



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

FULL PLANNING APPLICATION

## PERMISSION

Applicant Mr Karl Gwinnett  
8 Market Street  
Chapel-en-le-Frith  
SK23 0HH  
Agent Garner Town Planning  
PO Box 138  
Stockport  
SK6 8WT

Application no. HPK/2010/0259

Registered on 18/06/2010

Determined on 12/08/2010

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High Peak Borough Council hereby **PERMIT** this application for **FULL PLANNING PERMISSION** for

**Resubmission of HPK/2009/0717 for single storey side extension with pitched roof, to create an additional flat on first floor level at 8 Market Street Chapel-En-Le-Frith**

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

### Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission unless some other specific period has been indicated in other conditions given.
2. Prior to any works commencing the applicant should submit a scheme for prior written approval showing how the site compound, site operatives' vehicles, delivery vehicles and construction works are likely to affect the adjacent classified road, pedestrian footway fronting, pedestrian steps to the western side, Terrace Road and other premises in the vicinity; details shall include traffic management. The approved

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scheme shall be implemented in full.

3. No operations/excavations shall commence within 4m of the highway boundary until detailed designs, for the retaining structure and vehicle containment above shall be submitted to the Local Planning Authority and County Highway Authority for written approval. The works will be completed in accordance with the approved details.
4. No works shall take place on site until details of windows, including glazing bar details at 1:20, together with details of the door joinery, have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.
5. 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.
6. No development shall commence until details of the colour of the proposed render 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.
7. No development shall commence until details of the sections of retaining wall to be removed and reconstructed, including details of materials, have been submitted to and approved in writing by the Local Planning Authority. The works shall proceed in accordance with the approved details.

## 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 and section 51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
3. 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 visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the

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## High Peak Saved Local Plan Policies 2008.

5. 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.
6. 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.
7. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC1 in respect of developments in conservation areas/listed buildings) 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 is an appropriate form and design and will have a positive impact on the character of the surrounding conservation area of which this site forms a part. The proposals are not considered to harm the amenity of neighbouring properties. The site is located in a sustainable location within the town centre with appropriate public transport provision and nearby off street parking.

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**

BC1 - External Materials  
BC5 - Conservation Areas  
GD4 - Character Form and Design  
GD6 - Landscaping  
TC1 - Town Centres  
TC5 - Small shops  
TR5 - Access, parking and design

### **Notes to Applicant**

Under Section 163 of the Highways Act 1980, as the site curtilage slopes towards the highway, adequate drainage measures shall be installed to ensure that surface water run-off is prevented from escaping across the footway margin of the road from the side courtyard area by means of a

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barrier.

Before any excavation works commence which may affect the integrity of the public highway, the written consent of the County Council as Highway Authority must be obtained.

Pursuant to Sections 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (eg; street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

Under Section 50 (schedule 3) New Roads and Street Works Act 1991, before any excavation works are commenced within the limits of the existing highway, at least 6 weeks prior notification shall be given to the County Highway Authority (contact the Streetworks Co-ordinator - tel no: 01629 538986)

Construction works will require Traffic Management and advice regarding procedures should be sought from Dave Bailey, NE Traffic Management on 01629 538686.

Under the Traffic Management Act 2004, as amended April 2008, the applicant or any other organisation/third party etc working within the highway on their behalf will be subject to the requirements and provisions of that Act including the necessary Highway Notices. The applicant should contact Elaine Coope, NRSWA on 01629 538516 with regard to advance liaison, notification and co-ordination required.

## Plans

The plans to which this Notice refers are listed below:

Location Plan  
009-030-001  
009-030-002 A  
009-030-003 A  
009-030-004  
009-030-0004  
07/2010

**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

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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](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.

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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Andy Ellis – Development Control Manager