;
- iv. the arrangements for prior notification to the occupiers of potentially affected properties;
- v. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- vi. a scheme to minimise dust emissions arising from construction activities on the site, including details of all dust suppression and mitigation measures;
- vii. a scheme for recycling / disposal of waste resulting from the construction works;
- viii. the parking of vehicles of site operatives and visitors;
- ix. the loading and unloading of plant and materials;
- x. the storage of plant and materials used in constructing the development;
- xi. routes for construction traffic, including abnormal loads/ cranes etc;
- xii. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- xiii. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site, together with pedestrian and cycle protection during the construction works;
- xiv. temporary traffic restrictions, and,
- xv. any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

All works shall be carried out in accordance with the approved details during construction / development of that phase of development.

**Reason:-** To safeguard the amenity of local residents and that of the surrounding area from noise disturbance and to comply with Policies EQ6 and EQ10 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework. In the interests of highway safety and to comply with Policies EQ6 and CF6 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

**CONDITION SATISFIED as follows:**

**HDD Buxton Limited Foxlow, Buxton : Retail & Nursery Construction & Environmental Management Plan, Prepared by Stone MC Limited Date : 12<sup>th</sup> July 2023 (Rev B)**

### Drainage / Flood Risk

32. No phase of development hereby approved, other than those works included within the enabling works phase as approved through condition 03, shall be commenced until a detailed design and associated management and maintenance plan of the surface water drainage and proposed oil-water separators relating to that phase have been submitted to and approved in writing by the Local Planning Authority in accordance with the principles outlined within the following documents:

- a) Flood Risk Assessment & Drainage Strategy, reference No: FWBN-BSP-ZZ-XX-RP-C-0001-P03\_Flood\_Risk\_Assessment dated 10th June 2021 "including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team, and,
- b) And DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2015)

All works shall be carried out in accordance with the approved details prior to first occupation of the relevant phase of development.

**Reason:-** To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided to the Local Planning Authority and to comply with Policy EQ11 of the adopted High Peak Local Plan 2016 and National Planning Policy Framework.

### **CONDITION SATISFIED as follows:**

- **Condition 32 Drainage Strategy and Plan dated 22<sup>nd</sup> June 2023**

The LLFA appear to have commented on the February submission. However the revised version is dated February, it is confusing and should be properly updated in the title before we reconsult.

The Sustainable Drainage Scheme should be constructed in accordance with the following documents as confirmed within the submitted document above:

1. **Drainage Strategy and Plan (Drawing No: FWBN-BSP-ZZ-00-DR-C-0241 Revision P06) Dated 22nd June 2023**
2. **Drainage Proposed Layout, Drawing Ref: 79-E1503-SWF-XX-XX-DR-D-PM-40-40-1102-A1-C07, Version C07, Dated December 2021**
3. **Drainage Calculations, Ref: 899-SWF-XX-XX-TC-C-1000, Dated December 2022**
4. **Attenuation & Oil Separator Details, Drawing Ref: 79-e1503-swf-xx-xx-dr-d-pm-40-40-1403-A1-C02, Revision C02, Dated September 2021**
5. **Drainage Maintenance Report, Ref; 8999-SWF-XX-XXRP-D-0201, VERSION P02, Dated November 2022**



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### Sustainable Use of Resources

35. No phase of development hereby approved shall be commenced, other than those works included within the enabling works phase as approved through condition 03, until a detailed design and associated management and maintenance plan of the Sustainable Design and Construction for that phase of development has been submitted to and approved in writing by the Local Planning Authority in accordance with the principles outlined within Sustainability Statement Ref. Z46347 Rev. 1. All works relevant to that phase of development shall be carried out in accordance with the approved details prior to first occupation of the phase of development and thereafter maintained for the lifetime of the scheme.

### **CONDITION SATISFIED as follows:**

- **Energy Statement 'Discharge of Planning Condition 35 Ref: Z46347.1 Mixed Use Development: Block B Retail Block C Nursery at Ashbourne Road Buxton Derbyshire For HDD' dated 8<sup>th</sup> February 2023**

Should you wish to discuss these matters further, please do not hesitate to contact Rachael Simpkin (Senior Planning Officer) on the direct line above.

Yours sincerely,

Rachael Simpkin  
**Senior Planning Officer**  
**(Majors and Commercial)**