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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 Jeremy Swan
1-2 Lower James Street
London
W1F 9EG

Agent Barrie Jones Architects
70 Fence Avenue
Macclesfield
SK10 1LT

Application no. HPK/2013/0498

Registered on 25/09/2013

Determined on 20/12/2013

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

Proposed Additional Attached Dwelling at 8 Queens Road Fairfield Buxton

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. The materials of external construction shall be coursed natural gritstone to the walls with natural blue slate to the roof, all to match the existing dwelling.

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

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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.

4. (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.

(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.

5. Before any other operations are commenced, the existing access to Queens Road shall be modified in accordance with the revised application drawings, laid out, constructed and provided with the proposed pedestrian intervisibility splays on either 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.

6. The premises, the subject of the application, shall not be occupied until a plan detailing 3 parking spaces (2 for the existing dwelling and 1 for the proposed dwelling) has been submitted to and approved in writing by the Local Planning Authority. The parking spaces shall be laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use in accordance with the approved details.

7. No development shall take place until either:
a) the site has been monitored for the presence of landfill gas or;
b) in lieu of monitoring, a comprehensive scheme of gas protection measures are agreed in writing by the Local Planning Authority. The agreed scheme shall thereafter be maintained.

Where monitoring at the site for the presence of ground/landfill gas and a subsequent risk assessment has been carried out in accordance with a scheme to be agreed with the Local Planning Authority. The results of the monitoring shall be submitted to the Local Planning Authority as soon as possible.

If the presence of landfill gas is confirmed, or there is evidence that migration of landfill gas is likely to occur, development shall not commence until satisfactory remedial measures have

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been taken to control and manage the gas and to monitor the effectiveness of these measures. All such measures shall be agreed in writing by the Local Planning Authority before development.

8. Prior to the commencement of development a plan showing the location and design of a storage area for refuse bins shall be submitted to and approved in writing and maintained for the lifetime of the development.

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. 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. 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.

6. 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.

7. To ensure that the site is developed in a safe manner and ensure a satisfactory standard of development in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

8. 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.

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.

During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the design of the proposed dwelling was sympathetic to the character and

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appearance of the surrounding area. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
GD4 - Character Form and Design
GD6 - Landscaping
H1 - Principles of Housing Provision
H4 - Housing in Buxton
H11 - Layout and Design of residential development
OC10 - Trees and Woodlands
TR5 - Access, parking and design

National Planning Policy Framework 2012
Section 1 – Building a strong and competitive economy
Section 6 – Delivering a wide choice of quality homes
Section 7 – Requiring Good Design

Notes to Applicant

The proposed development works entail the use of land which currently forms part of the public highway. No works may commence until the land in question has been stopped up. Pursuant to Section 247 of the Town and Country Planning Act 1990, a stopping up application should be made to the Govrenment Officer for the East Midlands at the earliest opportunity. As part of the consultation process associated with such applications, the Highway Authority and other interested parties will be given the opportunity to object to the proposed stopping up. It should be noted that the Highway Authority's acceptance of the proposals for planning purposes does not preclude an objection being raised by the Authority at this stage.

Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991, at least 3 months prior notification should be given to the Strategic Director of Environmental Services at County Hall, Matlock (tel: 01629 538537 and ask for the Maintenance North) before any works commence on the vehicular access within highway limits.

Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary 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 (eg; street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

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

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Michael Green
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SWA13SK17-03
Location Plan
SWA13SK17-01
SWA13SK17-02 A
SWA13SK17-04 B
4573.01

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.
(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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