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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 Daniel Cunningham
Plants Of Whaley Bridge Ltd
Wharf Road
Whaley Bridge
SK23 7AD

Application no. HPK/2013/0153

Registered on 12/04/2013

Determined on 06/06/2013

Agent

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

Proposed Security Fencing to footpath Stairs & Proposed Retention of Existing Security Fencing Along Wharf Road at D L Plant Store Wharf Road Whaley Bridge

in accordance with the submitted application, details and accompanying plans listed below subject to the following conditions and reasons:-

Conditions

1. The permission hereby granted shall be for a limited period expiring on 06/06/2015, on or before which date the fencing shall be discontinued permanently and removed from the sites edge in red shown on the approved plans with all land returned to its former condition prior to the erection of the fencing.

2. Notwithstanding any information shown on the approved plans all fencing shall be set back 450mm from the carriageway edge; including the sections of un-adopted carriageway on Wharf Road.

Reasons

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Michael Green
Planning Applications Manager

1. 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.

2. 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

This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal that is required in regards to the nature of the site and its current use, the fencing in its current form is not considered to have a negative visual impact however the temporary consent will allow the applicant to establish a more permanent solution which could result in a more sympathetic boundary treatment for the any future use of the site.

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

BC1 - External Materials
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD5 - Amenity
TR5 - Access, parking and design
TR11 - Footpaths, bridleways and byways

National Planning Policy Framework

Notes to Applicant

The applicant should be aware there are public footpaths running through the site. The routes of these footpaths must remain open, unobstructed and on their legal alignments at all times. There should be no disturbance to the surface of the paths. For more information and consent for any works that may be required in connection with any footpath you are advised to contact and discuss the matter with Mark Atherton, Derbyshire County Council Rights of Way Officer.

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Michael Green
Planning Applications Manager

Plans
The plans to which this Notice refers are listed below:
Location Plan
Plan 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:
(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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Michael Green
Planning Applications Manager