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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 Michael Bromley
127 Ware Road
Hertford
SG13 7EE

Agent

Application no. HPK/2013/0702

Registered on 06/01/2014

Determined on 08/04/2014

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

Proposed New Driveway Entrance to the Property at 87 Chapel Road, Whaley Bridge

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 trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased with five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

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Michael Green
Planning Applications Manager

3. No operations shall commence on site in connection with the development hereby approved (including demolition works, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority and the protective fencing is erected as required by the AMS.

   The AMS shall include full details of the following:

   a) Timing and phasing of Arboricultural works in relation to the approved development.

   b) Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works.

   c) Details of a tree protection scheme in accordance with BS5837:2012 which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site which are shown to be retained on the approved plan and trees which are the subject of any Tree Preservation Order.

   e) Details of any construction works, including changes in ground level, required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme

   f) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement

4. a) All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works.

   b) 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.

   c) 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.

   d) No development or other operations shall take place except in complete accordance with the approved protection scheme and Arboricultural Method Statement

5. No operations shall commence on site in connection with the development hereby approved (including demolition works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the detailed design and construction method statement of vehicular drives, parking areas and other hard surfacing within the root protection area (as defined by

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BS5837:2012) has been submitted in writing and approved by the Local Planning Authority.

The design and construction must:

a) Be in accordance with the recommendations of BS5837:2012.

b) Include details of existing ground levels, proposed levels and depth of excavation.

c) Include details of the arrangements for the implementation, supervision and monitoring of works

6. Before any other operations are commenced, space shall be provided within the site curtilage for the storage of plant and materials/ site accommodation/ loading and unloading of goods vehicles/ parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

7. The new access to be created to Chapel Road (B5470) shall be laid out , constructed and provided with visibility splays in either direction as shown on plan ref 2013.003.06.A, the area in advance of the sightline being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.

8. Prior to the commencement of development, a scheme for the permanent closure of the existing vehicle access shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the existing access shall be closed within 7 days of the completion of the new access, and the sole means of access shall be the new access hereby approved.

9. The access, the subject of the application, shall not be be taken into use until space has been provided within the application site in accordance with the application drawings for the parking/ loading and unloading/ manoeuvring of residents/ visitors, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

10. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.

11. The proposed access drive to Chapel Road shall be no steeper than 1 in 10 for the first 5m from the nearside highway boundary and 1in 6 thereafter.

12. No development shall commence until samples of the materials to be used in the retaining wall 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.

Reasons

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Planning Applications Manager

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.

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4. To ensure the continued well being of the trees in the interests of the amenity and environmental quality of the locality and in accordance with Policy OC10 of the High Peak Saved Local Plan Policies 2008.

5. To ensure the continued well being of the trees in the interests of the amenity and environmental quality of the locality and in accordance with Policy OC10 of the adopted 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. In the interests of highway safety and in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

8. In the interests of highway safety and 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.

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

12. 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.

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.

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Michael Green
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The Council entered into pre-application discussions with the applicant to secure a revised/improved scheme, as has been submitted and consequently approved. 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
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD5 - Amenity
OC10 - Trees and Woodlands
TR5 - Access, parking and design

National Planning Policy Framework
Paragraph 17
Section 4 – Promoting sustainable transport

Notes to Applicant

1. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991, at least 6 weeks prior notification should be given to the Director of Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the District Highway Care Manager [name and contact number] before any works commence on the vehicular access within highway limits.

2.The Highway Authority recommends that the first 5m should be surfaced with a solid, bound material (ie; not loose chippings) for the initial 5m metres measured back from the nearside highway boundary.

3. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.

Plans
The plans to which this Notice refers are listed below:
Location Plan
Site Plan
2013.003.01.A
2013.003.02.A
2013.003.03.A
2013.003.04.A
2013.003.05.A

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Michael Green
Planning Applications Manager

2013.003.06.A
2013.003.07.A
2013.003.08.A
433/P/01
SSL:13759:200:1:1

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