



TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1995

APPLICATION FOR APPROVAL OF RESERVED MATTERS

APPROVAL

Applicant Ms Adele Snook
Persimmon Homes North West
30-34 Crofts Bank Road
Urmston
Manchester
M41 0UM

Application no. HPK/2009/0612

Registered on 06/11/2009

Determined on 22/02/2010

Agent

High Peak Borough Council hereby **APPROVE** this application for **RESERVED MATTERS** for

Reserved Matters for residential development consisting of 60 No 2 storey dwellings, public open space, roads and all associated works - Land at Templemore Harpur Hill Buxton

in accordance with the submitted application, details and accompanying plans listed below subject to the following conditions and reasons:-

Conditions

1. The development hereby approved shall commence before whichever is the later of the following dates:
 - i) within 3 years of the date of the outline planning permission (HPK/2007/0041)
 - ii) within 2 years of the date of the approval of the reserved matters.
2. The approval of details relates to development for which outline permission was granted under application HPK/2007/0041 dated 19.04.2007. The development shall be carried out in strict accordance with the conditions set out in the outline planning permission except as modified by this permission.

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3. Before any other operations are commenced (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials/ site accommodation/ loading and unloading of goods vehicles/ parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.
4. Before any other operations are commenced (excluding demolition/site clearance) a temporary access for construction purposes shall be formed to Harpur Hill Road, laid out, constructed and provided with 2.4m x 90m visibility splays in either direction in accordance with detailed designs to be submitted in advance to the Local Planning Authority and approved in writing, the area in advance of the sightlines being cleared of all obstructions greater than 1m in height (0.6m in the case of vegetation) maintained in accordance with the approved scheme throughout the contract period free from any impediment to its designated use.
5. Prior to the construction of the 10th dwelling, the permanent estate street junction with Harpur Hill Road shall be laid out, constructed, drained and lit to an adoptable standard in accordance with the application drawings.
6. No dwelling shall be occupied until space has been provided for the parking and manoeuvring of residents and visitors vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
7. The proposed access driveways to the new estate streets shall be no steeper than 1 in 14 for the first 5m from the nearside highway boundary and no steeper than 1 in 10 thereafter.
8. The internal estate street junction shall be laid out as per the application drawings and provided with 2.4m x 33m visibility splays in each direction, the area in advance of the sightlines being laid out, levelled and constructed as part of the estate street and not being included as part of any plot or other sub-division of the site.
9. Before any other operations are commenced, the estate street vehicle turning areas adjacent to plots 27 and 50 shall be re-designed to fully accommodate service/delivery vehicle manoeuvres in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. the estate street shall be laid out in accordance with the approved details.
10. Before any other operations are commenced, revised details for the siting of the dwelling on Plot 54 shall be submitted to the Local Planning Authority for written approval, in order to improve emerging visibility from the driveways to plots 54 & 55.

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Minimum visibility splays of 2m x 25m shall be achieved, measured strictly to the nearside carriageway edge.

11. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased with five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.
12. (a) No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of any Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

(b) No operations shall commence on site in connection with the development hereby approved (including demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
13. No development or other operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved Method Statement. Such Method Statement shall include full details of the following:

a) Implementation, supervision and monitoring of the approved Tree Protection Scheme.

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- b) Implementation, supervision and monitoring of the approved Tree Work Specification.
 - c) Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme
 - d) Timing and phasing of Arboricultural works in relation to the approved development.
14. No development or other operations shall commence on site in connection with the development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority. All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998 (1989) Recommendations for Tree Works.
 15. The design and construction of vehicular drives and parking areas within the crown spread any trees to be retained on site and must be in line with appropriate guidelines (BS 5837: 'Trees in Relation to Construction' 2005). They must be constructed utilising minimum excavation techniques and incorporating appropriate surfaces to avoid damage to trees. No development shall take place until there has been submitted to and approved in writing by the local planning authority technical details of the proposed drives and parking areas, to include their dimension (in relation to existing ground levels) and when they are to be constructed in relation to other development operations.
 16. Prior to the commencement of development on site, details of the proposed ownership/management and maintenance agreement of the proposed landscaping strip to the west side of the site shall be submitted to the Local Planning Authority. The strip shall be managed in accordance with the agreed details.
 17. No development shall commence until samples of the materials to be used in the construction of the external surfaces of the approved development hereby permitted 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.
 18. No development shall take place until all of the steps detailed in this condition have been completed. A site investigation shall be carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall then be submitted to the local planning authority in writing. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall then be remediated in accordance with the approved measures.

