

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

Date 7th October 2019

Application No:	DOC/2018/0110	
Location	Land off Linglongs Road, Whaley Bridge	
Proposal	Discharge of conditions 5, 6, 7, 9, 12, 13, 14, 15, 16, 18, 21, 29, 32 and 33 in relation to HPK/2017/0247	
Applicant	Mrs Aleksandra Drinkwater, Barratt Homes	
Agent	N/A	
Parish/ward	Whaley Bridge	Date registered 29/10/2018
If you have a question about this report please contact: Jane Colley - Email jane.colley@highpeak.gov.uk ; Tel: 01298 28400 Ext: 4981		

REFERRAL

This application has been brought before the Development Control Committee as it is a locally contentious issue

1. SUMMARY OF RECOMMENDATION

Approve

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The site lies to the south west of Whaley Bridge on land which slopes in an easterly direction. The highest point on the land is along the western boundary and adjacent to Linglongs Road. To the east are a number of mature trees which screen the site from the industrial estate known as Botany Business Park. The land is currently used for grazing and covers 6.3 hectares in area. To the north are residential properties along Macclesfield Road.
- 2.2 A large number of trees, protected by a tree preservation order (TPO 262) dissect the site, and form an important landscaping screen, behind which properties and their rear gardens along Macclesfield Road form the backdrop to the site when viewed from the south.
- 2.3 The Goyt Way - Midshires Way long distance recreational trail, footpath HP23/57/2, runs through the site in a north south direction, providing access from Taxal (Linglongs Road) to Macclesfield Road to the north and beyond onto Reddish Lane.

3. DESCRIPTION OF THE PROPOSAL

3.1 Reserved matters was granted for layout, access, scale, appearance and landscaping by the Committee at the 24th September 2018 and the decision issued on the 3rd October 2018. This application seeks to agree a number of planning conditions imposed on the reserved matters consent.

3.2 Since this time and following the statutory consultation responses below, a number of revisions have been submitted and are discussed under the relevant conditions below.

4. RELEVANT PLANNING HISTORY

DOC/2017/0071 - Discharge of conditions relating to HPK/2017/0694 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 21, 22, 24, 26, 27 and 28 - Pending

HPK/2017/0694 – Variation of conditions 5, 24 and 31 of HPK/2014/0119 – Approved 3.10.18

HPK/2017/0247 – Reserved matters for 107 dwellings and associated works – Approved 3.10.19

HPK/2014/0119 – Proposed outline planning application for up to 107 dwellings including landscaping and public open space – Approved 7.5.17

5. PLANNING POLICIES RELEVANT TO THE DECISION

Adopted High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S2 Settlement Hierarchy
- S3 Strategic Housing Development
- S6 Central Sub Area Strategy
- EQ1 Climate Change
- EQ2 Landscape Character
- EQ5 Biodiversity
- EQ6 Design and Place Making
- EQ9 Trees, Woodlands and Hedgerows
- EQ10 Pollution Control and Unstable Land
- EQ11 Flood Risk Management
- CF6 Accessibility and Transport

National Planning Policy Framework (February 2019)

Paragraphs 54 and 55

National Planning Practice Guidance

6. CONSULTATIONS

Site notice	Expiry date for comments: N/A
Press notice	Expiry date for comments: N/A
Neighbours	Expiry date for comments: N/A

Neighbours/Local Interest Groups

6.1 Comments have been received raising the following concerns:

1. Whaley Bridge Matters (WBM) have made previous submissions on the 5th November 2017, 5th February 2018, 25th February 2018, 6th July 2018, 27th August 2018. Conditions 9, 10, 11 and 13 under HPK/2017/0694 correspondence with conditions 11, 12, 13 and 15 under HPK/2014/0119.

