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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 John Dodd
John Dodd Property Ltd
Union Bank Chambers 79 Market Street
Stalybridge
SK15 2AA

Agent John Dodd Property Ltd
70 Chew Valley Road
Greenfield
Oldham
OL3 7DB

Application no. HPK/2013/0168

Registered on 02/07/2013

Determined on 21/08/2013

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

Proposed Two Storey Four Bed House with Detached Single Garage at 305 Hadfield Road Hadfield Glossop

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. No works shall take place on site until details of windows, including glazing bar details at 1:20, together with details of the door joinery, have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

4. Notwithstanding any information shown on the approved plans the window on the side elevation at ground floor facing 305 Hadfield Road shall be glazed with obscured glass and shall be permanently maintained in that condition.

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 until the Local Planning Authority gives written consent to any variation.

6. No operations shall commence on site in connection with the development hereby approved (including demolition works, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority and the protective fencing is erected as required by the AMS.

The AMS shall include full details of the following:

a) Timing and phasing of Arboricultural works in relation to the approved development.

b) Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works.

c) Details of a tree protection scheme in accordance with BS5837:2012 which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site which are shown to be retained on the approved plan and trees which are the subject of any Tree Preservation Order.

e) Details of any construction works, including changes in ground level, required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme

f) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.

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7. a) All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works.

b) 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.

c) 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.

d) No development or other operations shall take place except in complete accordance with the approved protection scheme and Arboricultural Method Statement.

8. No operations shall commence on site in connection with the development hereby approved (including demolition works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the detailed design and construction method statement of vehicular drives, parking areas and other hard surfacing within the root protection area (as defined by BS5837:2012) has been submitted in writing and approved by the Local Planning Authority.

The design and construction must:

a) Be in accordance with the recommendations of BS5837:2012.

b) Include details of existing ground levels, proposed levels and depth of excavation.

c) Include details of the arrangements for the implementation, supervision and monitoring of works

9. 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.

10. 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.

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11. 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.

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

13. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General 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.

14. The development hereby approved shall not be carried out otherwise than in complete accordance with the revised plans and specifications shown on drawing no. 77A and 78A received by the local planning authority on 21/08/2013.

15. Before any other operations are commenced (excluding demotion / site clearance), space shall be provided within the site curtilage for storage of plant and materials, laid out and constructed in accordance with detailed designs to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be maintained throughout the contract period free from any impediment to its designated use.

16. Before any other operations are commenced a new vehicular access shall be created to Higher Barn Road, laid out at least 4.8m wide and constructed in accordance with the application drawings.

17. The existing vehicular access to 305 Hadfield Road shall be provided with 2.4m x maximum achievable visibility splay in either direction the area in advance of 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 adjoining nearside carriageway channel level.

18.The existing vehicular access to 305 Hadfield Road shall be provided with a 2m x 2m x 45 degree pedestrian intervisibility splay to the eastern side of the access at the back of the footway, the splay area being maintained throughout the life of the development clear of any object greater than 0.6m in height relative to footway level.

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

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20. The existing parking facilities for 305 Hadfield Road shall be maintained throughout the life of the development free from any impediment to its designated use.

21. 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 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.

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. 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.

7. 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.

8. 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.

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

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

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

12. 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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13. 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.

14. For the avoidance of doubt.

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

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

19. To ensure adequate car parking provision within the site in accordance with the adopted standards of the Local Planning Authority and in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

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

21. 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 Council has negotiated a sustainable form of development which complies with 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
H1 - Principles of Housing Provision

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H5 - Housing within the Built up Area Boundaries
H11 - Layout and Design of residential development
OC10 - Trees and Woodlands
TR5 - Access, parking and design

National Planning Policy Framework

Notes to Applicant

Pursuant to Section 184 of the Highways Act 1980 and Section 86 (4) of the New Roads and Streetworks Act 1991, at least 6 weeks prior notice should be given to the Strategic Director, Environmental Services at County Hall Matlock (tel: 01629 580000) before any works commence on the vehicular access within the highway limits.

Pursuant to Section 278 of the Highways Act 1980, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as the Highway Authority. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained fromt the Strategic Director, Environmental Services at County Hall, Matlock. The applicant is advised to allow approx. 12 weeks in any programme of works to obtain Section 278 Agreement.

The Highway Authority recommends that the first 5m of the proposed access driveway 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 householder.

Plans

The plans to which this Notice refers are listed below:

Location Plan
3705.01
78 Rev A
77 Rev A
Site Plan 02

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

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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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