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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 Stephen Dobie
330 Bluebell Cottage Audenshaw Road
Audenshaw
Manchester
M34 5PJ

Application no. HPK/2013/0406

Registered on 18/09/2013

Determined on 19/11/2013

Agent

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

Proposed removal of bump from sloping land. Removal of 12 x trees. Additonal planting/trees to river bank at Bankwood Mill Long Lane Charlesworth

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. (a) No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of any Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

…….
Michael Green
Planning Applications Manager

(b) No operations shall commence on site in connection with the development hereby approved (including demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

(c) 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.

(d) 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.

3. The approved replacement landscaping scheme shall be planted within three months from the date the trees the subject of this consent are felled or, if this period does not fall within a planting season, by 31st December following.

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. 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.

3. In the interests of visual amenity, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

Summary of reasons for granting permission

The Council has sought (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
GD3 - Improvement Corridors
GD4 - Character Form and Design
OC1 - Countryside Development

……
Michael Green
Planning Applications Manager

OC3 - Special Landscape Area Development
OC6 - Agricultural Development

National Planning Policy Framework
Section 9 Protecting the Green Belt.

Section 11 Conserving and enhancing the natural environment.

Notes to Applicant

None

Plans
The plans to which this Notice refers are listed below:
Location Plan
Drg.01
Drg.02
Drg.03
Drg.04
Drg.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 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.

……
Michael Green
Planning Applications Manager

(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.

……
Michael Green
Planning Applications Manager

High Peak Borough Council, Development Services, Municipal Buildings, Glossop, Derbyshire SK13 8AF
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