2. As well as considering surface water run-off from developed parts of the site, the conditions incorporate but are necessarily limited to) the following aspects:

- Condition 10 and 13 must include consideration of the applicant proposed discharge of the other output of water to the site, namely springs and overland flows and surface water run-off from adjoining properties;
- Condition 10 must additionally consider the Linglongs Road estate outfall;
- Condition 13 must additionally consider groundwater flows;
- Conditions 9, 10 and 13 must consider rainfall onto non-developed parts of the site.

Conditions such as these require outflows to be managed in accordance with local and national policy i.e. to ensure that flood risk is not increased elsewhere. If the submitted scheme does not do that then the Council should not approve it.

3. Photos have been submitted of an Orche Spring in the south west field discharging into the south east field, at the tree line edge between fields, a broken pipe between the north west and north east fields.

4. In response to Barratt Homes email of the 13th November 2017, the comment that “existing springs to the SE of the site is evident on the survey as a trough” fails to mention that the resultant overland flow from this spring runs into the development south east field. This overland flow is only evident during seasonal heavier rainfall. The redirection of the spring directly to a drain into the east ditch will therefore increase run-off rates. The comment that “we do not believe the depression to be draining anything other than some surface water run-off ignores the evidence from the geo- physical survey showing 2 land drains running directly from the southern side of the south west field. The geo-physical report is incomplete with the downstream of the Linglongs Roads outfall not surveyed. The applicant has not surveyed the 1885 map which clearly shows a stream running from Taxal Edge into the NW field. The 2 drains from the southern boundary of the NW field are to be

bypassed by a new drain from the Linglongs Road outfall or intercepted by a new land drain adjacent to Road 1. The email gives no assurance regarding flooding downstream. Neither HPBC or the LLFA seem willing to challenge the applicant as to their beliefs or require a new geo-physical survey. The requirement to comply with the NPPF or to mimic the existing situation has been ignored.

5. Most of flood calculations on the outflow from the development are based on 2 catchments and 2 vortex limiters and are incorrect and invalid. The trench land drainage system will reduce the water table to make it suitable for the development at the expense of the increased flood risk for communities downstream.

6. The building of a pumping station to pump sewage uphill only for it to come back straight down the Macclesfield road should be questioned on sustainability and functionality.

7. Documents by Soiltechnics have not been posted on the Council web site. The Ochre springs which are to be redirected to land drains contain Ferric Oxide, this will block to the trench liner and fill fabric and aggregate in the land drain trench, blocking these drains. This will result in flooding to the development.

Consultees

Consultee	Comment	Officer response
<p>DCC Highways</p>	<p>24.09.2019:</p> <p>Condition 13 Drawing number 466-ED-58 shows the highway arrangements where the Midshires Way crosses the new estate street. The proposals are considered acceptable in principle and are sufficient to discharge the planning condition.</p> <p>Condition16 The Highway Management Proposals document is considered acceptable to satisfy the condition and it should also be noted that the developer is at an advance stage with the Highway Authority in securing an adoption Agreement for the streets to become publicly maintainable highway at some future point.</p> <p>Condition 18 The updated Construction Method Statement now incorporates traffic management details, which is considered acceptable in principle from a highways perspective.</p> <p>Condition 21 The construction approval process is still on-going between the developer and Highway Authority –</p>	<p>c)</p>

following the e-mail evidence that has been submitted by the developer there have been further requests for information (by DCC), before the project can be formally approved. Hopefully this should be concluded in the near future, however, as previously advised; until construction approval has been issued discharging this condition may be premature.

Condition 29

It is noted, from drawing number 466/P/PL/01 Rev A1, that sheds / cycle storage are now shown to all plots, which addresses the previous highway comments. On this basis the condition may now be discharged.

24.01.2019:

Condition 13:

Drawing number 466/P/HLL01 Rev E has been submitted to support the discharge of this condition , which identifies hard landscaping proposals throughout the development. However, this does specifically or adequately address the requirements of the condition in terms of the detail requires where the new estate street bisects the Midshires Way.

