

Dealt with by: Rachael Simpkin

Our Ref: HPK/2021/0020

Direct Dial: (01538) 395400 ext. 4122

19th December 2024

Mr David Limb
Cynergi Ltd
67 London Road
Newark
NG24 1RZ

Discharge of conditions relating to planning permission ref. HPK/2021/0020 for 'New 3760sq.m portal framed building with ancillary office accommodation over two floors and service yard with operational and visitor parking including cycle and motor cycle parking' at Ferney Bottom Farm, Grinlow Road, Harpur Hill, Buxton, High Peak, SK19 9JH

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

DOC/2024/0062 - Discharge of Condition 3 in relation to application HPK/2021/0020

3. No development shall commence until details or samples of all external materials and finishes to be used in the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. No development shall take place except in complete accordance with the approved details.

Revised Submission (received 12th December 2024):

- Elevations plan ref. 3427/104K
- Schedule of Materials ref. 426/SBM/1/ Rev D date December 2024

SATISFIED in accordance with the above details (12.12.24).

NOTE: Lighting details are subject to the satisfaction of Condition 27 below.

DOC/2024/0063 - Discharge of Conditions 8 and 12 in relation to application HPK/2021/0020

8. No development shall take place until a full acoustic survey has been undertaken to determine both nighttime and daytime background noise levels at the site and the survey shall be submitted to the Local Planning Authority and approved in writing.

Submission:

- Noise Impact Assessment ref. ADT 3676-ENIA dated 8 May 2024

SATISFIED in accordance with the above details (13.09.24).

12. The development hereby permitted shall not begin until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority. The scheme shall include all of the following measures, unless the local planning authority dispenses with any such requirement specifically in writing: 1. A Phase II intrusive investigation report based on the Phase I report submitted with the application hereby approved (Ivy House Environmental, ref: IV.66.21, dated March 2021) detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment. 2. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined. 3. If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local planning authority. A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved scheme and methodology shall be submitted to and approved in writing by the Local Planning Authority prior to the development being brought into use. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included in the validation report, together with the necessary documentation detailing what waste materials have been removed from the site.

Submission:

- GeoDyne, “Phase II Exploratory Investigation for Avanti Conveyors Ltd, Harpur Hill Ltd and Jessops Construction Ltd” (ref: 41250), dated 28 January 2022

SATISFIED in accordance with the above details (24.10.24).

DOC/2024/0064 Discharge of Condition 27 in relation to application HPK/2021/0020

27. Prior to building works commencing above foundation level, a detailed external lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This shall provide details of the chosen luminaires and any mitigating features such as dimmers, PIR sensors and timers. A lux contour plan shall be provided to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). The lighting strategy shall also conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01, dated 2011 (or later versions). External lighting shall only be installed in accordance with the approved strategy.

Revised submission (received 14th August 2024):



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- Proposed External Lighting & External Lux ref. 5088-SI-XX-DR-E-200 Rev P01

Revised submission (received 3rd September 2024):

- External Lighting Assessment ref. P02 dated 3rd September 2024
- Proposed External Lighting & External Lux ref. 5088-SI-XX-DR-E-200 Rev P02

Revised submission (received 1st October 2024):

- External Lighting Assessment ref. P03 dated 30th September 2024
- Proposed External Lighting & External Lux ref. 5088-SI-XX-DR-E-200 Rev P03

Revised submission (received 30th October 2024):

- External Lighting Assessment ref. P04 dated 28th October 2024
- Holophane - Datasheet - External – DPL.1.LA123.FW.C9.W087

PENDING – Environmental Heath comments awaited. Lighting units / positions should be shown on elevational plans.

DOC/2024/0077 - Discharge of Conditions 5 and 7 in relation to application HPK/2021/0020

5. Prior to any earthworks taking place on site, details of existing and proposed site levels and finished floor levels shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be completed in accordance with the approved details.

