

CSV Developments Ltd
Moorland Gardens Development
(Rear of 57 New Mills Rd, Birch Vale, High Peak, SK22 1BX)

Discharge of Conditions Application Dated 16.2.2026 (associated narrative)

Written by:
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This document is to be associated with Planning Reference HPK/2025/0101

This document has been prepared to support the discharge of conditions 4, 8, 9, 11 and 12 from the approval of reserved matters permission HPK/2025/0101

I have copied each condition needing discharge here and highlighted them in *italics* for reference and then provided a supporting narrative for the application to discharge that condition

Condition 4 – (As copied from Approval of Reserved Matters)

4. Prior to the first occupation of any dwellinghouse, details of all boundary treatments, including height, location and use of materials shall be submitted to an approved in writing by the Local Planning Authority. Thereafter the approved boundary treatment shall be erected prior to the first occupation of the development hereby approved.

Reason:- In the interests of preserving the residential amenity of all existing and future occupiers, in accordance with Local Plan Policy EQ6, the Residential Design Guide SPD (2005) and paragraph 130 of the NPPF

Request to discharge Condition 4 – supporting narrative

Please find attached and to be associated with this discharge of condition an Architects drawing ref: 00017-SP-ZZ-ZZ-DR-A-XXXX-17200 S4_PL04

NB/ This is the combined boundary treatment drawing for discharging Condition 4 and it also shows the surface water run off directions for discharging condition 11.

The drawing details the proposed boundary treatment to all boundaries and also between properties.

The fencing materials to be used will be a natural timber close board fence in a traditional design.

Hedging materials behind fences are there to soften the view of the fence from both sides and provide both privacy to either side of the fence and also to provide some noise suppression.

Being a close dense type of hedge when established the hedge will also be suitable for nesting birds so supporting local wildlife.

Stone walling materials where used are all local stone to match existing walls and have largely been provided/recovered from within the existing site.

We have also located a small tree within the grounds of each new property along with a planting area.

Individual properties will be responsible for the maintenance of their own boundaries, planting areas and hedges etc.

NB/ The height that the hedge is to be maintained at (1500mm) as detailed on the boundary treatment plan will be included within the purchase contracts for the properties to ensure hedges are kept to the agreed height etc and not allowed to grow unchecked and become a nuisance to neighbours.

The requirements of Condition 4 have therefore been met and we seek to discharge this condition

Condition 8 and 9 – (As copied from Approval of Reserved Matters)

8. Before any other operations are commenced a new vehicular access shall be formed to Morland Road and provided with visibility sightlines extending from a point 2.4 metres from the carriageway edge, measured along the centreline of the access, for a distance of 25 metres in both directions measured along the nearside carriageway edge in accordance with the approved Site Plan (Rev 12W). The area in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 115 of the NPPF.

9. Prior to the occupation of any dwelling, a scheme that shows the existing vehicular access to Morland Road to be permanently closed with a physical barrier and the existing crossover reinstated as verge shall be submitted to and agreed in writing by

the Local Planning Authority. Thereafter the approved works shall be carried out before the first occupation of the development hereby approved.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 115 of the NPPF.

Request to discharge Condition 8 and 9 – supporting narrative

It has been agreed prior to this submission that condition 8 and 9 should not have been applied to the latest decision (approval of reserved matters) in the way that they have been, and that no action is required on our part.

We therefore request that these 2 requirements are formally discharged purely for completeness.

Condition 11 – (As copied from Approval of Reserved Matters)

11. Prior to the commencement of any above ground works, a scheme shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto Morland Road. The approved scheme shall be undertaken and completed prior to the first occupation of the development hereby approved and shall and retained as such thereafter.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF.

Request to discharge Condition 11 – supporting narrative

We have attached the following documents to support the discharge of this condition

- Architects drawing ref: 00017-SP-ZZ-ZZ-DR-A-XXXX-17200 S4_PL04 (this is the combined boundary treatment drawing and also showing surface water run directions for discharging this condition)
- Drainage Scheme Drawing Ref: D90127-DR-01-C1 (drawing was originally submitted at the Approval of Reserved Matters Stage)
- And Drainage Scheme Strategy Document RCD-C90127-DR-01-C1 copy 2 (scheme was originally submitted at the Approval of Reserved Matters Stage)

The flooding referred to in Condition 11 was from surface water draining from the old car park directly onto Moreland road and then running down Moreland Rd causing problems.

The surface water came from 2 sources:

1. The car park itself which had no drainage gulleys on it at all and when it rained the surface water falling on the car park simply ran straight out of the car park entrance (which was lower than the car park itself) and down Moreland Rd
2. The old culvert. There was a culvert crossing the site and it was believed to be partially blocked on it's route. When it rained heavily water in the culvert backed up and overflowed from a grid located in the adjacent field. The surface water then ran down onto the car park and out of the car park entrance onto Moreland Rd.

Our solution to the problem has been 2-fold.

1. The drainage strategy and scheme (as submitted and approved within the approval of reserve matters application - HPK/2025/0101) and now attached for clarity called for the old culvert to be diverted and re-laid as part of the early site works, thus replacing the damaged section of old culvert.

The culvert diversion was done and completed before any other site works were implemented and has been signed off by building control.

This now prevents any overflowing of surface water from the culvert onto the site.

2. The surface water that flowed out of the car park (site) entrance has also been dealt with as the site entrance does not now slope down to Moreland road as the new site access road configuration has changed the profile of the site road and now means that the road slopes uphill to Moreland Rd and as such all surface water falling on the site is now dealt with by the approved site drainage scheme and surface water cannot now physically flow out to Moreland Rd any more.

The submitted Architects Drawing (00017-SP-ZZ-ZZ-DR-A-XXXX-17200 S4_PL04) shows the new direction of surface water flow on the site access road and also shows the "spot" levels of the road gradient to support this.

The requirements for Condition 11 have therefore been met and we seek to discharge this condition

Condition 12 – (As copied from Approval of Reserved Matters)

12. No development above ground floor level shall commence until details of the arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

Request to discharge Condition 12 – supporting narrative

We have set up a new limited company – Moorland Gardens Management Company Ltd with details copied from Companies House as below:

Company number **16248480**

- 98000 - Residents property management

The company has been formed to act as the party responsible for the management and maintenance of the site access road and all private drainage contained within the site.

The new Limited company has been formed with 8 shares.

The purchasers of each of the 6 new properties within the site area (and also the owners of No57 and 59 New Mills Road who have beneficial parking within the site area) are required to become shareholders and directors in the new limited company as a condition of their purchase.

This requirement is bound in the purchase contract for each property (and registered with Land registry).

The buyers will receive one share each in the new company and be appointed a director of the company

An agreed monthly amount will be paid by each shareholder into a fund created to cover the cost of the maintenance and any repair work required. The monthly contribution will be jointly agreed annually at a meeting of all 8 shareholders..

Once a year (or whenever any maintenance works are required) the company directors will meet to discuss maintenance requirements, agree a budget for this, appoint a contractor to do the works and pay them accordingly from the accumulated fund.

Each shareholder/director being responsible to contribute 1/8 of the total amount needed if there is any shortfall in the fund.

It is expected that simple annual maintenance will be required to clean out street gulleys, clean the street (sweep/jet wash etc as required), and perform a general inspection of road condition etc to common areas.

NB/ There are no planting areas or trees within the common site area that require any maintenance.

The requirements for Condition 12 have therefore been met and we seek to discharge this condition