





**High Peak Borough Council**  
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Mr Stewart-Milne  
Adamson House  
Didsbury  
M20 2YY

Application no: HPK/2023/0488

Determined on: 21/04/2026

**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:**

Land At Burlow Road And Heathfield Nook Road Burlow Road Harpur Hill Buxton  
Derbyshire

**Description of Development:**

Proposed 10 dwellings

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 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:

Location plan 473-P-LP03  
Planning layout 473-P-PL02 Rev D  
Boundary treatment details 473-P/BTD03  
Boundary treatment plan 473-P-BTD02 Rev C  
Hard landscaping layout 473-P-HL02 Rev C  
Materials layout 473-P-ML02 Rev C  
Refuse strategy 473-P-RS02 Rev 5  
Storey heights 473-P-SH02 Rev C  
Detailed landscape proposals c-2179 Revision A

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YHOP 5MDS MX00 MAR 25  
YHOP 5MES MX100 MAR 25  
YTOM 5MES MX100 MAR 25  
YWSE 5MDS MX100 MAR 25  
Highway surfacing plan 473/ED/44 Rev 007  
Swept path analysis 473/ED/78 Rev C02  
Proposed finished floor levels Sheet 3 473/ED/11 P15  
473/PL/SS01 Rev P01

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall comprise those shown on the approved plans, and there shall be no variation unless agreed by separate application to the Local Planning Authority.

Reason:- To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

4. The boundary treatment shall be completed in accordance with the details shown on the approved plans, and shall be erected prior to the first occupation of the dwelling which it serves. There shall be no variation unless agreed by separate application to the Local Planning Authority.

Reason:- In the interests of visual and residential amenity and in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

5. The development hereby approved shall be carried out strictly in accordance with the Remediation recommendations in Section 9 of the Geoenvironmental Appraisal of Land at Burlow Road, Harpur Hill, Buxton (Community Area Replan) ref: 30156-4 report, dated December 2025 by ALM Consult. The development shall incorporate gas protection measures consistent with Characteristic Situation 2 (Ciria C665) or NHBC Amber 1 in all buildings.

Following completion of measures identified in the approved remediation scheme, and prior to the occupation of the development hereby approved, a validation report that demonstrates the effectiveness of the remediation carried shall be submitted to and approved in writing by the Local Planning Authority.

If during development any contamination or evidence of likely contamination is identified that has not previously been identified or considered, then the applicant shall submit a written scheme to the Local Planning Authority for written approval to identify and control that contamination. 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 hereby approved and in accordance with the approved written scheme.





Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks in accordance with Policies EQ6 and EQ10 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

6. 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 should 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 Policy EQ6 and EQ10 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

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

8. If piling is necessary, a written piling options assessment shall be submitted to and approved in writing by the Local Planning Authority, to 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. No piling shall take place until the piling options assessment has been approved. All piling shall take place in accordance with the approved details.

No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays.

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

9. All construction works and deliveries 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 Policy EQ6 and EQ10 of the High Peak Local Plan and the National Planning Policy Framework.





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10. No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:

- a. ALM Consult Limited. (26/04/2024). *Soakaway Test Results – Land at Burlow Road, Buxton*. REF: 30156/130.
- b. Barratt Manchester. (25/09/2025). *Report on Drainage Strategy to Accompany Planning Application for Heathfield Nook Buxton (Community Area)*. Revision C04, including any subsequent amendments or updates to those documents approved by the Flood Risk Management Team.
- c. And DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2015)

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 prior to first occupation and shall thereafter be maintained in accordance with the approved plan.

Reason: To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided to the Local Planning Authority, in advance of full planning consent being granted, in accordance with Policy EQ11 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

11. Prior to commencement of the development, details indicating how additional surface water run-off from the site will be avoided during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. (The developer may be required to provide collection, balancing and/or settlement systems for these flows.) The approved system shall be operating before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development in accordance with Policy EQ11 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

12. The development hereby approved shall not be occupied until the access and parking have been provided as shown on the approved drawings.

Reason: In the interests of highway safety and in accordance with Policy CF6 of the High Peak Local Plan and the National Planning Policy Framework.

13. The development hereby approved shall not be occupied until visibility splays for each vehicular access are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 25 metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres 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 and in accordance with Policy CF6 of the High Peak Local Plan and the National Planning Policy Framework..

14. Prior to the commencement of the development hereby permitted, details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan shall include the following details:
- 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 the loading/unloading and storage of plant, waste and construction materials and parking of site operatives;
  - Method of preventing mud and dust being carried onto the highway;
  - Arrangements for turning vehicles;
  - 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 in the lead into development both during the demolition and construction phase of the development.

15. Prior to the commencement of development, a check for Himalayan balsam shall be undertaken during the growing season (spring-summer). If present, an invasive non-native species protocol shall be submitted to and approved in writing by the local planning authority, detailing the containment, control and removal of Himalayan balsam on site. The approved measures shall be carried out prior to the first occupation of the development.

Reason:- To ensure that the development can be carried out safely without unacceptable risks in accordance with Policies EQ6 and EQ10 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

16. If decommissioning of the site compound occurs during the bird nesting season (between March and August inclusive), a check of the open sided materials stores shall be made by a Suitably Qualified ecologist (SQE) to check for any bird nests 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:- Such conditions are to be used to ensure that breeding birds are protected from harm during construction. All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended.

17. Site clearance shall be undertaken in a manner by which to safeguard hedgehogs. All rubble piles, structures and other general debris that could be used for shelter shall be





carefully cleared by hand. This shall be undertaken prior to machinery entering site and avoiding the core hibernation period (November-February). If a hedgehog is discovered during clearance it shall be moved immediately and carefully with gloved hands to an area of shelter such as beneath adjacent hedgerow/bushes. A short statement of compliance shall be submitted to the Local Planning Authority upon completion of clearance works to discharge this condition.

Reason:- To provide adequate safeguards for the protection of any protected species existing on the site, in accordance with Policy EQ5 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

18. Prior to building works commencing above foundation level, a Species Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. Approved measures shall be implemented in full and maintained thereafter. The Plan shall clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following:

- universal nest boxes at ratio of 1:1, in line with British Standard 42021:2022.
- integrated bat boxes.
- insect bricks / towers.
- fencing gaps 130 mm x 130 mm to maintain connectivity for hedgehogs.

Reason:- In the interests of biodiversity enhancement and in accordance with Policy EQ5 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

19. 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. This should 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 light spill 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.

Reason:- To provide adequate safeguards for the protection of any protected species existing on the site, in accordance with Policy EQ5 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

### **Informatives**

1. The Council entered into pre-application discussions and negotiations with the applicant during the application to secure a revised/improved scheme, as has been submitted and consequently approved. It is therefore considered that the proposals meet the provisions of paragraph 39 of the NPPF.

2. The applicant's attention is drawn to the comments of the Lead Local Flood Authority dated 2.10.2025.



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3. The applicant's attention is drawn to the requirements of the Section 106 agreement dated 8<sup>th</sup> April 2026.

X *B.J. Haywood*

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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](http://dbcp.co.uk); Email: [info@dbcp.co.uk](mailto: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](http://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.

