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Mr Sharp  
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Stockport  
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SK6 5DU

Application no: HPK/2022/0353

Determined on: 23/08/2023

**Town and Country Planning Act 1990**  
**Town and Country Planning (Development Management Procedure) (England) Order 2015**

**FULL PERMISSION FOR DEVELOPMENT**

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 (as amended).

**Location of Development:**

Zion Methodist Church Simmondley Lane Simmondley Glossop Derbyshire SK13 6NS

**Description of Development:**

Erection of 8 residential dwellings with associated landscaping

In pursuance of their power under the above mentioned Act, High Peak Borough Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- Location Plan (Ref: 1283-A-DR-000 Rev B)
- Proposed Site Plan (Ref: 1283-A-DR-001 Rev I)
- House Type A Plans (Ref: 1283-A-DR-002 Rev A)
- House Type A Elevations (Ref: 1283-A-DR-004 Rev A)
- House Type B Plans (Ref: 1283-A-DR-005 Rev B)
- House Type B Plans (Ref: 1283-A-DR-006 Rev B)
- House Type B Elevations (Ref: 1283-A-DR-007 Rev B)
- House Type C Plans (Ref: 1283-A-DR-008 Rev A)
- House Type C Plans (Ref: 1283-A-DR-009 Rev B)
- House Type C Elevations (Ref: 1283-A-DR-010 Rev B)
- Proposed Street Scene (Ref: 1283-A-DR-011 Rev F)





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- House Type D Plans (Ref: 1283-A-DR-012 Rev B)
- House Type D Plans (Ref: 1283-A-DR-013 Rev C)
- House Type D Elevations (Ref: 1283-A-DR-014 Rev B)
- Access and Footpath (Ref: 1283-A-DR-015 Rev C)
- House Type E Plans (Ref: 1283-A-DR-016 Rev A)
- House Type E Elevations (Ref: 1283-A-DR-017 Rev A)
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Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. No development above foundation level shall commence until a detailed schedule of all facing and roof materials to be used in the construction of dwellinghouses have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with the approved materials.

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 2016 and the National Planning Policy Framework.

4. No development above foundation level shall take place until a plan indicating the positions, design, materials and type of boundary treatment has been submitted to and agreed in writing the Local Planning Authority. The development shall be carried out in accordance with the approved details. The approved details shall be implemented in full prior to the first occupation of the dwellinghouse on which the boundary treatment serves.

Reason:- In the interest of visual amenity, in the interests of visual amenity, in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

5. No development shall commence until a measured survey of the site has been undertaken and a plan prepared to a scale of not less than 1:500 showing the details of the existing and finished floor levels of all properties, intended final ground levels including the associated gardens and internal access road has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be carried out in accordance with these approved details.

Reason:- In the interest of visual amenity, in the interests of visual amenity, in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework

6. Any window serving a bathroom in all dwellinghouses shall be glazed with obscured glass and shall be permanently maintained in that condition for the lifetime of the development.

Reason:- To safeguard the privacy of both the occupants of the adjacent property and of the development hereby approved, in accordance with Policy EQ6 of the High Peak Local Plan





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7. No development shall commence until a drainage scheme for the site, showing how foul water, surface water and land drainage will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. No part of the development shall be occupied until the approved drainage systems have been constructed and completed in accordance with the approved plans.

Reason:- To ensure that effective drainage facilities are provided for the proposed development and that no adverse impact occurs to the environment or the existing public sewerage system in accordance with Policy EQ11 of the High Peak Local Plan 2016

8. No stripping, demolition works, or vegetation clearance shall take place between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive, unless the site is surveyed beforehand for breeding birds and a scheme to protect breeding birds is submitted to and approved in writing by the Local Planning Authority. If such a scheme is submitted and approved the development shall thereafter only be carried out in accordance with the approved scheme.

Reason:- In the interests of preserving ecological assets and protected species in accordance with Local Plan Policy EQ5 and relevant paragraphs under Chapter 15 of the NPPF

9. No external lights shall be installed until a detailed lighting strategy has been submitted to and approved in writing by the Local Planning Authority to safeguard bats and other nocturnal wildlife. Details shall include chosen luminaries, their locations and any mitigating features such as dimmers, PIR sensors, timers, and potentially, depending on the scale of the proposed lighting, a lux contour plan, to demonstrate acceptable levels of lightspill. Thereafter all lights shall be installed in accordance with the approved lighting strategy.

