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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 Ian Seddon
PJKI Ltd
78 Asley Road
Hale
Altrincham
WA14 2UF

Agent Hulme Upright
Highpoint Festival Park
Stoke-on-Trent
ST1 5SH

Application no. HPK/2010/0644

Registered on 19/01/2011

Determined on 16/03/2011

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

Revised proposals to block D, consisting of 9no dwellings (7no 3 storey & 2no 2 storey) at Kinderlee Mill Kinderlee Way Chisworth

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. The materials of external construction shall be coursed natural gritstone to the walls with natural blue slate to the roof.

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3. 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.

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include the number, sizes and species of the proposed planting; the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg drainage power, communications, cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings and no later than 12 months of that occupation or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the approved scheme 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 the local planning authority gives written consent to any variation.

6. No construction work at the site shall take place outside the following hours:-

   1. 0700 hours to 1900 hours Mondays to Fridays.
   2. 0800 hours to 1600 hours on Saturdays.
   3. At any time on Sundays or Public Holidays except by agreement with the Local Planning Authority.

7. Any equipment which needs to be operated outside the hours specified above shall be acoustically screened in accordance with a scheme to be agreed with the Local Planning Authority.

8. If piling is necessary, a written method statement shall be submitted to the Local Planning Authority. No piling shall take place until the method statement has been approved.

9. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (i) to (iv) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 has been complied with in relation to that contamination.

(i). Site Characterisation
An investigation and risk assessment, in addition to any assessment provided with

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the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to:
- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;
(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(ii). Submission of Remediation Scheme
A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(iii). Implementation of Approved Remediation Scheme
The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(iv). Reporting of Unexpected Contamination
In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment

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must be undertaken in accordance with the requirements of condition (i), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition(ii), which is subject to the approval in writing of the Local Planning Authority.

10. Before the dwellings hereby approved are first occupied, the car parking spaces serving them shall be constructed, surfaced, laid out and made available for use and shall thereafter be retained for their intended purpose of parking a car.

11. The internal roads shall be laid out and constructed in a solid bound material before any of the dwellings hereby approved are first occupied.

12. A footway margin between the site and the A626 Marple Road shall be provided and constructed in a solid bound material prior to the occupation of any dwelling full details of which shall be submitted to and agreed in writing with the local planning authority.

13. Designated turning areas suitable for service/delivery vehicles shall be laid, marked out and constructed in accordance with details to be submitted to and agreed in writing with the local planning authority prior to the occupation of the dwellings and shall remain free from any obstructions to their designated use for the life of the development.

14. Any development of this site must be drained on separate foul and surface water systems. All foul drainage must be connected to the foul sewers and only uncontaminated surface water shall be connected to the surface water system. No development shall take place until details of the drainage system have been submitted to and approved in writing by the local planning authority.

15. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstanding shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

16. All new pointing shall be carried out in accordance with the booklet "The Re-pointing of Stone" a copy of which is attached to this decision notice. The use of strap pointing shall be avoided.

17. All new rainwater goods shall be cast metal which shall be painted black unless otherwise agtreed in writing with the Local Planning Authority

18. All windows and doors shall be provided with natural gritstone lintels and cills to match those of the existing building.

19. No window or door frame shall be recessed less than 100mm from the external face into which it is set.

20. All external timber shall be painted in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall be maintained thereafter.

21. No works shall take place on site until details of windows, including glazing bar details at 1:2, together with details of the door joinery, have been submitted to and

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approved in writing by the Local Planning Authority. The development 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 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.
3. 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.
4. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.
5. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.
6. In order to protect the amenities of the area, in accordance with Policy GD5 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. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
9. To ensure that the site is developed in a safe manner and ensure a satisfactory standard of development in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
10. 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.
11. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
12. To ensure a satisfactory standard of development, in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.
13. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
14. To prevent pollution of the water environment, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
15. To ensure a satisfactory standard of drainage, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

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16. 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.

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.

18. 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.

19. 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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21. 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 which preserves the character and appearance of the area and the openness of the Green Belt.

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
BC10 -Archaeological and Other Heritage Features
EMP 8 - Infilling/Redevelopment at major developed sites in the green belt
GD4 - Character Form and Design
H11 - Layout and Design of residential development
OC1 - Countryside Development
OC2 - Green Belt Development
TR5 - Access, parking and design

National Planning Policy
PPG2 Green Belts

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Notes to Applicant

None

Plans

The plans to which this Notice refers are listed below:

PL(D)001 Rev A
PL(D)002
PL(D)003
PL(D)004
PL(D)005
PL(D)006
PL(D)007

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:

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(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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