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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	Mr Philip O'Rourke Gisbourne Developments Limited Gisbourne Place 15 Manchester Road Chapel en le Frith SK23 9SR	Application no. HPK/2013/0131 Registered on 11/03/2013 Determined on 13/05/2013
Agent	Keith Buttrill AMIBC Building Surveyor 51 Rowton Grange Road Chapel En Le Frith SK23 0LD	

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

Proposed Construction of 2 Semi Detached Houses at Land Adjacent Cross Keys Inn Chapel Milton 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. The materials of external construction shall be coursed reclaimed natural gritstone to the walls with natural blue slate to the roof.

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

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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.

4. Notwithstanding the details shown on the approved plans, details of the proposed windows, rooflights, doors and chimneys at scale 1:20 shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site. The development shall be carried out in accordance with the agreed details.

5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any revoking and re-enacting that Order with or without modification) no additional openings shall be formed/made in the east elevation of the building.

6. 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.

7. All new pointing shall be carried out in accordance with the booklet "The Re-pointing of Stone" a copy of which is attached to this decision notice. The use of strap pointing shall be avoided.

8. 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.

9. 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.

10. 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.

11. Before any other operations are commenced space shall be provided within the site

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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.

12. 2.4m x maximum achievable visibility splays shall be maintained from the existing shared access (Cross Keys Lane) to Hayfield Road, 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 level, any permanent boundary feature being set back behind emerging visibility spalys.

13. 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 of residents vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

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

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 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.

4. In the interests of visual amenity and in order to protect and enhance the character of the Conservation Area in accordance with Policies GD5 and BC5 of the High Peak Saved Local Plan Policies 2008.

5. In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

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

7. 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.

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8. 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.

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. In order to protect the amenities of the area, in accordance with Policy GD5 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.

12. 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.

13. 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.

14. 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 site is a brownfield site that lies within the built up area boundary in an area that is primarily residential in character. The proposal would enhance the character and appearance of the area by providing a built form of development in natural materials that has been well designed to reflect the character of surrounding properties. The proposal would not result in any demonstrable harm to highway safety or amenity of adjoining neighbours.

INFORMATIVE In accordance with section 187 of the National Planning Policy Framework officers have worked with the applicants to achieve a scheme of sustainable development.

POLICIES RELEVANT TO THIS DECISION
High Peak Local Plan Saved Policies

BC5 - Conservation Areas
GD2 - Built up area boundaries
H1 Housing Provision
H5 - Housing within the Built up Area Boundaries
GD4 Character Form and Design
GD5 Amenity
BC1 External Materials
H11 Layout and Design of Residential Development

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TR5 Access Parking and Design

National Planning Policy Framework
Section 17: Core planning principles;
Section 6: Delivering a wide choice of high quality homes;
Section 7: Requiring good design;
Section 12: Conserving and enhancing the historic environment.

Supplementary Planning Guidance:

- Sustainable Development
- Residential Design

Notes to Applicant

Pursuant to Sections 149 and 152 if the Highways Act 1980, the applicant musty 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 applicants 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.

The application site is affected by a Public Right of Way (footpath number 76, Chapel-en-le-Frith on the Derbyshire Definitive Map). The route must remain unobstructed on its alignment at all times and the safety of the public using it must not be prejudiced either during or after development works take place. Further advice can be obtained by calling 08456 058058 and asking for the duty rights of way officer.

Please note that the granting of planning permission is not consent to obstruct or divert the public right of way.

If it is necessary to temporarily obstruct a right of way to undertake development works then a temporary closure is obtainable from the County Council.

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

Location Plan
01
02
03
04 (revised plan)
05 (revised plan)
07

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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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