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19. If during the course of development, any contamination is found which has not been identified by the site investigation, then additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.
20. Prior to any works taking place that involve the loss of any hedgerow, tree or shrub between 1st March and 31st August in any year, a detailed survey shall be undertaken to check for the existence of nesting birds. Where nests are found, a 4m exclusion zone shall be created around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the local planning authority before any works involving the removal of hedgerow, tree or shrub take place.
21. Prior to the commencement of development on site details of the location of the proposed affordable housing shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.
22. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced, or before the building is occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.
23. Prior to the commencement of development on site, details of proposed lighting to the parking areas shall be submitted to and agreed in writing by the Local Planning Authority. The agreed lighting shall be implemented prior to the use of the parking areas and shall thereafter be maintained throughout the life of the development.
24. Notwithstanding the provisions of Classes A and E of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking or re-enacting that Order) no extensions or outbuildings shall be erected (built) to plots 26- 34 inclusive, without the prior written approval of the local planning authority.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of Sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990.

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2. For the avoidance of doubt and to define the permission.
3. To ensure satisfactory service provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
4. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
5. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
6. To ensure adequate car parking provision within the site in accordance with the adopted standards of the Local Planning Authority and in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
7. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
8. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
9. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
10. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
11. To ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality, in accordance with Policy GD5 and OC10 of the High Peak Saved Local Plan Policies 2008.
12. To ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality, in accordance with Policy GD5 and OC10 of the High Peak Saved Local Plan Policies 2008.
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14. To ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality, in accordance with Policy GD5 and OC10 of the High Peak Saved Local Plan Policies 2008.
15. To ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality, in accordance with Policy GD5 and OC10 of the High Peak Saved Local Plan Policies 2008.
16. In order that the amenities of the district shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
17. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

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- 18 To ensure that the site is developed in a safe manner in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
- 19 To ensure that the site is developed in a safe manner in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
- 20 To safeguard wildlife in the interests of nature conservation.
- 21 For the avoidance of doubt and to comply with the terms of the outline planning permission.
- 22 To ensure adequate and appropriate treatment to all boundaries
- 23 In the interests of amenity, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
- 24 To enable the Council to exercise control over future developments at the site, in accordance with Policy GD4 and Policy GD5 of the High Peak Saved Local Plan Policies 2008.

Summary of reasons for granting permission

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal that will provide a residential development of 60 dwellings on a site within the built-up area of Buxton which already has outline planning permission. The details of the proposed development; the layout of the houses, the house types, sizes and numbers and their design; the level of affordable housing provision; the proposed landscaping; the proposed highway layout are acceptable in planning terms in accordance with Development Plan Policy. The development of the site for housing will meet a strategic need for the provision of new houses within the borough and will not harm the countryside or any other issue of acknowledged importance.

The decision to grant planning permission has also been taken having regard to all other relevant material planning considerations and to the following relevant policies and proposals in the Development Plan.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

GD2 - Built up area boundaries
 GD4 - Character Form and Design
 H5 - Housing within the Built up Area Boundaries
 H1 New Housing Provision
 H9 affordable Housing for Local Needs
 TR5 Access Parking and Design

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Plans

The plans to which this permission refers are listed below:

Location Plan

01

02

03

04

05

LDS.09.121.01

LDS.09.121.02

LDS.09.121.03

PH.025.01 Rev A

PH025.02

M410.02A

Note

This approval of Reserved Matters relates to outline planning permission reference no HPK/2007/0041. Please note that the conditions of this outline permission still apply.

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section on 0845 129 7777.

Any other statutory consent necessary must be obtained from the appropriate authority.

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, Derbyshire, County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.

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.

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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.

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

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