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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
Charlesworth Congregational Church
Chapel Brow
Charlesworth
Glossop
SK13 5HH

Agent
Planmart Ltd
Mr M Hambleton
53a High Street West
Glossop
SK13 8AZ

Application no. HPK/2012/0333

Registered on 11/06/2012

Determined on 06/08/2012

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

Proposed Car Park for Sole Use of the Church. Access off Chapel Brow / Monks Road. Disabled Parking/Maintenance vehicle parking area within Church grounds. at Land Opposite Charlesworth Congregational Church Chapel Brow / Monks Road Charlesworth 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.

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Michael Green
Planning Applications Manager

2. No development shall commence until samples of the materials to be used in the construction of the external surfaces of the approved development including the surface of the car park hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

3. 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 car park being brought into use 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.

4. Prior to the commencement of development full details of the railings to the disabled access shall be submitted to and approved in writing by the local planning authority. The railings shall be constructed in full accordance with the approved details before the ramp is brought into use.

5. The car park hereby permitted shall not be used at any time other than for purposes anciallry to the use of Charlesworth Congregational Church and when not in use shall remain locked.

6. 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.

7. Throughout the period of construction within any phase vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of extraneous material on the public highway.

8. Before any other operations are commenced, a new vehicular and pedestrian access shall be formed to Chapel Brow/Monks Road in accordance with the application drawings, laid out, constructed and provided with 2.4m by 43m and 2.4m by 115m

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visibility splays to the north west and south east respectively, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

9. Before any other operations are commenced, Chapel Brow/Monks Road shall be modified generally in accordance with the application drawings, laid out, constructed and drained to an adoptable standard, the works being fully completed to the satisfaction of the Local Planning Authority and County Highway Authority prior to the car park being taken into use.

10. The existing access to the church shall be improved by re-grading the embankment to the north west to improve emerging vehicle visibility sightlines. The scope of the works being agreed with the Local Planning Authority in writing prior to any works taking place on site.

11. The parking area shall be laid out, constructed, drained and marked out generally in accordance with the application drawings. The car park then remains available for use and ancillary to the church.

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

13. The proposed access drive to Chapel Brow/Monks Road shall be no steeper than 1 in 10 for the first 10m, unless otherwise agreed in writing by the Local Planning Authority.

14. The development, the subject of the application, shall not be commenced until precise details of the intensity, direction, spread of luminance and shielding of light sources (so as to minimise the risk of drivers on the highway being dazzled), has been submitted to and approved in writing by the Local Planning Authority and thereafter maintained in accordance with the approved scheme.

15. Notwithstanding the details shown on the approved plans, no development approved by this permission shall commence until full details of drainage, including a scheme for the provision and implementation of surface water run off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reasons

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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 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 GD6 of the High Peak Saved Local Plan Policies 2008.

4. In the interests of visual amenity, in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.

5. To ensure the proposed use remains ancillary to the principle use on the site. The use may otherwise give cause for objection having regard to Policies OC1 and OC2 of the High Peak Saved Local Plan Policies 2008.

6. 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.

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

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

9. 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.

10. 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.

11. 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.

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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. To prevent pollution of water environment, 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, on balance, is not considered to detract from the character or appearance of the countryside, nor will it materially harm the openness of the Greenbelt. There are obvious safety and community benefits to providing this development that outweigh any limited harm caused. The development is not considered to have any effect on the character or appearance of the adjacent 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
GD4 – Character, form and design
OC1 - Countryside Development
OC3 - Special Landscape Area Development
OC2 – Green Belt Development
OC4- Landscape character and design

National Planning Policy Framework

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. It must be ensured that public

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transport services in the vicinity of the site are not adversely affected by the development works.

Advice regarding the 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.

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 across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site

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 landowner.
Under the provisions of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, all works that involve breaking up, resurfacing and/or reducing the width of the carriageway require a notice to be submitted to Derbyshire County Council. Works that involve road closures and/or are for duration of more than 11 days require a three months Notice, and this will generally affect the majority of Developer's Works.

A Works Notice Form to be completed and returned to Derbyshire County Council can be obtained from the Highway Noticing Team on 01629 580000 extn.38165. This Notice will essentially allow you to register your works with this Authority and allows the co-ordination of your works with other activities taking place in the highway. Once your Agreement is completed and commencement of your work is officially approved, slippage of the works outside of the Notice period given should also be notified to Highway Noticing Team.

To help Notice procedures and prevent slippage problems arising, Developers and Utilities (for associated services) should prepare programmes for all works that are required for the development by all parties such that these can be approved through the co-ordination, noticing and licensing processes. This will require utilities and developers to work to agreed programmes and booked slots for each part of the works.

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

Location Plan 2266-4
2266-1D
2266-2C

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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