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High Peak Borough Council

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TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

FULL PLANNING APPLICATION

PERMISSION

Applicant	Mr Paul Bramall 76 Spire Hollin Glossop SK13 7BJ	Application no.	HPK/2010/0660
		Registered on	15/12/2010
Agent	Planmart Ltd 53a High Street West Glossop SK13 8AZ	Determined on	09/02/2011

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

Detached dwelling on site of previous bungalow (amendments to previous application HPK/2009/0344) at 34 Ravensdale Simmondley New Road Simmondley Glossop

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

Conditions

1. The two side windows shown on plan 2243-6H on the east elevation serving the kitchen at ground floor level and en-suite at first floor level shall be non opening and glazed with obscured glass and shall be permanently maintained in that condition for the lifetime of the development.
2. Within 28 days of the date of this consent, space shall be provided within the site curtilage in accordance with the submitted plan 2243.SITE approved on HPK/2009/0344 for site accommodation, storage of plant and materials, parking and manoeuvring of site operatives and visitors vehicles together with the loading /

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unloading and manoeuvring of goods vehicles, designed, laid out and constructed. The area shall be maintained free from impediment throughout the duration of construction works. No building materials shall be stored in any other area of the site.

3. The access to the western side of the site frontage shall be permanently closed off in accordance with the details shown on drawing no. 2243-4G within 28 days of the date of this consent.

4. Within 28 days of the date of this consent the new access driveway shall be laid out and constructed as per the approved plans with 2.4m parallel sightlines across the entire frontage to 34 Simmondley New Road with the area in advance of the sightline being maintained thereafter free from all obstructions greater than 1m (600mm in the case of vegetation) measured relative to the nearside carriageway channel level for the lifetime of the development.

5. The new access driveway shall be no steeper than 1:14 for the first 5m from the nearside highway boundary and 1:10 thereafter.

6. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates/barriers shall open inwards only.

7. Construction works shall not take place outside 0700 hours to 1800 hours Mondays to Fridays and 0800hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Class(es) A, B, C, D, E of Part 1 Schedule 2 of the Order shall be carried out.

9. 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.

10. The boundary treatment shall be carried within 3 months of the date of this consent in accordance with the submitted details shown on drawing no. 2243-4G.

Reasons

1. In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

2. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

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3. In the interests of highway safety and visual amenity in accordance with Policy TR5, GD4 and GD5 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. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

7. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

8. 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.

9. 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.

10. 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.

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 does harm the visual amenities of the area nor the residential amenity of adjacent occupiers.

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
GD4 - Character Form and Design
GD5 - Amenity
H1 - Principles of Housing Provision
H5 - Housing within the Built up Area Boundaries
H11 - Layout and Design of residential development

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OC10 - Trees and Woodlands
TR5 - Access, parking and design

National Planning Policy
PPS3 Housing

PPG13 Transport

Notes to Applicant

Under Section 278 of the Highways Act 1980, modification works within the public highway i.e the formal reinstatement of the redundant dropped crossing shall be made the subject of a legal agreement between the developer and the County Council. Advice regarding the design, specification and procedures for undertaking these works may be obtained from the Strategic Director of Environmental Services at the County Hall, Matlock contact Chris Allwood on 01629 538582.

Under Section 163 of the Highways Act 1980, where the site curtilage slopes down toward the highway limits, measures shall be taken to ensure that surface water run-off is prevented from entering upon the highway by means of a barrier (eg dished channel and gully).
Pursuant to Sections 149 and 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)

The applicant is advised to use a solid bound material for driveways and parking spaces for highway safety reasons. The introduction of loose materials onto the highway, for example through vehicles leaving the driveway or through materials being washed onto the highway/footpath in wet weather can cause danger to users of the highway. This may result in the owners of individual dwellings being liable to prosecution under Section 151 of the Highways Act 1980. The use of a solid bound material would avoid these problems.

Construction works will require Traffic Management and advice regarding procedures should be sought from Dave Nicholson, NE Traffic Management on 01629 538685.

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 requiremetns 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.

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Plans
The plans to which this Notice refers are listed below:

1 Loc Plan
2 Block plan
2243-6H
2243-22A
2243-4G
2243-7D

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.

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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