It is presumed the Midshires Way is depicted by the red dashed line on the plan although this not identified in the legend. I would expect an enlarged detail to be provided for the specific area showing as a minimum a tactile paving crossing point, additional section of surfaced path leading up to the crossing point and potentially a contrasting coloured panel of surfacing/surface treatment, across the carriageway, to highlight the crossing point.

In its currently submitted format the information is not considered acceptable to discharge the conditions.

Condition 16

Drawing number 466/ED/38 Rev B has been submitted to support the discharge of this condition, which shows the areas the developer will be offering for adoption as publicly maintainable highway, at some future point.

The developer has recently submitted construction details to the Highway Authority for approval, with a view to progressing an adoption Agreement under Section 38 of the Highways Act (1980). However, this

process is in its early stages and is likely to take a number of weeks / months before any Agreement may be in place. No specific information has been provided regarding the management or maintenance of the streets prior to the Agreement being entered into, as required by the condition. Therefore, in order to adequately discharge this condition additional information would be required to be submitted.

It is however noted that this is not a pre-commencement condition and the condition only requires information to be submitted and approved prior to the first occupation of the first dwelling. Given the envisaged development program it is likely to be a considerable period of time until this takes place, by which point it is likely that the Section 38 adoption Agreement will be in place. The developer may therefore find it prudent to withdraw this condition for consideration at this point and re-submit when the adoption Agreement is entered into.

Condition 18

A construction method statement has been submitted to support the discharge of this condition and whilst the document includes additional information, to that required by the condition, it is informative. With respect to the specific highway related elements I would comment as follows:

- a) Parking for site operatives and visitors is shown on drawing number 466/ED/CMS2 Rev C and is considered acceptable in principle.
- b) Routes for construction traffic is shown via Linglongs Road – temporary access arrangements are shown on drawing number 466/ED/CMS1 Rev C, which will be used whilst the permanent access is constructed, after this point it is expected the permanent access will be used to serve the site. This is considered acceptable in principle.
- c) Pedestrian / cyclist protection is covered in section g (iii) of the construction method statement document, which identifies that Midshires Way will need to be temporarily closed whilst some construction activities take place – this will need a formal process to be followed with the County Council's Public Rights of Way section in advance of any works taking place that affect the route. At other times fencing will be erected to ensure segregation

between the route and the development site areas. On this basis the proposals are acceptable in principle, however, as highlighted above a temporary closure will need to be applied for.

- d) No information is provided at this stage as to what may be required in terms of temporary traffic management, especially for the proposed access works of Linglongs Road (which will need to be covered by a section 278 Agreement). Further information will therefore be required to clarify this part of the condition.
- e) The site compound area is located a considerable distance into the site and it is envisaged the road network provided to access it will ensure vehicles have sufficient opportunity to turn within the site. There are therefore no objections in principle associated with this part of the condition.
- f) Sections g (i) & (ii) of the construction method statement identifies that 'heras' type fencing will be erected to secure the site. This is considered acceptable in principle, however, the developer will need to ensure that any rubber feet (or other fixing method) do not encroach or protrude into the public highway i.e. all fittings, fixtures etc. will need to be located wholly within the development site. Construction
- g) The site compound, comprising accommodation, parking and storage is identified on drawing number 466/ED/CMS2 Rev C, which is considered acceptable in principle from a highways perspective.

Condition 21

As highlighted above information has been submitted to the County Council in order to commence the construction approval process; a pre-requisite of this Authority entering into any Agreement to adopt the estate streets in the future. However, this process has only recently commenced and it could be some time before the information / drawings are approved – the developer is normally advised to allow at least 12 – 16 weeks in any program to obtain approval.

