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High Peak Borough Council

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Derbyshire
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Application no: HPK/2024/0143

Determined on: 24/06/2025

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:

Derbyshire County Council Works Department Ashbourne Lane Chapel-En-Le-Frith
Derbyshire SK23 0PA

Description of Development:

Demolition of existing workshops and retaining walls and erection of 3no. new workshops with new retaining structures, landscaping, and car parking.

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):

Standard

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 and technical documents:
 - Location Plan
 - Proposed Site Plan (1813-2-01 Rev J)
 - Landscape Masterplan (1813-2-02 Rev H)
 - Proposed Planting Plan Version 4





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- Boundary Treatment Plan (1813-2-03 Rev D)
- Unit A Proposed Floor Plans (1813-2-10 Rev E)
- Unit A Proposed Roof Plans (1813-2-11 Rev D)
- Unit A Proposed Elevation Plans (1813-2-12 Rev E)
- Unit B Proposed Floor Plans (1813-2-20 Rev E)
- Unit B Proposed Roof Plans (1813-2-21 Rev D)
- Unit B Proposed Elevation Plans (1813-2-22 Rev F)
- Unit C Proposed Floor Plans (1813-2-30 Rev E)
- Unit C Proposed Roof Plans (1813-2-31 Rev D)
- Unit C Proposed Elevation Plans (1813-2-32 Rev F)
- Proposed Site Sections (1813-2-50 Rev E)

- Sustainability Assessment
- Design & Access Statement
- Preliminary Ecological Appraisal
- Framework Travel Plan
- Transport Statement
- Highways Technical Advice Note
- Flood Risk Assessment & Drainage Strategy
- Tree Schedule
- Tree Drawings (Rev V2)
- Arboricultural Impact Assessment (Rev V2)
- Proposed Planting Scheme (Rev V2)
- Biodiversity Metric Report
- Phase 1 Land Contamination Report
- Further Bat Surveys
- Heritage Impact Assessment
- Drainage Strategy Layout

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

Detailed Design

3. Notwithstanding the plans hereby approved, and prior to any erection of any boundary treatment, details of all boundary treatment including alternative boundary treatment details which ensures that no boundary treatment would sit forward of the approved soft landscaping adjacent to Ashbourne Lane shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained for the lifetime of the development.

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

4. The finished floor levels of all buildings, internal parking and turning areas, and boundary treatments, shall accord fully with the approved plans.





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

5. No development above foundation level shall commence until a detailed schedule of all facing materials has 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 good design in accordance with Local Plan Policies S1 and EQ6 and relevant paragraphs contained under Chapter 12 of the NPPF

Amenity

6. The premises shall be used solely for Class E(g) and for no other purpose, including any other purpose in Class E, B2 and B8 of the Schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

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

7. No development shall commence, with the exception of site investigation works until Conditions 7a to 7d have been complied with. If any 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 7d 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. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land
 - groundwaters and surface waters





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- ecological systems
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred options

This must be conducted in accordance with DEFRA and the Environment Agency's "Land Contamination Risk Management" (LCRM) guidance.

- (b) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation
- (c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
- (d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 7a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 7b, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 7c.

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

8. No development shall take commence until a full acoustic survey has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken to determine both nighttime and daytime background noise levels at the site. The rating level of sound emitted from any fixed plant and/or machinery associated with the development, and the industrial activities of the use hereby approved, shall not exceed the determined daytime or night-time (as appropriate)





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background sound when measured at nearest/any sound sensitive premises. All measurements shall be made in accordance with the methodology of BS 4142:2014+A1:2019 "Methods for rating and assessing industrial and commercial sound" and/or its subsequent amendments. Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property. Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the Local Planning Authority.

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

9. If piling is necessary, a written Piling Options Assessment shall be submitted to and agreed in writing by the Local Planning Authority, prior to any piling taking place. The assessment shall demonstrate noise and vibration mitigation measures consistent with best practical means. The assessment shall consider Environment Agency guidance (Environment Agency (2001), Piling and Penetrative Ground Improvements on Land Affected by Land Contamination NC/99/73) where land contamination is suspected or proven. All piling shall take place in accordance with the approved assessment. No piling shall take place outside 09:00-16:00 Mondays to Fridays.

