

Head of Development Services
High Peak Borough Council
Town Hall, Market Place
BUXTON
Derbyshire
SK17 6EL

Highway Officer: Glen Donaldson
Our ref: HPBC/2024/010034
Your ref: DET/2024/0033
Date: 17 January 2025

Dear Rosie Dinnen

**TOWN AND COUNTRY PLANNING ACT 1990
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015
ARTICLE 18 CONSULTATION WITH HIGHWAY AUTHORITY**

PROPOSAL: 28 demolition notice application

LOCATION: Etherow House, Woolley Bridge Road, Hadfield

Derbyshire County Council, the Highway Authority (HA) acting in its role as Statutory Consultee has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, note the HA's previous consultation response raised a number of issues in connection with Highway Maintainable at Public Expense (HM@PE) and Public Right of Way (PRoW) which both run alongside the site, and in the intervening period a number of discussions have taken place to try and resolve the highway issues, which has culminated in the recently submitted revised drawings/information.

The previous HA responses included the following:

'Firstly you will require a hording permit which you can obtain online from Derbyshire County Council (DCC) and to close the footpath you will require to complete the attached TMA form. We would expect no carriageway incursion as the footpath should be wide enough for the hording to be erected. The Public Right of Way along the former railway will also be required to be closed for the duration as it runs rather close to the building and hording will be required the full length of the building. There is no

fee to close the footpath to the front of the building currently, but we would expect sufficient notice etc to process the application and of course can only proceed when all other permissions are in.... Although this path isn't classed as a definitive right of way we are able to close un-named footpaths. I believe the path in question is the Pennine Bridleway National Trail. I will use this name on the order, if you can confirm I have the name right. Please see pages 2 & 3 of the application form for types of closures, associated fees and lead times.'

The applicant has submitted a Demolition Management Plan (DMP) and a Supported Statement dated 19 December 2024 which states:

'Footways and Public Rights of Way

2.20 A publicly accessible path runs adjacent to the southeast elevation of the building along the line of a former railway. 2.21 The footway to the north flank of Woolley Bridge Road runs directly adjacent to the south elevation of the building. 2.22 As set out in the Demolition Management Plan, it is proposed to erect a temporary fence to the create a works area approximately 2.0m beyond the building's south-facing elevations. This will necessitate a temporary closure of a section of the footway to Woolley Bridge Road. The necessary approvals for this are to be sought from Derbyshire County Council as the local highways authority.'

Therefore, from a highway aspect the information/drawings are now considered acceptable in principle although it should be noted that in order to implement the scheme a separate approval process with the County Council will need to be progressed – this scrutinises the demolition/hording/closure details and will be necessary in order for the application for a temporary closure of Public Right of Way and hoarding permit (TMA) to be approved and both these application forms have been mentioned and provided (attached) in previous emails.

The principle of the application is acceptable from a highway aspect and, as highlighted above, notwithstanding the information already submitted further minor modifications could well be required as part of the subsequent approval processes with the County Council and on this basis the recommend the following Condition and Informative Notes are appended to any consent granted:

Condition:

- The Demolition Management Plan (DMP) hereby approved, dated 19 December 2024 shall be implemented and monitored in accordance with the regime contained within. The approved plan shall be adhered to throughout the demolition/construction period.

Reason: In the interests of safe operation of the adopted highway in the lead into development both during the demolition and construction phase of the development.

Informative Notes:

- To make the proposals acceptable to the Local Highway Authority, a Temporary Public Right of Way closure and hoarding permit are required. These are governed by legislation outside the planning process and administered by the County Council. Consequently, you should not commence your permitted works until applications have been submitted and approved by the County Council. Subject to the successful completion of this legal process the measures will be implemented at the applicant's cost.
- It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particularly reference is made to "respecting the community" this says: Constructors should give utmost consideration to their impact on neighbours and the public a. Informing, respecting and showing courtesy to those affected by the work; b. Minimising the impact of deliveries, parking and work on the public highway; c. Contributing to and supporting the local community and economy; and d. Working to create a positive and enduring impression, and promoting the Code. The DMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues. Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for the site coordinator in the event of any difficulties. This does not offer any relief to obligations under existing Legislation.
- The development hereby approved, and any associated highway works required, is likely to impact on the operation of the highway network during its construction (and any demolition required). You are advised to contact the Highway Authorities Network Management Team at www.derbyshire.gov.uk/transport-roads/roadtraffic/roadworks/roadworks.aspx before undertaking any work, to discuss any temporary traffic management measures required, such as footway, Public Right of Way, carriageway closures or temporary parking restrictions a minimum of eight weeks prior to any activity on site to enable Temporary Traffic Regulation Orders to be prepared and a programme of Temporary Traffic Management measures to be agreed.

Yours Sincerely

Glen Donaldson
Highways Development Control