The Highway Authority's consultation response for the reserved matters application contained an advisory note, which was subsequently included on the decision notice (note g), advising that the applicant should

	<p>obtain approval for all the estate streets from the Highway Authority prior to any submission to discharge the relevant condition. However, this appears to have been disregarded.</p> <p>Given the current position regarding the construction approval, the submission of construction details at this stage is somewhat premature. In addition, and as far as I can ascertain from the drawings, no specific street lighting design or details accompany the submission.</p> <p>At this stage the condition should not be discharged until construction approval has been issued (to also include street lighting designs / details).</p> <p>Condition 29</p> <p>It is noted that sheds / cycle stores are identified on some plots, as shown on drawing number 466/P/PL/01 Rev R. However, these are only provided on plots that do not have garage accommodation; it is assumed cycle storage for dwellings with garages will be within the garage itself.</p> <p>However, your Authority will be aware of the Highway Authority's guidance relating to this and that garages should achieve minimum internal dimensions, if it is to be used for parking and storage purposes. The Highway Authority's guidance recommends that internal garage dimensions should be 3m wide x 6m long for a single garage and 6m x 6m for a double garage. No information appears to have been submitted to support the condition discharge to confirm this is the case.</p> <p>Further information should therefore be provided before this condition can be discharged.</p> <p>Condition 32</p> <p>Note 12 on drawing number 466/ED/38 Rev B states that run off from private areas shall not discharge across the highway with gullies and channels being provided, as appropriate, to capture the surface water run-off. This will be acceptable in principle and the Highway Authority will, as part of its inspections undertaken in connection with the adoption process, ensure these are installed. On this basis the condition may be discharged.</p>	
Tree Officer	24.09.2019:	7.50-7.51

	<p>Condition 9 – I am happy with the revised details.</p> <p>11.12.2018:</p> <p>Condition 9: Landscape Phasing – I would rather see phases linked to actual dates which until they have a start date can't be drawn up.</p> <p>Tree/ shrub planting and turfing is best undertaken between November – March this will improve the success of the establishment of the plants and therefore actually is more economical for the developer. So the phasing of landscaping should include dates such as phase 1 and 2 between November 2019 and March 2020</p> <p>Condition 12: I have had a look at the arboricultural method statement and it does specifically talk about consultant supervision so I happy we are covered on that one.</p>	
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7. POLICY AND MATERIAL CONSIDERATIONS AND PLANNING BALANCE

7.1 The purpose of the imposition of planning conditions is to ensure that development can proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable.

7.2 The applicant has sought to agree the conditions listed below by providing the requirements for each condition. The information has been reviewed by various statutory consultees and their comments are reported above. Revised/additional details have been provided for a number of the conditions, and are indicated where relevant.

7.3 Condition 5 states:

Prior to the occupation of plots 99 - 102 a plan showing the boundary treatment serving these units, including the location, height, design and use of materials shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved boundary treatment shall be installed prior to the first occupation of the dwelling the approved boundary treatment serves.

Reason:- To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected in accordance with Policies EQ2 and EQ6 Of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7.4 The initial submission proposed a closed boarded fence along the rear garden boundaries to plots 199-102, which are positioned close to the Midshires Way. This was considered unacceptable in this location, as it would create a hard boundary to

the public right of way. Revised details have been submitted which show a 1.8m high “green screen” which comprises a metal grid, to be covered in plants. This will create a softened approach to the boundary treatment in this particular location, to the visual benefit of pedestrians and the wider landscape. Moreover, the screen will ensure that the residential amenities of future occupiers is protected. Accordingly it is recommended that this condition be agreed.

7.5 Condition 6 states:

Prior to the installation of any front or garage door, the colours of doors shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors shall be installed in accordance with the approved details.

Reason:- In the interests of visual amenity, in accordance with Policy EQ6 of the High Peak Saved Local Plan 2016.

7.6 The submitted plans show that all garage and doors will be black. This is considered to be acceptable and would provide a consistent and visually acceptable detail to all properties. Accordingly, with a simple approach which will not harm visual amenity, it is recommended that this condition be agreed.

7.7 Condition 7 states:

Prior to the installation of any hard surfacing (excluding all access roads) details of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed strictly in accordance with the approved details.

