



High Peak Borough Council

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Mr Plant
Stonygate Reservoir Road
Whaley Bridge
Derbyshire
SK23 7BW

Application no: HPK/2025/0145

Determined on: 31st July 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:

Stonygate Reservoir Road Whaley Bridge Derbyshire SK23 7BW

Description of Development:

Proposed replacement dwelling and garage (self-build)

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):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in accordance with the details as submitted in the application form and submitted specifications and as shown in drawings:
 - 330_PL001 Location Plan
 - 330_PL002 Site Block Plan
 - 330_PL003 Existing Basement Floor
 - 330_PL004 Existing Ground Floor
 - 330_PL005 Existing Roof Plan
 - 330_PL006 Existing North & South Elevations
 - 330_PL007 Existing East & West Elevations
 - 330_PL008 Existing Garage Elevations
 - 330_PL009 Proposed Ground Floor Plan





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330_PL010 Proposed First Floor Plan
330_PL011 Proposed Roof Plan
330_PL012A Proposed North & South Elevations
330_PL013A Proposed East & West Elevations
330_PL014 Proposed Garage Elevations

Reason: To ensure that the development is carried out in accordance with the submitted details and approved plans, in the interests of good planning, for clarity and the avoidance of doubt.

3. The materials to be used in the development hereby permitted shall be in accordance with those stated on the approved plans.

Reason:- In the interests of good design

4. Prior to any works being carried out above foundation level, a detailed schedule of all facing materials to be used in the development shall be submitted and approved in writing by the Local Planning Authority. The development shall hereby be carried out in accordance with the approved details.

Reason:- In the interests of good design

5. No development (including demolition and site clearance operations) shall take place until a Demolition And Construction Method Statement including full details of the intended method of demolition of the existing bungalow, all site clearance and associated earthworks and the method of construction of the new dwelling, has first been submitted to and approved in writing by the Local Planning Authority. The details shall include the design, depth and means of construction of any foundation works together with details of any other proposed earthmoving or excavation works required in connection with the development (including works to existing retaining structures and construction of new retaining structures on the site) and shall identify and incorporate any measures necessary at all stages of demolition, site clearance and construction to minimise the risk of adversely affecting the stability of the adjacent reservoir bywash channel (such as vibration monitoring if piling operations are required or the establishment of stand-off distances from the bywash channel for operating plant or machinery). The development shall thereafter only be carried out in accordance with the approved details.

Reason: In the interests of avoiding the risk of creating land instability arising from any adverse impacts from demolition, construction, earthmoving, excavations or other associated operations which could adversely affect the stability of the adjacent reservoir bywash channel in accordance with the advice and guidance on land stability contained in paragraphs 187, 196 and 197 of the National Planning Policy Framework and in the National Planning Practice Guidance and to comply with the requirements of Policy EQ7 of the adopted High Peak Local Plan 2016.

6. No development (including any demolition and site clearance operations) shall take place until a Demolition/Construction Environmental Management Plan (D/CEMP) has





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first been submitted to and approved in writing by the Local Planning Authority. The D/CEMP shall include measures to minimise the risk of dust, debris and silty or otherwise contaminated runoff entering the adjacent reservoir bywash channel during site clearance, demolition and construction operations. The development shall thereafter only be carried out in accordance with the agreed D/CEMP.

Reason: In order to minimise the risk of contaminants, debris or other material entering the reservoir bywash channel during site clearance, demolition and construction operations and damaging or blocking the channel, which could adversely affect the ability to control water levels and potentially lead to flooding of surrounding land, or adversely affecting water quality in Toddbrook Reservoir and/or the Todd Brook and the ecological value of the Toddbrook Reservoir Site of Special Scientific Interest and to comply with Policy EQ7 of the adopted High Peak Local Plan 2076.

7. No development shall take place until a detailed scheme for the disposal of surface water and foul sewage for the site has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details and drawings of the design, construction and location of all drainage infrastructure and shall clearly demonstrate that it will not present any risk of adversely affecting the stability or safe operation of the reservoir bywash channel adjacent to the site. The development shall thereafter only take place in accordance with the approved scheme.

Reason: In order to minimise the risk of contaminants, debris or other material entering the reservoir bywash channel during site clearance, demolition and construction operations and damaging or blocking the channel, which could adversely affect the ability to control water levels and potentially lead to flooding of surrounding land, or adversely affecting water quality In order to minimise the risk of adverse impacts on the stability or operation of the reservoir bywash channel arising from the operation of the surface water drainage and foul sewage disposal systems required to serve the development and to comply with Policy EQ10 of the adopted High Peak Local Plan 2016.

8. The development shall not take place until an appropriate bat licence has been obtained Confirmation of this shall be submitted to the Local Planning Authority and approved in writing. Upon receipt of a licence from Natural England / site registration, works shall proceed strictly in accordance with the approved mitigation, which shall be based on the proposed measures outlined in the Ecology Survey report (Dunelm Ecology, July 2024) and amended as necessary based on any correspondence with Natural England. Such approved mitigation will be implemented in full in accordance with a timetable of works included within the licence and followed thereafter. A copy of the results of any monitoring works shall be submitted to the Local Planning Authority and approved in writing.

