



**High Peak Borough Council**  
*working for our community*

Ms Sophie Stanton  
P4 Planning Ltd  
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02/02/2026

Dear Ms Stanton

**Re: DOC/2025/0077 – Discharge of conditions 3, 5, 7, 8, 14, 21, 24 and 25 in relation to HPK/2024/0143**

I write in connection with the above application which seeks to discharge Conditions 3, 5, 7, 8, 14, 21, 24 and 25 relating to HPK/2023/0143.

**Condition 3** states the following:

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.*

Further to Officer discussion the following plans have been submitted for consideration:

|                  |                      |
|------------------|----------------------|
| WAC-1813-1-20-T2 | Proposed Site Plan   |
| WAC-1813-1-21-T3 | Landscape Masterplan |
| WAC-1813-1-22-T4 | Boundary Treatments  |

These plans address previous concerns regarding retaining structures sitting forward of natural vegetation. On the basis that the development is carried out in accordance with these approved details I can confirm that Condition 3 relating to HPK/2024/0143 is hereby discharged.

**Condition 5** states the following:

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.*

The application is accompanied by the following plans:

WAC-1813-4-01 Rev B – Facing Materials Palette  
WAC-1813-4-02 Rev A – Facing Materials Palette

These details are considered to be acceptable. As such, I can confirm that in accordance with these plans Condition 5 is hereby formally discharged.

**Condition 7** states the following:

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*
    - *ecological systems*
    - *archaeological sites and ancient monuments*
  - (iii) *an appraisal of remedial options and proposal of 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.*

This application has been supported by the following documents:

- Phase 1 Desktop Study Report (Ref: 23-873, dated 26<sup>th</sup> October 2023) prepared by Arc Environmental
- Phase 2 Ground Investigation Report (Ref: 32978-HYD-XX-XX-RP-GE-0001), dated 30<sup>th</sup> April 2024 prepared by Hydrock
- Remediation Strategy and Verification Plan (Ref: 333801838-HYD-XX-XX-RP-G-0002), dated 31<sup>st</sup> October 2025.

The above documents have been reviewed by the Council's Environmental Health Officer who has confirmed in writing that these can be accepted and that Conditions 7(a) and 7(b), which are the pre-commencement aspects of Condition 7, can be discharged, subject to the approval of the Environment Agency.

The Environment Agency were thereafter approached for comments in relation to this documentation, who subsequently responded in writing by email on 28<sup>th</sup> January 2026, stating the following:

*“With regard to groundwater and land contamination, this consultation falls outside our current consultation matrix for the following reasons:*

- *The site does not fall within a SPZ1, 2 or 3.*
- *The site is not underlain by a principal aquifer.*
- *The site does not lie adjacent to a main river.*

*As such, the application does not meet our currently adopted risk bar for the protection of controlled waters. We won't be providing any comment on the application at this time.”*

These comments are interpreted as the Environment Agency having no objections to the proposed land contamination and remediation strategy. As such, subject to strict compliance with the details contained within the 3no documents referred to above, I hereby confirm that Condition 7 relating to HPK/2024/0143 is discharged.

**Condition 8** states:

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) 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.*

The application is supported by a Noise Assessment (Stantec, 24<sup>th</sup> October 2025) – Ref: 333701826-STC-XX-XX-RP-Y-1001 which measures daytime background noise levels at 3no locations.

The Council's Environmental Health Officer has confirmed that provided the site can operate between the hours of 23:00 and 07:00 without recourse to development control, then the condition has not been met and should not be discharged. Otherwise, the clause is met and discharge is recommended.

Given that Condition 10 restricts the operations of the development and that the site is not permitted to be operational between the specified hours of 23:00 – 07:00, and upon seeking clarification from the EH Officer, I can confirm that Condition 8 relating to HPK/2024/0143 is hereby discharged on the basis that the second part of the condition (compliance with identified noise levels) is adhered to at all times during operations.

**Condition 14** states:

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*
- *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.*

An Arboricultural Method Statement and Tree Protection Plan (Crown Tree Consultancy, Ref: CCL-11749/TPP Rev 1) has been submitted with the application which has been reviewed by the Council's Tree Officer. In light of written confirmation from this consultee that this information is satisfactory, I hereby confirm that subject to full compliance with all mitigation and protection measures contained within this document, Condition 14 relating to HPK/2024/0143 is hereby discharged.

**Condition 21** states:

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.*

The application is accompanied by a document titled "Project Design: Historic Building Recording and Archaeological Watching Brief", prepared by Civic Heritage dated April 2025.

This document has been reviewed by Derbyshire County Council Archaeology who has confirmed that this is acceptable and therefore allows the first part of the condition to be discharged subject to ongoing compliance. The comments go on to state that the developer must ensure that the pre-works historic building is complete before commencing the development, and also must ensure that their archaeological contractor is given timely notice of site works to arrange attendance and maintain compliance with the watching brief part of the WSI.

This has been proceeded by a further document titled "Historic Building Investigation: Level 3", prepared by Civic Heritage dated January 2026.

Further comments have been received from the County Archaeologist which read as follows:

*I note the completed historic built heritage report and advise that it is acceptable. The author recommends some in-scheme monitoring attendances to further record elements of historic interest thus exposed, and advises me that agreement to carry out these monitoring attendances is in place.*

*The first part of the relevant condition may therefore be discharged as per previous, subject to ongoing compliance. The applicant must ensure that their archaeological contractor is given timely notice of site works to arrange attendance and maintain compliance with the watching brief part of the WSI. The additional attendances must be incorporated into a single report with the HBR for submission to Derbyshire HER.*

In light of the above, this Condition 21 is hereby partially discharged with regards to the pre-commencement aspects, subject to the development being carried out in strict accordance with the documents submitted and referred to above.

In order to fully comply with this condition, a report which contains analysis, publication of results and deposition have been submitted and confirmed to be acceptable in writing prior to the development first coming into use.

**Condition 24** states:

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.*

A Construction Management Plan (dated 5<sup>th</sup> November 2025) was submitted with this application. Whilst this generated no objections from the Highways Authority, comments received from Environmental Health Officers requested that an additional paragraph be inserted which reads as follows:

*"No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely adjacent residential properties and/or other sensitive uses and/or the local environment. 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 should be made available for inspection when required by officers of the Local Planning Authority"*

A revised Construction Management Plan was received on 15<sup>th</sup> January 2025 that is now shown to contain this additional paragraph. As such, subject to full compliance with the contents of this document throughout the entirety of the construction process, I hereby confirm that Condition 24 relating to HPK/2024/0143 is hereby discharged.

**Condition 25** states:

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.*

The application in its latest form includes a revised Boundary Treatments Plan (Ref: WAC-1813-1-22-T4) and detailed Retaining Wall structures (Ref: 32978-HYD-8-XX-DR-5-1005). In light of the fact that the Highways Authority have confirmed that these details are acceptable, I can hereby confirm that Condition 25 relating to HPK/2024/0143 is hereby discharged.

In light of the above, I can confirm that all pre-commencement conditions relating to HPK/2024/0143 have now been discharged, further to ecological conditions being discharged separately under DOC/2025/0070.

As stated within this letter, further action is required post construction and prior to the site first coming into use in relation to Condition 21 and the recording of archaeological assets.

Yours Sincerely

A handwritten signature in dark ink, appearing to read 'James Stannard', with a stylized, cursive script.

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