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

7.8 A plan has been submitted which confirms that the access roads and footways will be constructed with tarmac. Where a private road serves a small number of units (e.g. plots 1-3) it is proposed to use burnt ochre block paving, with pedestrian routes into individual dwellings constructed with buff coloured block paving. The simple palette of materials will ensure that the visual appearance of the hard surfacing is robust and reflective of the wider area. Accordingly it is recommended that this condition be approved.

7.9 Condition 9 states:

Prior to the occupation of the first dwelling, a scheme of phasing of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be carried out in accordance with the approved scheme of phasing. 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 interest of visual amenity, in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7.10 Following the initial comments by the Tree Officer, the applicant has provided further details on the proposed timing for the landscaping and identified a phased approach to it. Landscaping would be provided on the following basis:

Plots 1-12, 14-23 and 500 - Within 1 year from the commencement of development,
Plots 24-48 - Within 2 years of the commencement of development
Plots 49-70 – Within 30 months of the commencement of development
Plots 71-107 Within 3 years of the commencement of development

7.11 The phased approach to the landscaping will ensure that the landscaping is installed in line with the build programme for the whole of the site, to the benefit of the visual amenity of the wider landscape. The Councils Tree officer raises no objection to this condition, and therefore on this basis, it is recommended that this condition be agreed.

7.12 Condition 12 states:

Prior to the removal of trees 37 and 38 as shown on plan ref D6270.002 (as shown in the Arboricultural Method Statement), a scheme for the supervision of any tree works in relation to trees 37 and 38 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter all works shall be carried out in accordance with the approved scheme.

Reason:- To protect the health and amenity of the trees in accordance with Policies EQ2 and EQ9 of the High Peak Local Plan 2016 and paragraph 118 of the National Planning Policy Framework.

7.13 Trees 37 and 38 are located towards the eastern boundary of the site and have been identified as potentially vulnerable to removal due to the presence of the new drainage system. The purpose of this condition is to ensure that an arboricultural specialist is present on site, to determine whether these trees can be retained or not. The submitted arboricultural method statement confirms that an arboriculturalist will be present to supervise any works around these trees, which the Tree Officer is satisfied with. Accordingly it is recommended that this condition be agreed.

7.14 Condition 13 states:

Prior to the installation of the surface treatment of the Midshires Way where it crosses the approved estate road, details of the surface treatment shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved surface treatment shall be carried out in accordance with the approved details and prior to first occupation of the final dwelling on the site.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7.15 The initial submission provided inadequate details to confirm the use of hard surfacing materials where the Midshires Way crosses the new access road. The applicant has now provided a plan which shows a dropped kerb either side of the road and a contrasting colour across the new access road to denote the route of the Midshires Way. This will ensure that the public right of way is visible and permeable to all pedestrian users to the benefit of highway safety for all users. Accordingly it is recommended that this condition be agreed.

7.16 Condition 14 states:

Within 6 months of the commencement of works, a scheme for the signage, management arrangements and timetable for installation of the car parking spaces to the north eastern boundary (to the rear of 74-84 Macclesfield Road) as shown on plan ref 466/P/PL/01 Rev Q shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the car parking spaces shall be installed in accordance with the approved timetable and managed in accordance with the approved details.

Reason:- To safeguard the privacy of the occupants of adjacent properties, in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7.17 A total of 11 car spaces will be provided to the rear of numbers 74 – 84 Macclesfield Road for the residents in Macclesfield Road. The management and maintenance for these spaces would be undertaken by a management company appointed by the applicant. Signage will be erected stating “Parking for Macclesfield Residents only – maximum length of stay 24 hours”. The timetable for installation will be in phase 2 of the road and sewer programme, weeks 35-48 from commencement of development. The details submitted are considered to be acceptable and will ensure that privacy of the occupants of properties in Macclesfield Road is maintained. Accordingly it is recommended that this condition be agreed.

7.18 Condition 15 states:

Prior to the first occupation of the first dwelling, details for the management and maintenance regime for the sustainable drainage scheme, if not to be adopted by United Utilities shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the sustainable drainage scheme shall be managed and maintained in accordance with the approved details.

