

High Peak Borough Council - Planning
Buxton Town Hall
Market Place
Buxton
Derbyshire
SK17 6EL

17 July 2023
EP ref: 22-543

Dear Sir or Madam

Re: Planning Portal reference: PP-12320288
Land at Linglongs Road, Whaley Bridge, Derbyshire

We have been instructed by, Barratt Homes (Manchester), to submit a Section 73 application for the variation of condition 14 attached to planning permission HPK/2017/0247 – “*Reserved matters application for 107 dwellings and associated works*” at the above site. The application was approved on 3 October 2018.

The application comprises the following:-

- Application form and ownership certificate;
- Approved location plan;
- Approved plans:
 - 466/P/PL/01 Rev Q
 - 466/ED/CMS2 Rev E
- Site execution plan 466/ED/76 Rev J;
- Decision notice HPK/2017/0247;
- Decision notice DOC/2018/0110; and,
- This supporting letter.

The planning application fee in sum of £234.00 has been paid by BACS transfer via the Planning Portal.

Background

Outline planning permission (HPK/2014/0119) for 107 dwellings was granted on 7 May 2015 and later amended through planning permission HPK/2017/0694. Reserved matters were approved on 3 October 2018 and

construction at the site is now ongoing. On 27 September 2022, the applicant was contacted by the Council advising them that an alleged breach of condition 24 of planning permission HPK/2017/0694 had been reported. A copy of the correspondence is attached as an Enclosure EP1.

Outline condition 24 requires a scheme to provide dedicated car parking provision to serve residents along Macclesfield Road to be submitted to and approved by the Local Authority. Thereafter the approved details shall be made available for use prior to the occupation of the development in any phase hereby approved and retained solely for the parking of vehicles.

The dedicated parking provision scheme was approved on 13 March 2020 (DOC/2017/0071).

An application for the variation of conditions 4 and 24 of outline planning permission ref. HPK/2017/0694 has been submitted to the Council (HPK/2022/0495).

Reserved matters condition 14 states:

“Within 6 months of the commencement of works, a scheme for the signage, management arrangements and timetable for installation of the car parking spaces to the north eastern boundary (to the rear of 74-84 Macclesfield Road) as shown on plan ref 466/P/PL/01 Rev Q shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the car parking spaces shall be installed in accordance with the approved timetable and managed in accordance with the approved details. Reason:- To safeguard the privacy of the occupants of adjacent properties, in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.”

Condition 14 was discharged on 10 October 2019 (DOC/2018/0110):

“Condition 14 (Management of residents car parking) – I can confirm that the details shown on plan refs 466/ED/CMS2 Rev E, 466/P/MP01 Rev E, 466/P/HLL/01 Rev J, Landscape Management Schedule – Rev D and 466//P/PL/01 Rev A1 are acceptable. This condition is therefore agreed.”

Variation of condition 14

Whilst Barratt Homes are fully committed to providing the parking for the existing residents, it has now become clear that due to the location of the parking bays and approved phasing, it is impossible from a Health and Safety aspect to allow safe access for members of the public through the construction site/zone to access the parking bays when constructed. The location of the bays dictates that circa 80 dwellings would need to be completed prior to occupation of the first dwelling in order to comply with the condition.

Preventing occupation of a significant number of dwellings due to limited access to a small number of parking bays is not necessary to make proposed development acceptable in planning terms. We therefore propose condition 14 be amended to read as follows:

~~“Within 6 months of the commencement of works, a~~ **The** scheme for the signage, management arrangements and timetable for installation of the car parking spaces to the north eastern boundary (to the rear of 74-84 Macclesfield Road) as shown on plan ref 466/P/PL/01 Rev Q shall be ~~submitted to and approved in writing by the Local Planning Authority~~ **carried out in accordance with the details shown on plan refs 466/ED/CMS2 Rev E 466/ED/76 Rev J, 466/P/MP01 Rev E, 466/P/HLL/01 Rev J, Landscape Management Schedule – Rev D and 466//P/PL/01 Rev A1.** Thereafter the car parking spaces shall be installed ~~in accordance with the approved timetable~~

following the completion of Zone 11 as indicated on plan ref. 466/ED/76 Rev J and managed in accordance with the approved details.”

For clarity, the number of parking spaces and their location will remain as previously approved. It is only the timetable for implementation which is proposed to be amended. Once plots in Zone 11 as shown on plan 466/ED/76 Rev H are occupied, the parking bays will be safe to open to the existing residents on Macclesfield Road.

We trust that the above meets with your requirements and that you are able to validate and register the application. We look forward to receiving confirmation of your receipt of same. Should you have any queries, please do not hesitate to contact this office.

Yours sincerely
Emery Planning

John Coxon

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Director

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