Submission:

- FBFU-BSP-ZZ-XX-DR-C-0200_P02_Proposed_Cut and Fill
- FBFU-BSP-ZZ-XX-DR-C-0210_P05_Proposed_Levels
- FBFU-BSP-ZZ-XX-DR-C-0211_P02_Proposed_Levels
- FBFU-BSP-ZZ-XX-DR-C-0220_P02_Proposed Long section
- FBFU-BSP-ZZ-XX-DR-C-0221_P05_Proposed_Cross_Sections

SATISFIED in accordance with the above details (24.10.24).

7. Prior to the construction of any retaining walls on site, details of their elevational appearance, including height and materials shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place except in complete accordance with the approved details.

Revised submission (received 23rd September & 7th November 2024):

- FBFU-BSP-ZZ-XX-DR-C-0222_P01 Proposed Gabions Section
- 9309-BT-01 Boundary Treatment Proposals A

PENDING – Change colour to mesh fencing and gates, which should be more landscape led.

DOC/2024/0078 Discharge of Conditions 16, 17, 18, 20 and 21 in relation to application HPK/2021/0020

16. No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within: a. Drainage Strategy for Ferny Bottom Farm Units by BSP Consulting dated December 2020, Referenced FBFU-BSP-ZZ-XX-RP-C-0001-P01 and Objection Response B from BSP Consulting dated 24/05/2021 and “including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team” b. And DEFRA’s Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and the drainage system managed and maintained in accordance with the approved details thereafter. 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.

1. BSP Consulting. (15/10/2024). Proposed Drainage Strategy. FBFU-BSP-ZZ-XX-DR-C-SK240-P06
2. BSP Consulting. (09/10/2024). Proposed Drainage Areas Plan. FBFU-BSP-ZZ-XX-DR-C-SK242-P01
3. BSP Consulting. (09/10/2024). Drainage Details. RLHS-BSP-ZZ-XX-DR-C-0245-P01
4. BSP Consulting. (version received by LLFA on 14/10/2024). SUDS Maintenance Manual Data Sheet for Cellular Attenuation Soakaway. MM-AS-01
5. BSP Consulting. (Nov 2016). SUDS Maintenance Manual Data Sheet for Catchpits. MM-GS-02
6. BSP Consulting. (Nov 2016). SUDS Maintenance Manual Data Sheet for Gullies. MM-GS-02
7. BSP Consulting. (Nov 2016). SUDS Maintenance Manual Data Sheet for Inspection Chamber. MM-GS-02

SATISFIED in accordance with the above details (24.10.24).

17. No development shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 80 reference ID: 7-080-20150323 of the planning practice guidance. The assessment shall demonstrate with appropriate evidence that surface water runoff is discharged as high up as reasonably practicable in the following hierarchy: I. into the ground (infiltration); II. to a surface water body; III. to a surface water sewer, highway drain, or another drainage system; IV. to a combined sewer.

1. BSP Consulting. (15/10/2024). Proposed Drainage Strategy. FBFU-BSP-ZZ-XX-DR-C-SK240-P06

2. BSP Consulting. (09/10/2024). Proposed Drainage Areas Plan. FBFU-BSP-ZZ-XX-DR-C-SK242-P01
3. BSP Consulting. (09/10/2024). Drainage Details. RLHS-BSP-ZZ-XX-DR-C-0245-P01
4. BSP Consulting. (version received by LLFA on 14/10/2024). SUDS Maintenance Manual Data Sheet for Cellular Attenuation Soakaway. MM-AS-01
5. BSP Consulting. (Nov 2016). SUDS Maintenance Manual Data Sheet for Catchpits. MM-GS-02
6. BSP Consulting. (Nov 2016). SUDS Maintenance Manual Data Sheet for Gullies. MM-GS-02
7. BSP Consulting. (Nov 2016). SUDS Maintenance Manual Data Sheet for Inspection Chamber. MM-GS-02

SATISFIED in accordance with the above details (24.10.24).

18. Prior to commencement of the development, details indicating how additional surface water run-off from the site will be avoided during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The developer may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase and shall be maintained throughout the course of development.

Submission:

- Management of Surface Water during Construction ref. 20-0201 dated 31st May 2024

SATISFIED in accordance with the above details (24.10.24).

19. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved in writing by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

APPLICATION NOT SUBMITTED.

20. Prior to the installation of any drainage, a scheme for the disposal of foul sewage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in line with (and stating) recognized codes of practice and standards (e.g. The Building Regulations 2000, Drainage and Waste Disposal - Approved Document H, Environment Agency Pollution Prevention Guideline Document PPG4). The report shall include an appropriate assessment of site conditions including soil percolation tests undertaken in line with BS 6297:2007, and a plan showing the proposed location of any cess pit, treatment plant, septic tank, and any associated drainage field. The approved scheme of foul



drainage shall be carried prior to the first occupation of the development, and thereafter maintained for the life of the development.

- BSP Consulting. (15/10/2024). Proposed Drainage Strategy. FBFU-BSP-ZZ-XX-DR-C-SK240-P06
- BSP Consulting. (09/10/2024). Proposed Drainage Areas Plan. FBFU-BSP-ZZ-XX-DR-C-SK242-P01

SATISFIED in accordance with the above details (24.10.24).

21. In SPZ1 where infiltration SuDS are proposed for anything other than clean roof drainage, a hydrogeological risk assessment shall be submitted to and approved in writing by the Local Planning Authority to ensure that the system does not pose an unacceptable risk to the source of supply. As part of the risk assessment, consideration shall be given to the use of oil-water separators for surface run-off from parking areas together with a maintenance plan. Infiltration SuDS shall only be installed in accordance with the recommendations of the approved risk assessment.

- BSP Consulting. (version received by LLFA on 14/10/2024). SUDS Maintenance
- Manual Data Sheet for Cellular Attenuation Soakaway. MM-AS-01
- BSP Consulting. (Nov 2016). SUDS Maintenance Manual Data Sheet for Catchpits.
- MM-GS-02

SATISFIED in accordance with the above details (24.10.24).

DOC/2024/0079 - Discharge of Condition 10 in relation to application HPK/2021/0020

10. No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority. All construction work shall be undertaken in accordance with the approved Construction Environmental Management Plan, which shall include the following details:

- The arrangements for prior notification to the occupiers of potentially affected properties;
- The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding;
- Routes for construction traffic;
- Pedestrian and cyclist protection, proposed temporary traffic restrictions, arrangements for turning vehicles
- Wheel washing facilities
- A scheme for recycling/disposal of waste resulting from construction works;
- 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. There shall be no fires lit on the site for purpose of disposing of demolition materials. Any open fires that arise shall be extinguished without delay.

- There shall be no visible dust emissions beyond the site boundary associated with construction/demolition works undertaken at the site. In controlling dust on site, the contractor shall have due regard to the Building Research Establishment Document 'Control of Dust from Construction and Demolition Activities' (BR456) and the Institute of Air Quality Managements 'Assessment of dust from demolition and Construction' (2014).
- All construction activities, including delivery times, shall be restricted to:
 - 07:30 - 18:00 hours (Monday to Friday);
 - 08:30 - 14:00 hours (Saturday)
 - No working is permitted on Sundays or Bank Holidays.

Revised Submission (received 5th December 2024)

- Construction Environmental Management Plan planning permission ref. HPK/2021/0020 Version 5

PENDING – Health & Safety Executive consultee comments.

DOC/2024/0080 - Discharge of Conditions 24 and 25 in relation to application HPK/2021/0020

24. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following. a) Risk assessment of potentially damaging construction activities. b) Identification of "biodiversity protection zones". c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). d) The location and timing of sensitive works to avoid harm to biodiversity features. e) The times during construction when specialist ecologists need to be present on site to oversee works. f) Responsible persons and lines of communication. g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Revised submission received 5th November 2024:

- Construction and Environmental Management Plan (Biodiversity) (CEMP) Report HE 2120124 CEMP Haslam Ecology. January 2024. (Amended October 2024 to include statement on Ground Nesting Birds in Sections a and d).

SATISFIED in accordance with the above details (17.09.24).



