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1 George Leigh Street
Manchester
M45EB



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Cube Homes
c/o Agent

Application no: HPK/2023/0337

Determined on: 3rd May 2024

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:

Former Shire Hill Hosptial, Bute Street, Glossop, Derbyshire, SK13 7QP

Description of Development:

Application for Approval of Reserved Matters in relation to
application HPK/2019/0316

Seeking approval of appearance, landscaping, layout and scale for the erection of 40 dwellings (Use Class C3) together with associated access, parking and landscaping works

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: Appearance, Landscaping, Layout and Scale, subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans all received 05 April 2024:
 - a. Site location plan – Ref: 21017_00_A (MPSL Planning and Design)
 - b. Site layout - Ref: 21017_01_P4 (MPSL Planning and Design)
 - c. Illustrative site layout - Ref: 21017_02_P4 (MPSL Planning and Design)
 - d. Boundary treatment layout - Ref: 21017_03_B (MPSL Planning and Design)
 - e. Boundary treatment layout - Ref: 21017_04_A (MPSL Planning and Design)
 - f. Character Areas Plan – Ref: 21017_05_B (MPSL Planning and Design)
 - g. Illustrative street scenes - Ref: 21017_06_B (MPSL Planning and Design)





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- h. Waste management plan - Ref: 21017_07_B (MPSL Planning and Design)
- i. EV Charging Plan - Ref: 21017_08_B (MPSL Planning and Design)

Reason: For the avoidance of doubt and in the interests of proper planning.

- 2. The dwellings hereby approved shall be constructed in accordance with the following list of approved housetype plans as they are outlined within the accompanying house type brochure ref: 21017_HTB_03 (Prepared by MPSL Planning and Design Limited) and received by the LPA on 05 April 2024.

Reason: For the avoidance of doubt and in the interests of proper planning.

Design and character.

- 3. Notwithstanding any details shown on the approved plans, no above ground works are to be carried out until full details and samples of all external materials and finishes and hard surfacing to be used in the construction of the development, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a high-quality external appearance of the development and to protect the character and appearance of the area and the wider landscape character in line with policies EQ2 and EQ6 of the local Plan.

- 4. Prior to the commencement of development (excluding any further site investigation works or works to remove any contamination) a strategy shall be prepared, submitted to, and approved in writing by to the local planning authority that provides details of how the existing materials on the site (including any walling or surfacing materials) shall be re-used on the site. This strategy shall provide details of how the following reuse / recycling hierarchy has been delivered:
 - a. How materials, such as boundary treatments or cobbled surfacing can be retained in-situ as part of external surfacing or landscaping.
 - b. How any demolition materials will be recycled and re-used on site as part of the delivery of the landscape or external works.
 - c. How any demolition materials, including dressed stone walling or details, will be recycled for use off site.
 - d. How any remaining demolition materials and rubble will be used or disposed of in an environmentally sensitive manner.

The development shall be carried out in accordance with the approved strategy



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Reason: On the interest of making sustainable use of resources on the site and in order to retain the character and appearance of the site and its surroundings in line with policies EQ1 and EQ6 of the local plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no residential extension / development as specified in Part 1 Class(es) A, B, and C, or the use of solar panels as specified in Part 14 Class A shall be carried out within the site, other than those expressly authorised by this permission, without express planning permission first being obtained from the Local Planning Authority.

Reason: In order to ensure to the long-term integrity of the form, scale and significance of the non-designed heritage asset in perpetuity in line with policy EQ7 of the local plan.

Construction matters

6. The dwellings hereby approved shall be constructed to the standards and specifications as outlined in the submitted Environment Standards Statement (Prepared by Watt Energy and Consulting Engineers - Dated 13 July 2023) unless otherwise agreed in writing with the local planning authority.

Reason: To ensure that the new dwellings are delivered to reduce their demand for water, energy and providing of CO₂, to minimize the impacts on climate change in line with policy EQ1 of the local plan.