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

10. All construction and demolition works associated with the approved development including delivery of materials shall be restricted to the following times:
 - 07:30 – 18:00 Monday to Friday
 - 08:30 – 14:00 Saturdays
 - No working is permitted on Sundays and Bank Holidays

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

11. The approved development including any deliveries to and from the site, shall operate strictly within the following times:
 - 08:00 - 18:00 Monday-Friday
 - 09:00 – 14:00 Saturdays
 - At no time on Sundays and Bank Holiday

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

Landscaping and Trees

12. All soft landscaping shown on the Landscape Masterplan (1813-2-02 Rev H), and Proposed Planting Plan Version 4 shall be carried out in the first planting and seeding





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season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of good design and to preserve public and residential amenity in accordance with Local Plan Policies S1, EQ6 and EQ10 and relevant paragraphs contained under Chapters 12 and 15 of the NPPF.

13. Prior to the approved development first coming into use/operation a Landscape Management Plan shall be submitted and agreed in writing by the Local Planning Authority. The Plan shall include details as to the person(s) or organisation responsible for maintaining all hard and soft landscaping areas.

Reason:- In the interests of good design and to preserve public and residential amenity in accordance with Local Plan Policies S1, EQ6 and EQ10 and relevant paragraphs contained under Chapters 12 and 15 of the NPPF.

14. No development (including initial site clearance) shall commence on site in connection with development hereby approved until a suitable scheme (Arboricultural Method Statement) for the protection of existing trees and hedgerows has been submitted to and approved in writing by the Local Planning Authority. The approved tree protection scheme shall be installed prior to the commencement of development.

All protection measures must fully detail for each phase of the development process taking into account demolition/site clearance works, all construction works and hard and soft landscaping works. Details shall include the following:

- Full survey of all trees on site and those within influencing distance on adjacent sites in accordance with BS5837*, with tree works proposals. All trees must be plotted on a site plan**, clearly and accurately depicting trunk locations, root protection areas and canopy spreads.
- A plan** detailing all trees and hedgerows planned for retention and removal.
- A schedule of tree works for all the retained trees specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons. All tree works shall be carried out in accordance with BS 3998.
- Timing and phasing of works.
- Site specific demolition and hard surface removal specifications
- Site specific construction specifications (e.g. in connection with foundations, bridging, water features, surfacing)
- Access arrangements and car parking
- Level changes
- Landscaping proposals





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- A Tree protection plan in accordance with the most recent revision of the BS5837 Standard at a scale of a minimum scale of 1:200 detailing all methods of protection, including but not restricted to: locations of construction exclusion zones, root protection areas, fit for purpose fencing and ground protection, service routes, works access space, material/machinery/waste storage and permanent & temporary hard surfaces.
- An Arboricultural method statement detailing all aspects of the Tree Protection Plan.
- Soil remediation plans, where unauthorised access has damaged root protection areas in the construction exclusion zones.

All tree protection methods detailed in the approved Arboricultural Method Statement shall not be moved or removed, temporarily or otherwise, until all works including external works have been completed and all equipment, machinery and surplus materials have been removed from the site, unless the prior approval of the Local Planning Authority has first been sought and obtained.

Reason: To ensure appropriate tree protection in accordance with Local Plan Policy EQ9 and relevant paragraphs contained under Chapter 15 of the NPPF.

Ecology and Habitat

15. No development shall commence until a Biodiversity Net Gain Plan has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out and subsequently maintained in accordance with the approved plans.

Reason:- To comply with paragraph 13 of the Schedule 7A of the Town and Country Planning Act 1990.

16. No development shall commence until a Habitat Management and Monitoring Plan for any site habitat creation (the HMMP), prepared in accordance with the approved Biodiversity Net Gain and including:
- (a) A non-technical summary
 - (b) The roles and responsibilities of the people or organisation(s) delivering the HMMP
 - (c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan with timescales for implementation of such works
 - (d) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development, and
 - (e) The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority

has been submitted to and approved in writing by the Local Planning Authority.





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The development shall subsequently proceed in accordance with the agreed HMMP and implementation timescales.