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25. A Biodiversity Enhancement Plan (BEP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The aim of the BEP is to mitigate for impacts at the site and to provide enhancements for habitats and target species. The plan and funding for implementation shall cover a period of 20 years. It shall include the following:- a) Description and location of features to be retained, created, enhanced and managed in accordance with the submitted Biodiversity Enhancements Report by Haslam Ecology August 2021 and to include sympathetic management of rare plants within the development site. b) Aims and objectives of management. c) Details of management methods and practices required to achieve aims and objectives. d) Prescriptions for management actions. e) Preparation of a work schedule (including a five-year work plan capable of being rolled forward in perpetuity). f) Details of the body or organization responsible for implementation of the plan. g) A monitoring schedule to assess the success of the enhancement measures h) A set of remedial measures to be applied if conservation aims and objectives of the plan are not being met. i) Requirement for a statement of compliance upon completion of planting and enhancement works. The BEP shall also include details of the legal and funding mechanism(s) by which the longterm (30 years) implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The development shall be carried out, completed and subsequently managed in accordance with the approved BEP.

Revised submission received 27th November 2024:

- Landscape & Ecological Management Plan (LEMP) Report C November 2024
- Soft Landscape Proposals Key Plan & Planting Schedules Sheets 1 of 3 drawing ref. 9309-SL-01 Rev C
- Soft Landscape Proposals Key Plan & Planting Schedules Sheets 2 of 3 drawing ref. 9309-SL-02 Rev C
- Soft Landscape Proposals Key Plan & Planting Schedules Sheets 3 of 3 drawing ref. 9309-SL-03 Rev C

SATISFIED in accordance with the above details (03.12.24).

DOC/2024/0081 - Discharge of Conditions 6 and 26 in relation to application HPK/2021/0020

6. No development shall commence until details of the positions, design, materials and type of boundary treatment to be erected have been submitted to and approved in writing by the Local Planning Authority. The details shall provide for the retention, repair and reinstatement of any existing dry stone walls to the site boundary. The development hereby permitted shall not be occupied until the scheme has been implemented in accordance with the approved details. Reason: To protect the character and appearance of the open countryside.

Revised submission (received 23rd September & 7th November 2024):

- FBFU-BSP-ZZ-XX-DR-C-0222_P01 Proposed Gabions Section



- 9309-BT-01 Boundary Treatment Proposals A

PENDING – Change colour to mesh fencing and gates, which should be more landscape led.

26. No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of general landscaping for the site around the building indicating inter alia the positions of all existing trees and hedgerows within and around the site, indications of any to be retained together with measures for their protection during the course of development, also the number, species, heights on planting and positions of all additional trees, shrubs and bushes to be planted. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Revised submission received 27th November 2024:

- Landscape & Ecological Management Plan (LEMP) Report C November 2024
- Soft Landscape Proposals Key Plan & Planting Schedules Sheets 1 of 3 drawing ref. 9309-SL-01 Rev C
- Soft Landscape Proposals Key Plan & Planting Schedules Sheets 2 of 3 drawing ref. 9309-SL-02 Rev C
- Soft Landscape Proposals Key Plan & Planting Schedules Sheets 3 of 3 drawing ref. 9309-SL-03 Rev C

SATISFIED in accordance with the above details (03.12.24).

DOC/2024/0082 - Discharge of Condition 22 in relation to application HPK/2021/0020

22.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 I. The programme and methodology of site investigation and recording II. The programme for post investigation assessment III. Provision to be made for analysis of the site investigation and recording II. Provision to be made for publication and dissemination of the analysis and records of the site investigation III. Provision to be made for archive deposition of the analysis and records of the site investigation IV. 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 assessment 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 analysis, publication and dissemination of results and archive deposition has been secured.

Submission:

- Written Scheme for Investigation for an Archaeological Trial Trench Evaluation Land at Morland Way, Harper Hill, Derbyshire ref. YA/2024/108 v1 dated 15th April 2024
- Report for Trial Trench Evaluation Land at Morland Way, Harper Hill, Derbyshire ref. YA/2024/127 v1 dated 7th June 2024

SATISFIED in accordance with the above details (02.07.24).

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)