Reason:- To ensure that agreed sustainable drainage systems are constructed and maintained appropriately to secure effective operation for the lifetime of the development.

7.19 It is the applicant’s intention to offer the proposed sustainable drainage scheme for adoption by United Utilities under section 104 of the Water Industry Act 1991. The applicant has submitted a copy of their application, along with details of where the process is currently up to. At this stage formal approval has not been agreed with United Utilities, and therefore until this matter is resolved, it is recommended that this condition is not agreed. However as the applicant is actively

involved in ongoing discussions with Untitled Utilities, it is recommended that this matter be delegated to the Chair of the Committee and the Head of Development Services to agree, once confirmation has been received from Untied Utilities and applicant that the proposed sustainable drainage system will be adopted.

7.20 Condition 16 states:

Prior to the first occupation of the first dwelling, details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980.

Reason:- In the interests of highway safety and future residents , in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7.21 The applicant is currently progressing with a section 38 agreement with Derbyshire County Council. A section 38 agreement is a section of the Highway Act 1980 which can be used by a developer to construct a new access road and offer the road for adoption to the Local Highway Authority. Once approved the majority of the new estate roads will be adopted by Derbyshire County Council. There are a number of small shared access roads which typically serve 3-4 properties. In this case, the shared access roads will be conveyed to individual homeowners, who will be responsible for the future maintenance and management of the shared access. The Highway Authority confirms that the details submitted are acceptable and that the applicant is at an advanced stage of the adoption process. The adoption of the roads will maintain highway safety for the benefit of future residents and accordingly it is recommended that this condition be agreed.

7.22 Condition 18 states:

No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- a. parking of vehicles of site operatives and visitors*
- b. routes for construction traffic*
- c. pedestrian and cyclist protection, including those using the Midshires Way*
- d. proposed temporary traffic restrictions*
- e. arrangements for turning vehicles*
- f. roadside hoarding and construction access arrangements*
- g. the storage of plant and materials, site accommodation, loading and unloading and manoeuvring of good vehicles*

Reason:- In the interests of highway safety and the amenity of neighbouring properties, in accordance with Policies EQ6 and CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7.23 Following the initial comments by the Highway Authority, the applicant has submitted revised details. Taking each of the criteria in turn, the following is proposed:

- a. Parking for site operatives would be placed towards the northern boundary of the site in a designated area.
- b. Routes for construction traffic will be via Linglongs Road, it is proposed to create a temporary access which will be used until the permanent access is created.
- c. The CMP identifies that the Midshires Way will need to be temporarily closed whilst some of the construction works take place. This will need to be agreed with the County Council Public Rights of Way team. Thereafter, once these works have been completed, fencing will be erected to ensure that pedestrian/cyclists are segregated from the construction works.
- d. Temporary traffic management will take the form of temporary traffic lights along Linglongs Road, 2 or 3 way temporary traffic controls, or stop and go boards. It is not anticipated that any temporary traffic management will be required along Macclesfield Road, other than to facilitate the installation of temporary diversion of footways. All works within the public highway (e.g. road widening works to Linglongs Road, construction of new kerbs and footways) will be the subject of a section 278 agreement under the Highway Act, which will be a matter for the Local Highway Authority to approve.
- e. The site compound area will be positioned adjacent to the proposed site operatives parking area towards the northern boundary, where vehicles will be able to access and turn.
- f. Heras fencing will be placed along the external boundaries of the site to secure the site. Construction access will be taken from a temporary access point along Linglongs Road, until the permanent access is constructed.
- g. The storage of plant and materials, site accommodation, loading and unloading and manoeuvring of good vehicles will all take place in an area located towards the northern boundary. Within the compound area, welfare facilities, including portacabins, WC's and storage areas will be provided.

The above details have been reviewed by the Highway Authority and found to be acceptable. On this basis, it is considered that the details are acceptable and will ensure that matters relating to highway safety and residential amenity are addressed. Accordingly it is recommended that this condition be agreed.

