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High Peak Borough Council
working for our community

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
H E Smith Ltd
R E Knowles Ltd Buxton Road
Furness Vale
SK23 7PJ

Agent
Dowd Town Planning
2A
King Edward Street
Macclesfield
SK10 1AA

Application no. HPK/2011/0649

Registered on 01/12/2011

Determined on 25/01/2012

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

Erection of a retaining wall and associated engineering works also seeks to regularise some unauthorised earth works on the application site at Knowles Industrial Estate Buxton Road Furness Vale

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 retaining wall hereby permitted shall be constructed within 6 months of the date of this consent unless otherwise agreed in writing with the Local Planning Authority.

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Michael Green
Planning Applications Manager

3. All planting, seeding and other works comprised in the approved details of landscaping and tree/woodland management plans shall be carried out in the first planting and seeding season following the construction of the retaining wall. 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. If after the first 3 years of planting tree failure rates exceed 50%, additional ground remediation measures must be undertaken, unless the local planning authority gives written consent to any variation.

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. To ensure that the approved landscaping and woodland management proposals are implemented within the next winter planting season to mitigate for the unauthorised tree works that have taken place on this site. In the interests of visual amenity in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

3. In the interests of visual amenity, in accordance with Policy GD6 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 which will result in an improvements to a protected woodland and enhance the visual aspect of this part of the site to neighbouring residents

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

EMP 4 - Primary Employment Zones
GD4 - Character Form and Design
GD5 - Amenity
OC10 - Trees and Woodlands

Notes to Applicant

None

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Michael Green
Planning Applications Manager

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

Location Plan
C104
CW/6146-P3/B
CW/6146-P3/D

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