Reason:- In the interests of preserving ecological assets and protected species in accordance with Local Plan Policy EQ5 and relevant paragraphs under Chapter 15 of the NPPF

10. No development shall commence above foundation level, until a Biodiversity Enhancement Plan has been submitted to and agreed in writing by the Local Planning Authority. The approved measures shall be implemented, prior to the first occupation of the development hereby approved in full and maintained thereafter for the lifetime of the development. The Plan shall clearly show positions, specifications and numbers of features, which shall include the following:

- universal nest boxes at a ratio of 1:1
- integrated bat boxes at a ratio of 1:1
- fencing gaps, 130mm x 130mm to maintain connectivity for hedgehogs
- provision of swift boxes
- summary of ecologically beneficial landscaping





Reason:- In the interests of preserving ecological assets and protected species in accordance with Local Plan Policy EQ5 and relevant paragraphs under Chapter 15 of the NPPF

11. (a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and
1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment
  3. Provision to be made for analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation
- (b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).
- (c) The development shall not be occupied until the site investigation and post investigation reporting has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive deposition has been secured.

Reason:- In the interests of preserving archaeological assets in accordance with Local Plan Policy EQ7 and relevant paragraphs under Chapter 16 of the NPPF.

12. No development shall commence until details showing the precise location and retention of the Celtic Cross and Foundation Stone and the manner in which they will be incorporated into the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and prior to the first occupation of the development hereby approved.

Reason:- In the interests of preserving archaeological assets in accordance with Local Plan Policy EQ7 and relevant paragraphs under Chapter 16 of the NPPF.

13. No development shall take place, with the exception of site investigation and remediation works until conditions (a)-(d) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 1(d) has been complied with in relation to that contamination.





- (a) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority.
- (b) If the site risk assessment indicates that potential risks exist, development shall not commence until a detailed remediation strategy to bring the site to a condition suitable for the intended use has been prepared, and is subject to the approval in writing by the Local Planning Authority.
- (c) Following completion of measures identified in the approved remediation scheme and prior to the occupation of the development hereby approved, a verification report that demonstrates the effectiveness of the remediation carried out shall be produced, and is subject to the approval in writing of the Local Planning Authority.
- (d) If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

Reason:- In the interests of preserving public amenity and safety, in accordance with Local Plan Policy EQ10 and relevant paragraphs contained under Chapter 15 of the NPPF.

14. All construction works and deliveries shall be limited strictly to the following times:
- 08:00 - 18:00 hours (Monday to Friday);
  - 08:00 - 13:00 hours (Saturday)
  - No working is permitted on Sundays or Bank Holidays.

Reason:- In the interests of preserving residential amenity in accordance with Local Plan Policies EQ6 and EQ10 and relevant paragraphs under Chapters 12 and 15 of the NPPF.

15. The development hereby approved shall be carried out strictly in accordance with the Arboricultural Method Statement detailed at Sections 5.0 & 6.0 TBA Landscape Architecture June 2023.

Reason:- In the interests of ensuring that no adverse harm arises to mature trees protected by a Tree Preservation Order (TPO) in accordance with Local Plan Policy EQ9

16. No other development shall commence until the proposed access has been laid out in accordance with the approved plans, and visibility sightlines of 47m measured in each direction to the nearside edge of the carriageway, as measured from a point located centrally and 2.4m back into the access. The area within the sightlines shall thereafter be kept clear of any object greater than 1m in height (0.6m in the case of





vegetation) above the nearside carriageway channel level.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

17. Notwithstanding the approved plans, no development shall commence, with the exception of site clearance, until such time as construction details of the turning head and footways (including layout, levels, gradients, surfacing and means of surface water drainage) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

18. The carriageways and footways as approved under Condition 17 shall apply up to and including binder course surfacing. Until final surfacing is completed, the footway binder course shall be provided in a manner to avoid any upstands to gullies, covers or other such obstructions within or abutting the footway. The approved carriageways, footways and footpaths in front of each dwelling shall be completed with final surface course within 12 months (or 3 months in the case of a shared surface) from the first occupation of the first dwelling.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

19. All dwellinghouses hereby approved shall not be occupied until such time as suitable turning arrangements to enable service and delivery vehicles to turn, have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. In the case where interim turning arrangements are constructed these must remain available until any permanent turning head is available, in accordance with approved plans.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

20. No dwellinghouse shall be occupied until a plan that shows provision within the site for the parking and manoeuvring of residents and visitors vehicles associated with each dwellinghouse has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The approved details shall be retained for the lifetime of the development and remain free from any impediment to their designated use.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

21. No gates, including any part of their opening arc shall be permitted to open out over public highway limits. All gates shall be set back a minimum of 5m from the





carriageway edge

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

22. No development shall commence until details showing the means to prevent discharge of water from the development onto the Public Right of Way (Adderley Place) has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and prior to the first occupation of the development hereby approved .

