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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 Dennis Whittles
Field Head Cottage
Glossop
Derbyshire

Agent Planmart Ltd
53a
High Street West
Glossop
SK13 8AZ

Application no. HPK/2013/0512

Registered on 18/12/2013

Determined on 19/03/2014

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

Proposed Re-instatement of Farmhouse and Garage to form Dwelling Including Refurbishments and Proposed Porch at Field Head Farm Field Head 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. The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Field Head Farm.

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Michael Green
Planning Applications Manager

3. The materials of external construction shall match those used on the existing building in their colour, form and texture, unless otherwise agreed in writing with the Local Planning Authority.

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

5. Prior to the commencement of the development hereby approved (or such other date or stage in development as may be agreed in writing with the local planning authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to, and approved in writing by, the local planning authority:
a) A preliminary risk assessment which has identified:
" all previous uses;
" potential contaminants associated with those uses;
" a conceptual model of the site indicating sources, pathways and receptors; and, potentially unacceptable risks arising from contamination at the site.
b) A site investigation scheme, based on a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
c) The results of the site investigation and detailed risk assessment referred to in b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

6. Prior to commencement of development, (excluding site clearance) a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented and maintained as approved.

7 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unexpected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

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Planning Applications Manager

No development (excluding site clearance) shall take place until 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 in writing by the local planning authority. The results of the monitoring shall be forwarded to the local planning authority as soon as they are available. If the presence of ground/landfill gas is confirmed, or there is evidence that migration of ground/landfill gas is likely to occur, development shall not be commenced until remedial measures have been taken to control and manage the gas, and to monitor the effectiveness of the measures. All such measures shall be agreed in writing by the local planning authority before the commencement of the development.

8. No development shall take place until monitoring at the site for the presence of 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 they are available. 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 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. The approved remediation scheme must be carried out in accordance with its terms.

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 proposed use remains ancillary to the principle use on the site. The use may otherwise give cause for objection having regard to applicable standards and guidelines.

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

5. 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.

6. 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.

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.

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8. 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.

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
GD4 - Character Form and Design
GD5 - Amenity
OC1 - Countryside Development
OC2 - Green Belt Development
OC3 - Special Landscape Area Development
OC4 - Landscape Character and Design
TR5 - Access, parking and design

National Planning Policy Framework
Para 17; Section 6,7 and 9

Notes to Applicant

The application site is affected by a Public Right of Way (Footpath Number 40 on the Derbyshire Definitive Map). The route must remain unobstructed on its legal alignment at all times and the safety of the public using it must not be prejudiced either during or after development works take place. Advice regarding the temporary (or permanent) diversion of such routes may be obtained from the Director of Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the Footpaths Officer.

Plans
The plans to which this Notice refers are listed below:
Location Plan
Site Plan
2474-1
2474-2B

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Michael Green
Planning Applications Manager

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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Michael Green
Planning Applications Manager