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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 David Rostron
12 Beatrix Drive
Hadfield
Glossop
SK13 2RD

Agent Robert Sheard
31 Marple Road
Charlesworth
Glossop
SK13 5DA

Application no. HPK/2011/0375

Registered on 15/07/2011

Determined on 09/09/2011

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

Proposed plot substitution for Plot 1 at Plot 1 North Road Glossop

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 to be used shall replicate those used on Plot 2 in their form, colour and texture, (approved under planning Application HPK/2009/0293) and shall be in strict accordance with those specified in the application unless otherwise agreed in writing with the Local Planning Authority.

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Michael Green
Planning Applications Manager

3. All windows and doors in the external elevations of the proposed development shall be fabricated in timber, which shall be painted in accordance with the approved colour schedule submitted with the application and shall be maintained thereafter.

4. 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 until the Local Planning Authority gives written consent to any variation.

5. (a) The protective fencing as indicated on TBA's Landscape proposals and tree protection plan Plot 1 North Road, dated April 11 Reference 3991.01 Rev E and submitted with this application, shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

(b) No construction, excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

6. No development or other operations shall take place except in complete accordance with the Method Statement of Plot one North Road/Talbot Road Glossop DG/3991 dated July 2011 reference DG/3991 . In particular with regard to

a) Implementation, supervision and monitoring of the approved Tree Protection Scheme.

b) Implementation, supervision and monitoring of the approved Tree Work Specification.

c) Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme

d) Timing and phasing of arboricultural works in relation to the approved development.

7. Notwithstanding the information submitted on the approved plans within one month of the date of this consent a detailed landscaping scheme shall be submitted for the plot including proposed planting, seeding, turfing, external materials, finshed levels, boundary treatments for the area identified within the root protection area and all associated outdoor amenity space for the occupiers.

8. 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.

9. The development shall be carried out in strict accordance with the ecological report submitted with the application, including provision of any proposed details of habitat protection and creation.

10. No site clearance shall take place between 14th of February and the 31st August in any one year, to avoid the bird nesting season, unless otherwisr agreed in writing with the Local Planning Authority.

11. The Woodland Management Document and Plan identified as 2297.02 G approved under Planning Application HPK/2009/0293 shall be implemented in accordance with the approved details and maintained for the life time of the development.

12. Plot 1 shall not be occupied until space has been provided within the application site for a bin collection point in accordance with the approved plans, laid out, surfaced and maintained for the life of the development free from any impediment to its use.

13. Before any other operations are commenced a new vehicular access shall be created to North Road (N/C) in accordance with the application drawings and approved application HPK/2009/0293, laid out, constructed and provided with 2.4m x 43m visibility splays in either direction, the area in advance for the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in case of vegetation) relative to adjoining nearside carriageway channel level.

14. The access, the subject of the above condition shall not be taken into use until 2m x 2m x 45 degree pedestrian intervisibility splays have been provided on either side of the access at the back of the footway, the splay area being maintained throughout the life of the development clear of any object greater than 0.6m in height relative to footway level.

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

16. The proposed access drive to North Road (N/C) shall be no steeper than 1:14 for the first 5m from the nearside highway boundary and 1:10 thereafter.

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

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.

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2. For the avoidance of doubt and 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. 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 OC10 of the High Peak Saved Local Plan 2008.

5. 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 OC10 of the High Peak Saved Local Plan 2008.

6. To ensure the continued well being of the trees in the interests of the amenity and environmental quality of the locality.

7. For the avoidance of doubt and In the interests of visual amenity and to ensure the continuted well being of the trees in accordance with Policy OC10, 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 visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

9. To safeguard wildlife in the interests of nature conservation.

10. To safeguard wildlife in the interests of nature conservation.

11. To ensure the continued well being of the trees in the interests of amenity, environmental quality and nature conservation of the locality, in accordance with Policy GD5, OC8 and OC10 of the High Peak Saved Local Plan Policies 2008.

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

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

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

17. 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.

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 acceptable in terms of revised house type and introduces no additional constraints or amenity issues. The principle of residential development on the site is already established.

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
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD5 - Amenity
GD6 - Landscaping
H1 - Principles of Housing Provision
H5 - Housing within the Built up Area Boundaries
H11 - Layout and Design of residential development
OC8 - Sites of Importance for Nature Conservation
OC10 - Trees and Woodlands
TR5 - Access, parking and design

National Planning Policy

PPS1 Delivering Sustainable Development

PPS3 Housing

PPS5 Planning and the Historic Environment

PPS9 Biodiversity and Geological Conservation

PPG 13 Transport

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Notes to Applicant

Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991, at least 6 weeks prior notification should be given to the Strategic Director of Environmental Services at County Hall, Matlock (tel:-01629 580000 and ask for Gail Mordey) before any works commence on the vehicular access within highway limits.
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 Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway measures shall be taken to ensure that surface water run off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gulley laid acrross the access immediately beind the back edge of the highway, discharging to a drain or soakaway within the site.
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.
The applicant is advised that, in carrying out the work, he should comply with the advice contained in the approved bat survey, and that details of methods of working etc. are adhered to.
The granting of planning permission does not absolve the applicant from complying with the relevant law on protected species, including obtaining and complying with the terms of any licence that may be required as described in Part IV (B) of Ministerial Circular 06/2005.

Breeding birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended), as are all bat species. It is an offence to disturb, injure or kill these species. If bats are found during the course of the development, works must stop immediately and a local representative of Natural England should be contacted.

Plans

The plans to which this Notice refers are listed below:

Location Plan
2297.03B
RS2011_14P_203
XX1002.WD40
3991.01 Rev E
RS2011_14P_202
RS2011_14P_101A
RS2011_14P_201A
RS2011_14P_100
RS2011_14
RS2011_14P_200

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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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Michael Green
Planning Applications Manager