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

23. No development shall commence above foundation level until the proposed arrangements for the future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved details for the lifetime of the development.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

24. Except for investigative works, no excavation or other groundworks or the depositing of material on site connected to the construction of the road or any structure or apparatus beneath road shall take place on any road construction until such time as full engineering drawings of all aspects of roads and sewers and a programme for delivery has been submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

25. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall provide for:
- (i) the provision of turning facilities for the parking and vehicles of site operatives and visitors
  - (ii) loading and unloading of plant and materials
  - (iii) storage of plant and materials used in constructing the development
  - (iv) wheel washing facilities
  - (v) a scheme for recycling/disposing of waste resulting from demolition and construction works







- (vii) delivery and and construction working hours

The approved Construction Management Plan shall be adhered to throughout the construction period for development.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

26. No dwellinghouse shall be brought into use until details, including location , size, and any means of enclosure of cycle and bin storage provision has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained for the lifetime of the development.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

27. Prior to the first occupation of each dwelling, space shall be provided for the parking of vehicles associated with that dwelling in accordance with the approved Site Plan (Ref: 1283-A-DR-001 Rev I) and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, and any statutory instrument amending, revoking and/or replacing that Order, all spaces shall be maintained for the lifetime of the development free of any impediment to its designated use, and shall not be used other than for the parking of vehicles.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

28. Pedestrian visibility splays of 2m x 2m shall be provided to Plots 1, 2, 3 and 4 and permanently maintained on both sides of the access to each plot/dwelling. There shall be no obstruction to visibility between 0.6m ad 2.0m above carriageway level.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or any order revoking or re-enacting or amending that Order with of without modification, no development within Schedule 2, Part 1, Classes A, B, C, D and E shall take place within the curtilage of any residential dwellinghouse hereby approved, without express planning permission from the Local Planning Authority.

Reason:- In the interests of preserving residentail amenity of neighbouring properties having regard to Local Plan Policy EQ6 and paragraph 130 of the NPPF

30. The cobbled stones that are situated on Adderley Place between the entrance to the site and the junction with Simmondley Lane shall be retained throughout the





construction period and for the lifetime of the development. Any stone which is damaged or removed shall be replaced with a cobbled stone of a similar size and material, within 3 months from the date on which the original stone was damaged/removed.

Reason:- In the interests of preserving the character and appearance of the street scene and retaining the usability of the Public Right of Way.

### **Informative**

1. The Local Planning Authority has worked in a proactive and positive manner with the applicant to address all outstanding planning issues to achieve a sustainable form of development, as required by the National Planning Policy Framework.
2. The applicant is strongly advised that all civil matters and disputes with local residents relating to land ownership, legal covenants and rights of access across Adderley Place are satisfactorily resolved in full prior to commencement of development.
3. Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out off site and deposited on the PRow and public highway (Simmondley Lane). Should such deposits occur it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
4. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway, measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.
5. Pursuant to Section 50 (Schedule 3) of the New Roads and Street Works Act 1991, before any excavation works are commenced within the limits of the public highway (including Public Rights of Way), at least 6 weeks prior notification should be given to the Strategic Director of the Economy, Transport and Communities Department at County Hall, Matlock (tel: 01629 533190) and ask for the New Roads and Street Works Section)
6. Construction works will require Temporary Traffic Management and possibly road closures/diversions. Advice regarding procedures should be sought from David Nicholson, Traffic Management – tel: 01629 538685
7. Public Right of Way Footpath No.50 as shown on the Derbyshire Definitive Map must remain open, unobstructed and on its legal alignment at all times. There should be no disturbance to the surface of the route without prior authorization from the Rights of Way Inspector for this area. Consideration should be given to members of the public using the route at all times. A temporary closure of the route may be granted to





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facilitate public safety subject to certain conditions. Further information may be obtained by contacting the Rights of Way Section – [ETE.PROW@derbyshire.gov.uk](mailto:ETE.PROW@derbyshire.gov.uk). If a structure is to be erected adjacent to the right of way, it should be installed within the site boundary so that the width of the right of way is not encroached upon.

X *J Colley*

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Signed by: Jane Colley Signature  
**On behalf of High Peak Borough Council**





**NOTES**

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting DBCP Limited, Web: [dbcp.co.uk](http://dbcp.co.uk); Email: [info@dbcp.co.uk](mailto:info@dbcp.co.uk) ; Tel:0333 880 2000.
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](http://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





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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 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.