7. Prior to occupation of any of the dwellings hereby approved, details of all external lighting (including location, fixtures and shades, lux levels and horizontal luminescence) associated with the individual properties, parking courts or areas, and any pedestrian routes shall be submitted to, and approved in writing by the local planning authority. Hereinafter all lighting shall be installed in accordance with those approved details.

Reason: In the interest of protecting residential amenity, ensuring appropriate safety and security, and protecting habitats and wildlife from unnecessary light spillage in accordance with policy EQ10 of the local plan.

Highways and access:

8. "Prior to occupation of any dwelling within any of the specific character areas (as defined on plan 21017_05_B) the internal roads and routes, including footways, kerbs and manoeuvring spaces required to serve dwellings within character area, shall be set out in accordance with the proposed site layout (Ref: 21017-01-P4) and to the specification





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(excluding final top dressing) and drawings contained within the transportation statement (ref: WB/220138/TS3 – SCP Transport), specifically appendices 3, 4 and 5 unless otherwise agreed in writing with the local planning authority. Any final top dressing shall be implemented within 6 months of the occupation of the final dwelling within that character area, unless otherwise agreed in writing with the local planning authority.”

Reason: In the interest of ensuring that safe and convenience vehicle access is provided to all the proposed properties, and that appropriate servicing can be provided in accordance with policy CF6 of the Local Plan

Landscape and trees:

9. Within six months of first occupation all landscaping and planting hereby approved, including the adjacent biodiversity enhancements, must be implemented in accordance with the following approved landscaping plans and reports unless otherwise agreed in writing by the local planning authority or modified by other conditions:
 - a) Drawing 281-LST-00-XX-D-L-0101 (Landscape general arrangement – prepared by Land Studio)
 - b) Drawing 281-LST-00-XX-D-L-0301 (Landscape planting plan – Prepared by land Studio)
 - c) Tree Impact Appraisal and Protection Scheme prepared by Bowland Consultancy (dated February 2024)

Any new planting, trees or other vegetation that either fails or dies within the first two planting seasons after implantation of the scheme hereby approved, shall be replaced to the same standards and specifications unless it is agreed in writing with the local planning authority that an alternative approach would be preferable.

All works to the trees and / or hedgerows on the site shall be undertaken in complete accordance with the schedule and guidance set out in the Tree Impact Appraisal and Protection Scheme prepared by Bowland Consultancy (dated February 2024), unless otherwise agreed in writing with the local planning authority.

Reason: To ensure an appropriate landscape solution is delivered and that the replacement trees and planting are delivered and maintained, to ensure appropriate protection and enhancement mature trees and other vegetation and ensure the development is in line with policies EQ2 and EQ9 of the Local Plan.

Biodiversity and ecology:



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10. None of the dwellings hereby approved shall be occupied until the off-site works to deliver the biodiversity net gain enhancement as outlined in the Biodiversity Net Gain Assessment (Prepared by RSK ADAS Limited – dated 19 February 2024) have been completed and inspected by the local planning authority. Once implemented the works shall be maintained as such for a period of 30 years from the date of delivery.

Reason: To secure the delivery of the off-site biodiversity enhancements within the applicant land ownership in a timely manner, line with policies EQ1 and EQ6 of the Local Plan.

11. Prior to the occupation of the dwellings hereby approved a long-term management plan for the new landscape and biodiversity enhancement (both on and off site) covering a period for 30 years shall be submitted to and agreed in writing with the local planning authority. Where relevant this management plan shall be effectively integrated with the landscape and biodiversity management plan (LBMP) required by condition 26 of the outline permission. The landscaping and biodiversity enhancement both on and off site shall be managed in accordance with the approved plan.

Reason: In order to ensure the long-term management, maintenance and longevity of the biodiversity enhancement work required for the scheme to achieve biodiversity net gain.

Informative

It should be noted that the approval of this reserved matters application in no way discharges or modifies any conditions associated with original outline planning permission ref: HPK/2019/0316. All the conditions imposed on that permission remain in force and where required will require submission of additional information to the local planning authority.

X 

Signed by: Ben Haywood

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 DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel: [0333 880 2000](tel:03338802000).
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



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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.
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.

