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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

APPLICATION FOR APPROVAL OF RESERVED MATTERS

APPROVAL

Applicant Mr D & Mrs C Phillips
Heartsease 132 Laneside Riad
New Mills
SK22 4LU

Agent John F Lomas M.R.I.C.S M.B.Eng
Rothbury Chapel Road
Hayfield
SK22 2JF

Application no. HPK/2011/0665

Registered on 22/11/2011

Determined on 16/01/2012

High Peak Borough Council hereby **APPROVE** this application for **RESERVED MATTERS** for

Application for Approval of Reserved Matters following Outline Approval HPK/2011/0313 for Detached Dwelling. at Heartsease Laneside Road 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 hereby approved shall commence before which ever is the later of the following dates:
   a) within 3 years of the date of the outline permission
   b) within 2 years of the date of approval of the last of the reserved matters to be approved.

2. The approval of details relates to development for which outline permission was granted under application re 2011/0313 dated 31/08/2011 the development shall be carried out in strict accordance with conditions set out in the outline planning permission.

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Michael Green
Planning Applications Manager

3. 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.

4. No construction/demolition work at the site shall take place outside the following hours:-

   (i) 07:00 hours to 19:00 hours Mondays to Fridays.
   (ii) 08:00 hours to 16:00 hours on Saturdays.
   (iii) At any time on Sundays or Public Holidays except by agreement with the Local Planning Authority.
   (iv) All deliveries to the site shall be limited within the above hours.

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

5. The window on the west elevation shall be non opening and glazed with obscured glass and shall be permanently maintained in that condition.

6. 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.

7. 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, E, F, G of Part 1 of Schedule 2 of the Order shall be erected or altered on the application site.

Reasons

1. To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. For the avoidance of doubt and to ensure that the development complies with conditions of both the outline and reserved matters applications.

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 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.

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6. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.
7. 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 acceptable in terms of the design, scale and layout and has adverse impact on neighbouring amenity or raises any highway safety concerns. The site is located within the built up area boundary and does not injure the visual amenities of the adjacent designed green belt or wider landscape.

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

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
OC1 - Countryside Development
OC2 - Green Belt Development
OC10 - Trees and Woodlands
TR5 - Access, parking and design

National Planning Policy

PPS1 Delivering Sustainable Development
PPS3 Housing
PPS9 Biodiversity and Geological Conservation
PPG13 Transport

Notes to Applicant

(1) 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, Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the Administration Officer, Mrs G Mordey) before any works commence on the vehicular access within highway limits.

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(2) The Highway Authority recommends that the first 5m of the proposed access driveway should not be surfaced with a loose material (ie 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.
Informative Note for Applicants/Agents for Developments within Coalfield Standing Advice Areas.

(3) The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Plans
The plans to which this permission refers are listed below:

11.4/1B
11.11/2A
11.11/3A
11.11/4A
11.11/5A
11.11/6A
11.11/7
11/013-report-NE

Note
This approval of Reserved Matters relates to outline planning permission reference no HPK/2011/0313. Please note that the conditions of this outline permission still apply.

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.

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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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Planning Applications Manager