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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 Marc Winterbottom
4 Peel Street
Padfield
Glossop
SK13 1ES

Agent CAMplan
20 Bath Street
Nottingham
NG1 1DF

Application no. HPK/2013/0640

Registered on 18/11/2013

Determined on 13/01/2014

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

Proposed Agricultural Building and access trackway at Land off Padfield Main Road Padfield 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 been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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Michael Green
Planning Applications Manager

3. No development shall take place on site until details of the tree planting scheme proposed including size, type and location of the tree(s) has been submitted to and approved in writing by the Local Planning Authority.

4. Before any other operations are commenced, the existing access to Padfield Main Road shall be modified in accordance with the application drawings, laid out, constructed and provided with emerging visibility splays of 2.4m x 128m to the south east and 2.4m x 73m to the north west, the area in advance of the sightlines being maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

5. The premises, the subject of the application, shall not be taken into use until space has been provided within the application site in accordance with the application drawings for the parking and manoeuvring of agricultural vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

6. There shall be no gates of other barriers within 10m of the nearside highway boundary and any gates shall open inwards only.

7. The proposed access drive to Padfield Main Road shall be no steeper than 1 in 15 for the first 10m from the nearside highway boundary and measures shall be implemented to prevent the flow of surface water on to the adjacent highway. Once provided any such facilities shall be maintained in perpetuity free from any impediment to their designated use.

8. No external illumination to be installed unless agreed as part of a scheme with details to be submitted to and approved in writing by the Local Planning Authority.

9. If the building hereby permitted ceases to be used for agricultural use of the holding the building shall be removed and the land restored to its former condition.

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 GD5 of the High Peak Saved Local Plan Policies 2008.

4. 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.

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5. 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.

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

9. Permission has only been granted to meet a specific justification in an area where new buildings would not normally be allowed, in accordance with Policy OC1 and Policy OC5 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

BC1 - External Materials
BC5 - Conservation Areas
GD4 - Character Form and Design
GD5 - Amenity
OC1 - Countryside Development
OC2 - Green Belt Development
OC4 - Landscape Character and Design
OC6 - Agricultural Development

National Planning Policy Framework
Paragraphs 17, 56, 57, 58, 61, 64, 79, 80, and 89.

Notes to Applicant

The development is situated within 250 meters of a historic landfill site. Because of the potential risk to human health, before development the applicant should ascertain whether gas protection measures are required. If necessary, a gas impermeable membrane should be incorporated within

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the structure along with a ventilated sub floor area. Any services entering/leaving the structure should be located above gas impermeable membrance or alternatively, adequate seals will need to be provided if the membrane is to be breached. The details of the gas impermeable membrane and with particular attention to the joins with any existing structure and seals around any services, plus details of the sub-floor ventilation should be submitted to Environmental Health for approval prior to the works being carried out.
The Highway Authority recommends that the first 10m of the proposed access driveway should be surfaced with a solid, bound material (ie; not loose chippings) to prevent loose material being transferred to the highway.

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

Location Plan Revised
13.11/1A
13.11/2A
13.11/3

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.

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Michael Green
Planning Applications Manager

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.
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