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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
Equity Housing Group / Seddons RDP
Armitt House Monmouth Road
Cheadle Hulme
Cheadle
SK8 7EF

Agent
Croft Goode Limited
Office Unit 4, The Crossroads
Freckleton
Kirkham
PR4 2SH

Application no. HPK/2012/0678

Registered on 08/02/2013

Determined on 10/05/2013

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

Proposed Residential Development of 66No. Dwellings & Associated Works at Land at Long Lane Chapel en le Frith

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 construction of the external surfaces of the approved development hereby permitted have

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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. a) No development shall take place until a Written Scheme of Investigation (WSI) for archaeologiocal work has been submitted to and agreed in writing and until any pre-start element of the approved scheme has been completed. the scheme shall include an assessment of significance and research questions and:
1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision shall be made for publication and dissemination of the analysis an records of the site investigation
5. Nomination of a competent personor persons to undertake the works set out in the WSI.

b) No development will take place other than in accordance with the archaeological WSI approved under section (a)
c) the development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with teh programme set out in the archaeological WSI approved under condition (a) and the provision to be made for analysis publication and dissemination of results and archibve deposition has been secured.

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. Prior to the commencement of development revised detailed highway designs shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the revised details.

6. The dwellings hereby permitted shall not be occupied until the new estate street junctions have been formed to Long Lane, in accordance with drawings that are submitted to the Local Planning Authority and approved prior to the commencement of development, laid out and constructed tobase level , and provided with 2.4m x 43. exit visibility splays in either direction the area in advance of the sightlinesbeing levelled, constructed as footway and not being included in any plot or other sub-ivision of the site.

7. The premises hereby approved shall not be occupied until the proposed new estate streets between each respective plot and the existing public highway have been laid out in accordance with the approved drawings constructed to base level, drained and lit in accordance with a scheme to be submitted to and agreed with the Local Planning Authority.

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8. Prior to the occupation of each individual dwelling, the new vehicluar access for that dwellings shall be created in accordance with the approved layout drawings, laid out, constructed and provided with exit visibility splays as as approved, the area in advance iof 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 the adjoining nearside carriageway channel level.

9. The premises, the subject of the application shall not be occupied until space has been provided within the application site in accordance with the revised layout drawings for the parking and manoeuvring of residents/visitors vehicles laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

10. The proposed access to private drivewyas/oarking spaces shall not be taken into use until 2m x 2m x 45degree pedestrian intervisibility splays have been provided on either side of the access at the back of the footway/margin, the splay areas being maintained throughout the life of the development clear of any object greater than 0.6m in height relative to footway level.

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

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include the number, sizes and species of the proposed planting; the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg drainage power, communications, cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

13. 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 first occupation of the buildings 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.

14. (a) No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of any Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

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(b) No operations shall commence on site in connection with the development hereby approved (including demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

15. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased with five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

16. Development shall not be begun until a surface water drainage scheme for the site, based on sustainable drainage principles and the supplementary FRA from Carly Baines (ref 11-B-9858 dated 14 December 2012) has been submitted to and approved in writing by the Local Planning Authroity. The surface water runoff rate from the developed area shall be limited to the local greenfield rate and on site storage attenuation provided. The scheme shall be implemented in accordance with the approved details prior to the completion of the developemnt.

The scheme shall also include:
details of volumetric run-off control as per CIRA SuDS Maunual C697 with the rate set at Qbar if no unfiltration is provided;
details of excedence event up to a 1 in 100 year including climate change allowance;
details of how the scheme shall be mainatined and managed after completion.

17. No surface water from this development shall be discharged either directly or indirectly to the combined sewer network.

18. No construction work at the site shall take place outside the following hours:-

1. 0700 hours to 1900 hours Mondays to Fridays.
2. 0800 hours to 1600 hours on Saturdays.
3. At any time on Sundays or Public Holidays except by agreement with the Local Planning Authority.

19. 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.

20. 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.

21. No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays.

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. To enable the site's archaeological remains to be properly investigated and recorded, in accordance with Policy BC10 of the High Peak Saved Local Plan Policies 2008 and advice in the NPPF.