Reason: In the interests of promoting/preserving biodiversity in the area

9. Prior to building works commencing above foundation level, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to the first occupation of the development and maintained thereafter. The Plan shall clearly show





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positions, specifications and numbers of features, which will include (but are not limited to) the following:

- Integrated / external bird boxes / swift bricks erected onto the main dwelling or garage or mature trees (avoiding southern elevations)
- Integrated / external bat boxes erected onto the main dwelling or garage or mature trees (favouring southern elevations)

A statement of good practice including photographs shall be submitted to the local planning authority and approved in writing, demonstrating that the enhancements have been selected and installed in accordance with the above.

Reason: In the interests of promoting/preserving biodiversity in the area

10. If during development any contamination or evidence of likely contamination is identified that has not previously been identified or considered, then a written scheme to identify and control that contamination shall be submitted to and approved in writing by the Local Planning Authority. This shall include a phased risk assessment carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part IIA, and appropriate remediation proposals. The approved remediation scheme shall be implemented prior to the first occupation of the development.

Reason: In the interests of residential amenity and in accordance with Policies EQ6 and EQ10 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

11. No activity hereby permitted shall cause dust to be emitted beyond the site boundary. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These shall be made available for inspection when required by officers of the Local Planning Authority.

Reason: In the interests of residential amenity and in accordance with Policies EQ6 and EQ10 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

12. Prior to the commencement of development, a detailed Waste Management Plan (WMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with the approved WMP. 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.

Reason: To ensure appropriate waste storage and collection arrangements are in place in the interests of public health, amenity, and environmental sustainability

13. Unless prior permission has been obtained in writing from the Local Planning Authority, construction activities shall be restricted to the following times of operations. 07:30 - 18:00 hours (Monday to Friday); 08:30 - 14:00 hours (Saturday) No working is permitted on Sundays or Bank Holidays.





Reason: In the interests of residential amenity and in accordance with Policies EQ6 and EQ10 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

14. If piling is necessary, a written Piling Assessment shall be submitted to and approved in writing by the Local Planning Authority, which shall demonstrate that noise and vibration mitigation measures consistent with best practical means. The assessment shall consider Environment Agency guidance. No piling shall take place until the Piling Assessment has been approved in writing, and once approved, piling shall take place strictly within the hours of 09:00 and 16:00 Mondays to Fridays and in accordance with the approved assessment.

Reason: In the interests of residential amenity and in accordance with Policies EQ6 and EQ10 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

15. The development hereby permitted shall be constructed as a self-build or custom-build dwelling within the definition of self-build or custom-build housing in the 2015 Self-Build and Custom Housebuilding Act (as amended by the 2016 Housing and Planning Act or as defined within relevant successor legislation).

Reason: To ensure that the development remains a custom / self-build development and is therefore a genuine exemption to Biodiversity Net Gain requirements in accordance

16. For a period of 3 years from the completion of the dwelling hereby permitted the occupation of the dwelling shall be limited to Mr R Plant, their spouse, partner, widow or widower and to any resident dependents and the dwelling shall be their sole or main place of residence.

Reason: To ensure that the development remains a custom / self-build development and is therefore a genuine exemption to Biodiversity Net Gain requirements in accordance with Schedule 7A of the Town and Country Planning Act 1990.

17. Development shall take place in accordance with the approved Arboricultural Method Statement. All tree protection measures 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 the interests of protecting the visual amenity of the area, contributing to the quality and character of the local environment, air quality and adapting to and mitigating climate change in accordance with policies EQ1, EQ2, EQ5 and EQ9 of the Local Plan.

Informatives

1. The LPA where possible have worked in a proactive and positive manner with the agent to address all outstanding planning issues, and achieve a positive outcome as required





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by the NPPF. Amendments were requested from the agent in the course of the determination in accordance with the approach to decision making as advocated in the National Planning Policy Framework at paragraph 38.

2. The Applicant is recommended to contact the Canal 8 River Trust to discuss the proposed development and how to minimise potential risks to the adjacent reservoir infrastructure during all works. The Applicant is further recommended to consider signing up to the Trust's current Code of Practice for works affecting the Canal 8 River Trust to ensure that such risks can be appropriately managed in consultation with the Trust's engineers. contact the Trust's Infrastructure Services at Enquiries.TPWNorth@canalrivertrust.org.uk for further advice.
3. Any discharges to the reservoir bywash channel, including any surface water run-off entering the channel, will require the prior consent of the Canal 8 River Trust. Please note that the Trust is not a land drainage authority and such discharges are not granted as of right; where they are granted, they will usually be subject to completion of a commercial agreement. The Trust does not normally accept foul discharges, including treated effluent, and it is extremely unlikely that any discharge from the treatment plant to the bywash channel would be permitted. The Applicant should contact the Trust's Utilities Team direct via utilitiesenquiry@canalrivertrust.org.uk for further advice.
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X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council





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



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you want to appeal against your local planning authority's decision then you must 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.

