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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 & Mrs G & D Hardy Greenset Laneside Road New Mills SK22 4LU	Application no. HPK/2013/0346 Registered on 21/06/2013
Agent	SJ Design Ltd The Old Co-Op Building Church Street Hayfield SK22 2JE	Determined on 12/08/2013

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

Proposed dwelling at Greenset Laneside Road New Mills

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 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. Notwithstanding the details shown on plan number 200 Rev A, the windows on the east and

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Planning Applications Manager

west elevation serving the ensuite's at first floor level shall be non opening and glazed with obscured glass and shall be permanently maintained in that condition.

4. The development shall be carried out in accordance with the approved tree protection scheme from 'Cheshire Wooldands document no. CW/6833-SS1 and Tree Protection Plan no. CW/6833-P-TP dated 22/04/2013'.

5. 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.

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 where relevant.

7. 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.

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, size, materials and type of boundary treatment to be erected. The boundary treatments shall be completed before the use hereby permitted is commenced, or before the building is occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

9. The site must be drained on a seperate system, with only foul drainage connected into the foul sewer. Surface water should be discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Local Authority. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

10. Before any other operations are commenced 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

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Planning Authority for written approval and maintained throughout the duration of construction works in accordance with the approved designs free from any impediment to its designated use.

11. Before any other operations are commenced a new vehicular access shall be created to Laneside Road in accordance with the approved drawings, laid out, constructed and provided with visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centre line of the access, to the extremities of the site frontage abutting the highway in each direction. The land in advance of the sightlines shall be maintained in perpetuity clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway edge.

12. The access shall be a minimum of 3.2m in width and shall be surfaced in a solid bound material for at least the first 6m from the rear of the highway boundary.

13. There shall be no access vehicular or pedestrian onto the track to the rear.

14. The premises, the subject of the application, shall not be occupied until space has been provided for off street parking in accordance with the approved drawings, laid out and constructed with a solid bound material (not loose chippings) and maintained thereafter free from any impediment to their designated use: Parking spaces shall measure a minimum of 2.4m x 4.8m.

15. The electric gates shall be set back in accordance with plan no. 201 and where fitted, shall open inwards into the site only.

16. Prior to the occupation adequate bin storage shall be provided within the site curtilage clear of all access and parking and turning.

17. Demolition or construction works shall not take place outside 07:30 hours to 18:30 hours Mondays to Fridays and 08:30 hours to 18:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Class(es) A, B, C, D, E, F, G of Part 1 Schedule 2 of the Order shall be carried out.

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.

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3. 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.

4. 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.

5. 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.

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 GD6 of the High Peak Saved Local Plan Policies 2008.

8. To ensure adequate and appropriate treatment to all boundaries.

9. To ensure a satisfactory standard of drainag and to prevent pollution of the water environment, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

10. 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.

11. 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.

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

13. In the interests of amenity and highway safety, in accordance with Policies GD5 and TR5 of the High Peak Saved Local Plan Policies 2008.

14. To maintain adequate on-site parking provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

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

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

17. 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.

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Tel 0845 129 7777 or 01298 28400 Fax 01457 860290 Minicom 0845 129 48 76
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18. To enable the Council to exercise control over future developments at the site, in accordance with Policy GD4 and Policy GD5 of the High Peak Saved Local Plan Policies 2008.

Summary of reasons for granting permission

The Council entered into pre-application discussions with the applicant to secure a revised scheme, as has been submitted and consequently approved. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

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
H5 - Housing within the Built up Area Boundaries
H11 - Layout and Design of residential development
OC4 - Landscape Character and Design
OC10 - Trees and Woodlands

National Planning Policy Framework

Notes to Applicant

A seperated metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. The applicant is advised to contact United Utilities on 0845 7462200 regarding connection to the water mains/public sewers.

Under Section 151, Highways Act 1980, the applicant must take all 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 applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

Under Section 50 (Schedule 3), New Roads and Street Works Act 1991, before any excavation works are commenced within the limits of the existing highway, at least 6 weeks prior notification

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shall be given to the County Highway Authority (contact the Streetworks Co-ordinator - tel.no. 01629 538986).

Under Section 184, Highways Act 1980 and Section 86(4) of the New Roads and Street Works Act 1991, at least 12 weeks prior notification shall be given to the Area Maintenance Manager, North, tel: 01629 538537, before any works commence within highway limits for the proposed vehicular access.

The applicant is advised to use a solid bound material for driveways and parking spaces for highway safety reasons. The introduction of loose material onto the highway, for example through vehicles leaving the driveway or through materials being washed onto the highway/footpath in wet weather can cause danger to users of the highway. This may result in the owners of individual dwellings being liable to prosecution under Section 151 of the Highways Act 1980. The use of a solid bound material would avoid these problems.

Construction works may require Traffic Management and advice regarding procedures should be sought from Dave Nicholson, NE Traffic Management on 01629 538685.

Under the Traffic Management Act 2004, as amended April 2008, the applicant or any other organisation/third party etc working within the highway on their behalf will be subject to the requirements and provisions of that Act including the necessary Highway Notices. The applicant should contact Elaine Coope, NRSWA on 01629 538516 with regard to advance liaison, notification and co-ordination required.

Plans

The plans to which this Notice refers are listed below:

Location Plan 100
101
200 Rev A
201
203
204 Rev A
CW/6833-P-TP

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.

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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