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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 Richard Ashcroft
Birch Hey Harrison Drive
Goostrey
Crewe
CW4 8NP

Application no. HPK/2011/0133

Registered on 15/03/2011

Determined on 23/05/2011

Agent

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

Application to extend the time limit for implementation of HPK/2007/0425 for 24 residential apartments. at Linden Rain Palace Road Buxton

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

1) The development hereby permitted shall begin not later than three years from the date of this decision.

2) No development shall take place until a noise survey has been carried out and a scheme for protecting the proposed apartments from noise from nearby commercial premises has been submitted and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before any of the apartments are occupied.

3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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Michael Green
Planning Applications Manager

4) Development shall not begin until details of the new access and turning head onto Palace Road 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.

5) 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 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).

6) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development.

7) Details of existing ground levels, proposed ground levels and the level of the proposed floor slabs shall be submitted for approval in writing by the local planning authority before any development on the site commences. The development shall be carried out in accordance with the approved details.

8) No apartment shall be occupied until the parking and circulation areas approved in connection with condition 5 above have been laid out within the site. Parking so provided shall be retained at all times thereafter to serve the development.

9) Any gate, bollard, chain or other means of obstruction across the approved access that will serve the approved development shall be positioned at least 9 metres back from the back edge of the footway and shall be constructed to open into the site only.

10) Before any development commences details of a covered and secure cycle store shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the occupation of the approved development and shall be retained at all times thereafter.

11) No development shall take place until details of a scheme for the provision and maintenance of public open space to meet the needs of the development according to the standards set out in Policy H12 of the adopted High Peak Local Plan has been submitted to and approved in writing by the local planning authority. The scheme shall include a
timetable for the provision to be made and shall be carried out in accordance with the approved details.

12) The development shall not begin until a scheme for the provision of affordable housing (eight units) as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:
i) the numbers, type, and location on the site of the affordable housing provision to be made;
ii) the timing of the construction of the affordable housing;
iii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

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iv) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

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 residential accommodation within the built up area boundary of a design and scale that will reflect the character of the surrounding area. The proposal provides for adequate access and parking facilities and will not result in substantial harm to interests 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
GD5 Amenity
H1 Principles of Housing Provision
H5 - Housing within the Built up Area Boundaries
H9 Affordable Housing for Local Needs
TR5 Access Parking and Design
OC10 Trees and Woodland

Plans

The plans to which this Notice refers are listed below:

Location Plan

This application relates to plans approved under planning application ref HPK/2007/0425 only.

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.

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Michael Green
Planning Applications Manager

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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Michael Green
Planning Applications Manager