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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 Raimond Burgess
Rai Burgess Development Ltd
Top oth plane Ashbourne Lane
Chapel en le frith
SK23 9UG

Agent High Peak Architects
Wharf House
Wharf Road
Whaley Bridge
SK23 7AD

Application no. HPK/2013/0396

Registered on 12/07/2013

Determined on 04/09/2013

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

Proposed erection of two detached dwellings at Land South Of 37 Beresford Road 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. 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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Michael Green
Planning Applications Manager

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 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 and hard surfacing materials.

4. 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.

5. 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, materials and type of boundary treatment to be erected. The boundary treatment 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.

6. No works shall take place on the land until a measures survey of the site has been undertaken and a plan prepared to a scale of not less that 1:500 showing details of existing and intended final ground and finished levels from a specified bench mark has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved plans.

7. Before any other operations are commenced, the new vehicular accesses shall be created in accordance with the application drawings, laid out, constructed and provided with visibility sightlines of 2.4m x 33m the area in advance of the sightlines being kept clear, in perpetuity of any planting above 600m or structure in excess of 1m, measured above the adjacent carriageway channel.

8. A revised layout plan shall be submitted to and approved in writing by the Local Planning Authority demonstrating pedestrian intervisibility splays of 2m x 2m x 45 degrees. Thereafter the development shall be cosntructed in accordance with this revised plan, and the area in advance maintained free from all obstructions.

9. The dwellings, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking of vehicles in accordance with the approved plans, located, designed, laid out and constructed maintained throughout the life of the development free from any impediment to its designated use.

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10. 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 GD6 of the High Peak Saved Local Plan Policies 2008.

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

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

6. In the interest of the visual and residential amenity of the locality and in accordance with Policies GD4 and GD5 of the High Peak Saved Local Plan Policies 2008.

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

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

9. 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.

10. 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 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.

This is considered to be a sustainable form of development and so complies with the provisions of the NPPF, and in particular paragraphs 186 and 187.

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Michael Green
Planning Applications Manager

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

National Planning Policy Framework
Paragraphs 14, 17, 49, 56-58, 60, 61.

Notes to Applicant

Plans
The plans to which this Notice refers are listed below:
1120.01
1120.02
1120.03
1120.04
1120.05

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

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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