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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 Nick Walker
Alpha Construction & Development Ltd
Kinderlee Mill Marple Road
Chisworth
SK13 5DL

Agent DAC Design
100
Cromwell Road
Stretford
M32 8QL

Application no. HPK/2011/0026

Registered on 20/01/2011

Determined on 16/03/2011

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

Resubmission of HPK/2010/0639 for change of use from existing building to form a single 3 bedroom detached house. at 3 Sett Close New Mills

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 match those used on the existing building in their colour, form and texture, unless otherwise agreed in writing with the Local Planning Authority.

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Andy Ellis – Development Control Manager

3. 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.

4. 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.

5. No works shall take place on site until detailed specifications and design of the velux windows, have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

6. Notwithstanding the details shown on the approved plans, there shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.

7. Notwithstanding the details shown on the approved plans, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, detailed drawings showing the outside amenity area these shall include the specification, positioning, dimensions, design, and materials of any hardstanding and the shed / recycle store and boundary treatments be erected. The works and erection of boundary treatments and shed / recycle store shall be completed 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.

8. Before any other operations are commenced (excluding demolition/site clearance), space shall be provided within the site curtilage for the storage of plant and materials / site accomodation / loading and unloading of goods vehicles / parking and manoeuvring of site operations and visitors vehicles, laid out and constructed in accordance with detailed drawings submitted to and approved in writing by the Local Planning Authority. The approved allocated area shall be maintained throughout the contract period free from any impediment to its designated use.

9. The existing vehicular access to Sett Close (NC) shall be provided with 2.4m maximum achievable visibility splays in either direction, the area in advance of the sightlines being maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

10. The dwelling, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking of residents vehicles located, designed, laid out and constructed in accordance with the approved plans, unless otherwise agreed in writing with the Local Planning Authority. The parking areas shall be maintained throughout the life of the development free from any impediment to its designated use.

11. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class A, B, C, D or E of Part 1 of Schedule 2 of the Order shall be erected on the application site.

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Andy Ellis – Development Control Manager

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.
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6. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
7. In the interests of visual amenity, and to protect the amenity of adjacent occupiers in accordance with Policy GD5, GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) 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. To maintain adequate on-site parking provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
11. 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 is within an appropriate location for residential use, and is compatible with adjoining users. It promotes safe and accessible living environment and is not detrimental to the visual amenity or residential amenity within and around the immediate vicinity of the site

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Andy Ellis – Development Control Manager

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
EMP 9 - Change of Use from Industry or business
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
TC1 - Town Centres
TC2 - Town Centre Environment
TR5 - Access, parking and design

National Planning Policy
PPS3 Housing

PPS4 Planning for Sustainable Economic Growth

PPS5 Planning for the Historic Environment

Notes to Applicant

The Highway Authority recommends that the first 5m of the proposed access driveway should not be surfaced with a loose material (i.e unbound chippings or gravel etc). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users the Authority reserves the right to take any necessary action against the householder.

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.

Plans
The plans to which this Notice refers are listed below:
Location Plan
19/01/11/1
19/01/11/2A

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Andy Ellis – Development Control Manager

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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Andy Ellis – Development Control Manager