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

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

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

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

12. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

13. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

14. To ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality, in accordance with Policy GD5 and OC10 of the High Peak Saved Local Plan Policies 2008.

15. To ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality, in accordance with Policy GD5 and OC10 of the High Peak Saved Local Plan Policies 2008.

16. To ensure a satisfactory standard of drainage and in the interests of the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008 and advice in the NPPF.

17. To ensure a satisfactory standard of drainage and in the interests of the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008 and advice in the NPPF.

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

19. 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.

20. 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.

21. In the interests of the amenity of adjacent residents in accordance with Policy GD5 of the adopted High Peak Local Plan 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 provides a sustainable form of development including

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the delivery of affordable housing in line with Local plan Policies and guidance in the National Planning Policy Framework. The proposal raises no significant issues of highway safety, flood risk, ecology or neighbouring amenity such that would outweigh the strong presumption in favour of the scheme.

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.

INFORMATIVE
In accordance with the requirements of paragraph 187 of the National planning Policy framework, the Local Planning Authority has worked proactively with the applicants to secure sustainable development.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

GD2 - Built up area boundaries
GD4 - Character Form and Design
H5 - Housing within the Built up Area Boundaries
OC1 - Countryside Development
OC4 - Landscape Character and Design
BC10- Archaeological and Other Features
TR5 - Access Parking and Design
H11 Layout and Design of Residential Development

Residential Design SPD
Landscape Character SPD
Housing Needs SPD

National Planning Policy Framework
Paragraph 17

Sections 1; 6; 7; 8; 11

Notes to Applicant

a. The Highway Authority recommends that the first 5m of the proposed access driveways/ parking spaces 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
b. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway/ new estate street 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

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

c. Pursuant to Section 38 and the Advance Payments Code of the Highways Act 1980, the proposed new estate roads should be laid out and constructed to adoptable standards and financially secured. Advice regarding the technical, financial, legal and administrative processes involved in achieving adoption of new residential roads and improvements to the existing highway under Section 278 of the Highways Act 1980 may be obtained from the Strategic Director of Environmental Services at County Hall, Matlock (tel: 01629 538578).
d. Highway surface water shall be disposed of via a positive, gravity fed system (ie; not pumped) discharging to an approved point of outfall (eg; existing public sewer, highway drain or watercourse) to be sanctioned by the Water Authority (or their agent), Highway Authority or Environment Agency respectively. The use of soakaways for highway purposes is generally not sanctioned.
e. The application site is affected by Public Rights of Way (Footpath numbers 45 and 57 Chapel en le Frith on the Derbyshire Definitive Map). The routes must remain unobstructed on their legal alignment at all times and the safety of the public using them 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 Strategic Director of Environmental Services at County Hall, Matlock (tel: 01529 580000 and ask for the Footpaths Officer).
f. Car parking provision should be made on the basis of 1.5no., 2no. or 3no. parking spaces per 1 bedroom, 2/3 bedroom or 4/4+ bedroom dwelling respectively. Each parking bay should measure 2.4m x 4.8m with adequate space behind each space for manoeuvring.
g. 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 for Highway, Developer and Street Works. Works that involve road closures and / or are for a duration of more than 11 days require a three months notice. Developer's Works will generally require a three months notice. 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 coordination, noticing and licensing processes. This will require utilities and developers to work to agreed programmes and booked slots for each part of the works. Developers considering all scales of development are advised to enter into dialogue with Derbyshire County Council's Highway Noticing Section at the earliest stage possible and this includes prior to final planning consents.

Plans

The plans to which this Notice refers are listed below:

Location Plan 11-1738-L01
11-1738-P01 Rev B
11-1738-P02
11-1738-P10
11-1738-P11
11-1738-P12
11-1738-P13
11-1738-P14

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11-1738-P15
11-1738-P16 Rev A
11-1738-P17
11-1738-P18
11-1738-P19
11-1738-P20
11-1738-P22

1621/1
J229/Access/Fig 1

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:

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(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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