www.highpeak.gov.uk

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

OUTLINE PLANNING APPLICATION

PERMISSION

Applicant Mr Winston Gregson
High Peak 4X4 Ltd
Capitol Garage High Street
Chapel en le Frith
SK23 9SS

Application no. HPK/2012/0205

Registered on 17/04/2012

Determined on 16/07/2012

Agent

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

Application to Replace Extant Planning Permission HPK/2009/0110 for new Outline Planning Permission for Residential development of 10 apartments at Capital Garage High Street Chapel-En-Le-Frith

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

Conditions

1. The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is later.
2. Approval of the details of the scale, appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.

.....
Michael Green
Planning Applications Manager

4. Before any other operations are commenced (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

5. Before any other operations are commenced, the existing access to Horderns Road shall be modified in accordance with the application drawings, laid out, constructed and provided with 2.4m x maximum visibility splays to the south and up to the junction (tangent point with High Street) to the north, the area in advance of the sightlines being maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

6. The access, the subject of condition 4 above, shall not be taken into use until 2m x 2m x 45º 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.

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

8. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawings for the [parking/ loading and unloading/ picking up and setting down passengers/ manoeuvring] of [residents/ visitors/ staff/ customers/ service and delivery vehicles (including secure covered cycle parking)], laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

9. No development shall take place until a site investigation has been carried out to assess the type, location and quantities of contaminants, in accordance with a scheme to be agreed, in writing, with the Local Planning Authority. The results of the site investigation shall be submitted to the Local Planning Authority as soon as they are available.

10. Where the presence of contamination is confirmed, no development shall commence until satisfactory remedial measures have been agreed in writing with the Local Planning Authority to remove or render harmless any contaminants found. The approved remediation scheme shall be implemented.

11. No piling shall take place outside the hours 0900 hours to 1600 hours Mondays to Fridays.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of section 92 of the Town and Country Planning Act 1990.

2. To ensure a satisfactory standard of development, in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.

…….
Michael Green
Planning Applications Manager

3. 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.

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

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

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

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

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

9. To ensure that the site is developed in a safe manner in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

10. To ensure that the site is developed in a safe manner in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

11. In order to protect the amenities of the area, 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 which would result in the reuse of a brownfield site within a sustainable location.

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 6 - Industry and business within the built-up area boundaries and homeworking
GD2 - Built up area boundaries
GD5 – Amenity
H5 - Housing within the Built up Area Boundaries
TR5 – Access, Patrking and Design

National Planning Policy Framework
Paragraph 17

…….
Michael Green
Planning Applications Manager

Notes to Applicant

1. The applicants attention is drawn to the approval of reserved matters dated 26/11/2009, ref HPK/2009/0508

Plans
The plans to which this Notice refers are listed below:
Location Plan 09.2/2

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.

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.

…….
Michael Green
Planning Applications Manager