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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
Agent Mattin Maclean Ltd
1
Market Street
Whaley Bridge
SK23 7AA

Application no. HPK/2011/0503

Registered on 29/09/2011

Determined on 24/11/2011

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

Erection of a single storey portal frame building incorporating new staircase and a single storey lean to. at Bowden Hey Mill Bowden Lane Chapel-En-Le-Frith

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. Notwithstanding details shown in the application, the materials of external construction shall be coursed natural stone with dark coloured metal cladding. Samples of materials to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved plans.

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Michael Green
Planning Applications Manager

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

i. the parking of vehicles of site operatives and visitors

ii. loading and unloading of plant and materials

iii. storage of plant and materials used in constructing the development

iv. the erection and maintenance of security hoarding

v. wheel washing facilities

vi. measures to control the emission of dust and dirt during construction

4. This permission does not grant or imply consent for works to or within the public highway or for the access modifications shown on the approved plans. Before any other operations are commenced revised details of the access modifications shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in strict accordance with the approved details which shall be implemented prior to the commencement of development on the site.

5. A visibility sightline, measured 2.4m back and parallel to the nearside carriageway edge, shall be maintained free from any obstructions to visibility over 1m high (relative to the nearside carriageway channel level), across the entire controlled site frontage to Bowden Lane and maintained as such for the life of the development.

6. Before any other operations are commenced details of on-site parking and manoeuvring arrangements for all vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be laid out, constructed and operated strictly in accordance with the approved details prior to the premises, the subject of the application, being taken into use and thereafter maintained free from any impediment to their designated uses for the life of the development.

7. Any gates erected at the access point shall remain in an open position throughout the agreed working day. Any gates, including any part of their opening arc, shall be physically prevented from open outwards, over the public highway.

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

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BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

3. To ensure satisfactory service provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Local Plan (Saved Policies) 2008

4. In the interests of highway safety in accordance with Poilicy TR5 of the High Peak Local Plan (Saved Policies) 2008

5. In order to provide adequate visibility from the site in the interests of highway safety, in accordance withy Policy TR5 of the High Peak Local Plan (Saved Policies) 2008

6. In the interests of highway safety in accordance with Policy TR5 of the High Peak Local Plan 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 in accordance with the development plan for the area, will provide enhanced employment opportunities and will not harm interest of acknowledged importance, including, highway safety, residential amenity or the character of the Conservation area.

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

BC5 - Conservation Areas
EMP 4 - Primary Employment Zones
EMP 6 - Industry and business within the built-up area boundaries and homeworking
GD2 - Built up area boundaries
GD4 Character Form and design
GD5 Amenity

Notes to Applicant

- Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. Advice regarding the

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technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from Mr C Allwood in the Environmental Services Department at County Hall, Matlock (tel: 01629 538582). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.

- 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 application site is affected by a public Right of Way (Footpath number 75 – Chapel-en-le-Frith on the Derbyshire Definitive Map). The route must remain unobstructed on its legal alignment at all times and the safety of the public using it must not be prejudiced either during or after development works take place. Further advice can be obtained by calling 08456 058058 and asking for the Rights of Way Duty Officer.

- The applicants attention is drawn to the recommendations contained within the Bat Survey Report dated August 2011 submitted with the application which should be adhered to in line with the requirements of the Wildlife and Countryside Act 1981

Plans

The plans to which this Notice refers are listed below:

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2407/01
PM4146/S001

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.

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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