www.highpeak.gov.uk

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

APPLICATION FOR APPROVAL OF RESERVED MATTERS

APPROVAL

Applicant
High Peak Developments Ltd
PO BOX 64
Lymm
WA 13 0FX

Agent
Emery Planning Partnership
2-4 South Park Court Hobson Street
Macclesfield
SK11 8BS

Application no. HPK/2013/0268

Registered on 14/05/2013

Determined on 08/07/2013

High Peak Borough Council hereby **APPROVE** this application for **RESERVED MATTERS** for

Application for an Extant Planning Permission - HPK/2010/0206 for New Mixed Use Development Incorporating (B1) Offices, (A3) Food & Dring and (D2) Leisure and Assembly at Hogs Yard Buxton 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 development hereby approved shall commence within 3 years of the date of the date of this approval of reserved matters.

2. The approval of details relates to development for which outline permission was granted under application reference HPK/2004/0590 dated 17.05.05. The development shall be carried out in strict accordance with the conditions set out in the outline permission except as modified by this permission.

……
Michael Green
Planning Applications Manager

3. 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 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. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

5. The approved building(s) shall not be occupied until all areas of hardstanding including car parks, driveways, footways, turning facilities and service areas/yards as indicated on the approved plan(s) have been laid out, drained, surfaced and market out with white lining, or similar (if applicable) in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. The areas shall then be retained at all times thereafter for their intended use.

6. No part of the development shall be occupied until the amount of floorspace to be used for offices (B1) food and drink (A3) and leisure and assembly (D2) has been submitted to and approved in writing by the Local Planning Authority. No part of the building occupied as an A3 Use shall at any time be used for retail (A1) purposes.

Reasons

1. To comply with the requirements of Sections 91 and 92 of the Town & Country Planning Act 1990.

2. For the avoidance of doubt and to ensure that the development complies with the requirements of the outline permission and the approval of reserved matters.

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. To ensure appropriate landscaping of the site having regard to Section 197 of the Town & Country Planning Act 1990.

5. In the interests of highway safety.

6. To ensure that the development retains its mixed use character and complies with the provisions of the development plan and national policy.

…….
Michael Green
Planning Applications Manager

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

EMP 6 - Industry and business within the built-up area boundaries and homeworking
GD2 - Built up area boundaries
GD3 - Improvement Corridors
PPS25 – Flood Risk
TC14 - Regeneration area at Hogs yard, Whaley Bridge

National Planning Policy Framework
Core Planning Principles
Chapter1 Building a Strong Competitive Economy
Chapter 7 Requiring Good Design

Notes to Applicant

This approval of Reserved Matters relates to outline planning permission reference no. HPK/2004/0590 Please note that the conditions of this outline permission still apply.

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

0896-01
Location Plan
Landscape Proposals - April 2008
3435-S-100 - Rev B (Site Layout)
3435-S-102 - Rev A (Sections)
3435-S-102 - Rev B (Sections & addit info)
3435- S 101 Rev B (Plans & Elevations)

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.

…….
Michael Green
Planning Applications Manager

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

Informative
Officers have worked with the developers to achieve a sustainable scheme in line with the requirements of paragraphs 186 and 187 of the National Planning Policy Framework

…….
Michael Green
Planning Applications Manager