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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 Patrick Cryne
The Tannery Town Lane
Charlesworth
Glossop
SK13 5HQ

Agent Design Mix Ltd
Mr Elwyn Jones
4 Hunters Walk
Canal Street
Chester
CH1 4EB

Application no. HPK/2012/0635

Registered on 06/11/2012

Determined on 27/12/2012

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

Application to Replace Extant Planning Permission - HPK/2009/0739 - Proposed Demolition of Existing Stables and Construct New House with Garage. at Rear of Tann Court Town Lane Charlesworth

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. No development shall commence until samples of the materials to be used in the

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Michael Green
Planning Applications Manager

construction of the external surfaces of the approved development 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. Prior to the first occupation of the dwelling hereby permitted the existing access onto Public Footpath No.12 (Charelsworth) shall be permanently closed off by the constrcution of a stone wall which shall match in height, materials and detail that of the adjoining stone wall unless otherwise agreed in writing with the Local Planning Authority.

4. The dry stone walls forming the boundaries of the site shall be retained as indicated on the approved plans unless otherwise agreen in writing with the Local Planning Authority.

5. All windows and doors in the external elevations of the proposed development shall be constructed in European Oak with a stain fininsh unless otherwise agreed in writing with the local planning authority.

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

1. 0730 hours to 1800 hours Mondays to Fridays.
2. 0800 hours to 1300 hours on Saturdays.
3. At any time on Sundays or Public Holidays except by agreement with the Local Planning Authority.

7. No development shall take place until the existing vehicluar access to Town Lane (which currently serves 1 and 2 Tann Court) has been modified, laid out, constructed and provided with 2.4m x the maximum achievable visibility splays in either direction in accordance with the details shown on approved drawing no. C1017-78B. The splays shall be kept clear of any object, vegetation or other obstruction of a height exceeding 1.0m above the level of the adjacent carriagemway at all times thereafter.

8. There shall be no gates of other barriers within 8m of the nearside carriageway edge of Town Lane and any gates shall open inwards only unless otherwise first agreed in writing with the Local Planning Authority.

9. All demolition waste and excavated material from the site shall be removed and disposed of in accordance with the details set out in the letter from designmix dated 11th August 2011 which accompanied a discharge of conditions application for HPK/2009/0739 unless otherwise agreed in writing with the Local Planning Authority.

10. Preventative measures to ensure spoil/mud is not carried onto the highway will be carried out in full accordance with the details set out in the letter from designmix dated 11th August 2011 which accompanied a discharge of conditions application for HPK/2009/0739 unless otherwise agreed in writing with the Local Planning Authority.

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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. 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 highway safety and to protect the amenities enjoyed by the occupants of the adjacent dwellings in accordance with Policy TR5 and GD5 of the High Peak Saved Local Plan Policies 2008.

4. In the interests of visual amenity, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

5. In the interests of visual amenity, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

6. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

7. 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.

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

9. To ensure the satisfactory disposal of waste material.

10. In the interests of highway safety, in accordance with Policy TR5 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 has an acceptable impact on the adjoining Charlesworth Conservation Area and will not injure the visual amenities of the area nor neighbouring residential amenity or highway safety.

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.

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Michael Green
Planning Applications Manager

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
BC5 - Conservation Areas
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD6 - Landscaping
H5 - Housing within the Built up Area Boundaries

National Planning Policy Framework

Notes to Applicant

The application site is affected by a public Right of Way (Footpath/ Bridleway Number 12 Charlesworth on the Derbyshire Definitive Map). The route must remain unobstructed on its legal alignment at all times and the safety of the public using it must not be prejudiced either during or after development works take place. Advice regarding the temporary (or permanent) diversion of such routes may be obtained from the Director of Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the Footpaths Officer [name and contact number]).

Plans

The plans to which this Notice refers are listed below:

Plans approved with extant consent HPK/2009/0739 remain valid and include:

Location Plan
C1017-70
C1017-71c
C1017-72a
Drg 1
C1017/78/B

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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