7.24 Condition 21 states:

With the exception of the works referred to in condition 20, no development shall take place until the layout and construction details of the residential estate roads and footways (including layout, levels, gradients, surfacing / construction materials, means of surface water drainage and street lighting) have been submitted to and approved in writing by the Local Planning Authority.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7.25 At the present time, the applicant is in the process of having the road design

approved by Derbyshire County Council, with a view to the adoption of the roads by a section 38 agreement. As set out in the response by the Highway Authority, this process is still ongoing, and therefore it is recommended that the detail of this condition be delegated to the Chair of the Committee and the Head of Development Services to agree, following confirmation by Derbyshire County Council that the submitted details are approved.

7.26 Condition 29 states:

The development hereby permitted shall not be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason:- In pursuit of sustainable transport objectives, in the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7.27 Revised details have been submitted following the initial comment by the Highway Authority. The revised details show the provision of sheds for the purpose of cycle storage to all plots throughout the site. The Highway Officer has reviewed the details and raises no objection. Accordingly, the provision of sheds will provide cycle storage to make provision for alternative sustainable transport options for future residents, and therefore it is recommended that this condition be agreed.

7.28 Condition 32 states:

With the exception of the works required by condition 20, prior to the commencement of the development details 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 the adjoining highway and its disposal. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7.29 The submitted details show that the run off water from the development will not discharge across the highway, with gullies and channels will be provided to capture surface water run off. The Highway Officer confirms that this is acceptable, commenting that the Highway Authority as part of their inspections for the adoption of the road will ensure that these are installed. On the basis that the highway authority raises no objection to the details provided, the means of preventing the discharge of water onto the adjoining highway is acceptable and it is recommended that this condition detail is agreed.

7.30 Condition 33 states:

Prior to the construction of the new retaining wall/structure along Linglongs Road, details of the external materials to be used in its construction and the timetable for its construction shall be submitted to and approved in writing by the Local Planning Authority. Any wall shall be constructed, where possible, using reclaimed stone from the existing wall along Linglongs Road. The retaining wall/structure shall be constructed in accordance with the approved details and timetable.

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

7.31 The details submitted show that a new wall will be positioned behind the new footway to be provided along the eastern side of Linglongs Road. The wall will be 1.2m in height and constructed with reclaimed natural stone. The wall will be completed once the site access and section 278 works (an agreement under the Highways Act 1980 which allows a developer to make alterations to a public highway) have been completed. The use of natural reclaimed materials will ensure that the character of the area is maintained to the benefit of the visual amenity of the area. Accordingly it is recommended that this condition be agreed.

Other Matters

7.32 It is noted that a number of objections have been received in respect of this application, but refer to conditions imposed on the grant of outline consent, HPK/2017/0694. Therefore these objections will be considered under DOC/2017/0071 and the specific conditions they relate to.

8. Conclusion & Planning Balance

8.1 This application does not represent an opportunity to revisit the principle of development, the principle having been agreed under outline consent HPK/2017/0694 and the reserved matters agreed under HPK/2017/0247. The agreement of the above conditions will ensure that the site is developed in a manner which does not harm residential amenity, highway safety, existing landscape features, including protected trees.

8.2 Taking into account all comments from statutory consultees and third party comments, it is considered that the information submitted for the above conditions is acceptable and therefore should be agreed with the exception of conditions 15 and 21 which should be delegated to the Chairman and Head of Development Services to agree following receipt of DCC comments.

RECOMMENDATION

A. That, Delegated Authority be given to the Chairman of Committee in consultation with the Head of Development Services to agree to conditions 15 and 21 and all other the conditions listed above imposed on HPK/2017/0247 be agreed.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Development Control Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Informatives

During the course of the application, the Local Planning Authority has sought further clarification on the conditions, accordingly paragraph 38 of the NPPF has been adhered to.

Site Plan

