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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 Mr Gavin Barret
Marstons Plc
Marstons House Brewery Road
Wolverhampton
WV1 4JT

Agent IMD & Associates
Mr Ian Murray
1
Sentinel Court
Blackburn
BB1 2EH

Application no. HPK/2012/0418

Registered on 03/08/2012

Determined on 26/09/2012

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

Proposed Combined Sewer Separation Works, New Treatment Plant, New Grease Trap & General Modifications to Existing Drainage. at Shady Oak Inn Long Hill Fernilee

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. Before the development hereby permitted commences intrusive site investigations shall be undertaken in order to establish the exact situation regarding coal mining legacy issues on the

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Michael Green
Planning Applications Manager

site. In the event that these investigations confirm the need for remedial works to treat the areas of mine workings to ensure that safety and stablility of the proposed development then these remedial works shall be carried out prior to the commencement of development.

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 the safety and stablility of the proposed development.

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 protect and improve the amenities of the area without causing harm to interests of acknowledged importance

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

GD5 - Amenity
OC1 - Countryside Development
OC3 - Special Landscape Area Development

National Planning Policy Framework

Notes to Applicant

Pursuant to Section 50 (Schedule 3) of the New Roads and Streetworks Act 1991, before any excavation works are commenced within the limits of the public highway, at least 6 weeks prior notification should be given to the Director of Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the New Roads and Streetworks Section).

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.

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Planning Applications Manager

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.

Plans

The plans to which this Notice refers are listed below:

Location Plan
905.02 Rev A

Coal Mining Risk Assessment Report

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:

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Planning Applications Manager

(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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