Reason:- The ensure that the development delivers a Biodiversity Nett Gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

17. There shall be no demolition of buildings B1 and B3 as defined on the Existing Site Plan (1813-1-01 Rev B) until an appropriate bat licence has been obtained, submitted to the Local Planning Authority. The licence shall include a timetable for carrying out the necessary works. Upon receipt of a licence from Natural England, works shall proceed strictly in accordance with the mitigation measures set out in Section 5, pages 10-14 of the Further Bat Surveys Report (Peak Ecology, September 2024) and amended as necessary based on any correspondence with Natural England. Such approved mitigation shall be implemented in full in accordance with the timetable of works included within the licence and followed thereafter. Following the demolition of these buildings and prior to the commencement of any building works relating to the approved industrial units, a copy of the document containing the results of monitoring works shall be submitted to and accepted in writing by the Local Planning Authority.

Reason:- In the interests of ensuring that protected species are satisfactorily protected during the demolition and construction period, in line with Local Plan Policy EQ5 and relevant paragraphs contained under Chapter 15 of the NPPF.

18. Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority to safeguard bats and other nocturnal wildlife. The strategy shall provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). Such approved measures will be implemented in full prior to the approved development coming into first use and retained thereafter for the lifetime of the development.

Reason:- In the interests of ensuring that protected species are satisfactorily protected, in line with Local Plan Policy EQ5 and relevant paragraphs contained under Chapter 15 of the NPPF.

19. No tree, scrub or hedgerow clearance or building demolition shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

Reason:- In the interests of ensuring that protected species are satisfactorily protected, in line with Local Plan Policy EQ5 and relevant paragraphs contained under Chapter 15 of the NPPF.

20. The development shall be carried out in accordance with the mitigation and





compensation strategy detailed in Section 5, pages 10-14 of the Further Bat Surveys Report (Peak Ecology, September 2024). The approved features for roosting bats shall be permanently installed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason:- In the interests of ensuring that protected species are satisfactorily protected, in line with Local Plan Policy EQ5 and relevant paragraphs contained under Chapter 15 of the NPPF.

Archaeology

21. No development shall take place until a Written Scheme of Investigation for built heritage recording and archaeological monitoring has been submitted to and approved by the Local Planning Authority in writing. The Written Scheme of Investigation shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme and provision for post-investigation analysis and reporting
3. Provision to be made for publication and dissemination of the analysis and records of the site investigation
4. Provision to be made for archive deposition of the analysis and records of the site investigation
5. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

No development shall take place other than in accordance with the archaeological Written Scheme of Investigation

The development shall not be occupied until the site investigation and post investigation assessments have been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation and the provision to be made for the analysis, reporting, publication and dissemination of the results and archive deposition has been secured.

Reason:- In the interests of recording the remains of the Peak Forest Tramway within the confines of the site in accordance with Local Plan Policy EQ7 and relevant paragraphs contained under Chapter 16 of the NPPF.

Highways

22. The development hereby approved shall not be brought into use until such time as the access, parking and turning facilities as shown on the approved Site Plan (1813-2-01 Rev J) has been laid out, 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 relevant paragraphs contained under Chapter 9 of the NPPF

23. The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4m back from the nearside edge of the adjoining carriageway





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(measured perpendicularly), for the distance of 25m in each direction measured along the nearside edge of the adjoining carriageway and offset a distance 0.6m from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF.

24. No development shall commence until a Construction Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition and construction period. The approved plan shall include:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

Reason: In the interests of safe operation of the adopted highway both during the demolition and construction phase of the development in accordance with Local Plan Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF.

25. No development shall commence until full construction details, including height and materials of the retaining structure adjacent to the highway boundary on Ashbourne Lane 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 relevant paragraphs under Chapter 9 of the NPPF.

Informatives

1. The Local Planning Authority has worked in a positive and proactive manner with the applicant to resolve all outstanding planning issues to achieve a sustainable form of development as required by the National Planning Policy Framework.
2. The applicant is advised that 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 demolition required). You are advised to contact the





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Highways Authority Network Management Team 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 programme of a temporary TRO to be agreed.

X *J. Colley*

Signed by: Jane Colley Signature

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.
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.

