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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

APPLICATION FOR APPROVAL OF RESERVED MATTERS

APPROVAL

Applicant	Mr Mark Shannon Barrett Homes Manchester	Application no.	HPK/2013/0657
Agent	Knights LLP The Brampton Newcastle-under-Lyme ST5 0QW	Registered on Determined on	16/12/2013 12/05/2014

High Peak Borough Council hereby **APPROVE** this application for **RESERVED MATTERS** for

Proposed Residential Development (Reserved Matters Application) at Land At Manchester Road/Crossings Road Chapel-En-Le-Frith

in accordance with the submitted application, details and accompanying plans listed below subject to the following conditions and reasons:-

Conditions

1. The development hereby approved shall not be carried out otherwise than in complete accordance with the revised plans and specifications shown on drawing no. 11-018-HT03, 11-018-HT04 Rev A, 11-018-HT05 Rev A, 11-018- HT06- Rev A, 11-018 - HT07- Rev A, 11-018- HT08- Rev B, 11-018-HT09- Rev A, 11-018- HT10, 11-018- HT11- Rev A, 11-018-HT12-Rev A, 11-018-HT13-Rev A, 11-018-HT14-Rev A, 11-018-HT17, 11-018-HT18-Rev A, 11-018- HT19- Rev A, 11-018- HT20, 11-018-HT21 Rev A, 11-018- HT22- Rev A, 11-018 BT01, 11-018 BT02, 11-018 BT03, 11-018 BT04, 11-018- BS01, 11-018-OS01, 11-018 - SS01 Rev C, 11-018 - SS02 Rev C, 11-018 - SS03 Rev C, 11-018-P01-Rev F, 1201/P31a, 1201/P19d, 1201/P20c, 1201/P21d, 444/ED/01 Rev A, MCRRD/ED/02, SSL1:3745A:500:1:1, SCP/13280/D01 Rev B and SCP/13280/F01

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Michael Green
Planning Applications Manager

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2. No development shall commence until samples of the materials to be used in the construction of the external surfaces of the 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.

3. No works shall take place until a measured survey of the site has been undertaken and a plan prepared to a scale of not less than 1: 500 showing details of the existing and intended final ground levels from a specified benchmark has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.

4. Other than the 1.8m close boarded fence shown on the external boundaries of the site, prior to the first occupation of the development hereby approved the boundary treatment as shown on plan ref 11-018-PO1 Rev F shall be erected. All proposed boundary treatment for the external boundaries shall be agreed in writing by the Local Planning Authority and implemented prior to the first occupation of the relevant plot.

5. Prior to the commencement of development, a new estate street junction shall be formed to Manchester Road in accordance with Plan ref SCP/13280/F01, laid out, constructed to base level, the area in advance of the sightlines being levelled, constructed as footway and not being included in any plot or other sub-division of the site. Thereafter the sightlines shall be kept clear of obstructions greater than 1m in height (0.6m in the case of vegetation), maintained in accordance with the approved plan throughout the free from any impediment to its designated use.

6. Plot numbers 33 to 41 shall not be occupied until new vehicular accesses have been formed to Crossings Road in accordance with the revised application drawings, laid out, constructed and provided with 2.4m x 51m and 2.4m x 45m visibility splays to the north and south respectively, the areas in advance of the sightlines 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.

7. Individual and shared vehicular accesses shall not be taken into use until 2m x 2m x 45º pedestrian intervisibility splays have been provided on either side of the accesses at the back of the footway/margin, 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.

8. The development, the subject of the application, shall not be occupied until details for the finished surfacing of the proposed new estate streets between each respective plot and the existing public highway have been submitted to and agreed in writing by the Local Planning Authority and the approved scheme shall be laid out in accordance with the revised application drawings to conform to the 6C's design guide, drained and lit in accordance with the 6C's specification for new residential development roads, unless otherwise agreed in writing by the Local Planning authority.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the garage accommodation/ parking space to be provided in connection with the development shall not be used other than for the above stated purpose except with the prior permission of the Local Planning Authority.

10. Any gates shall open inwards only.

11. No development shall commence until a scheme to limit the surface water runoff generated by the development and to manage the risk of flooding from overland flow of water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
    a. The discharge of surface water from the development shall be restricted to a discharge rate agreed in writing with the Environment Agency.

    b. In accordance with the approved Flood Risk Assessment, surface water attenuation (including allowances for climate change) shall be provided in the form of swales.

    The development shall be constructed in accordance with the approved scheme.

12. Notwithstanding the landscape details shown on the approved plans, no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include the number, sizes and species of the proposed planting; the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg drainage power, communications, cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

13. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings and no later than 12 months of that occupation or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the approved scheme die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.

14. Prior to the commencement of development details including the floor, elevational and means of enclosure for the approved foul water pumping station shall be submitted to and approved by the LPA. Thereafter the development shall proceed in accordance with the approved details, and prior to the first occupation of the development hereby approved.

15. Prior to the commencement of the development hereby approved, the detail of any roads not to be adopted as shown on plan ref MCRR/ED/02, and their ongoing management (and any subsequent amendments as agreed) shall be submitted (the submitted scheme) to and approved in writing by the Local Planning Authority. The submitted scheme shall include (where appropriate) details of all surface treatments, lighting, hard and soft landscaping, drainage, any other incidental structures/barriers, and long term inspection, maintenance and repair schedules, and contact details. The submitted scheme shall also include arrangements for ensuring that all residents of the approved dwellings are party to a management company that will, prior to the first occupation of any approved dwelling, be established for the carrying out of the above duties and responsibilities. The development shall be implemented in accordance with the submitted scheme as approved or any amendments which may subsequently agreed in writing by the Local Planning Authority and

shall remain in force in perpetuity.

16. Prior to the commencement of development, a long term management plan for the maintenance and management of the Sustainable Urban Drainage System, as show on plan ref 11-018 PO1 Rev F shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall provide details for the long term inspection, maintenance and repair schedules, and contact details for those with the responsibility for the long term management . The development shall be implemented in accordance with the submitted scheme as approved, or any amendments which may be subsequently agreed in writing by the Local Planning Authority and shall remain in force in perpetuity.

Reasons

1. For the avoidance of doubt.

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 the visual and residential amenities of the site and in accordance with Policies GD4 and GD5 of the High Peak Saved Local Plan Policies 2008.

4. In the interests of residential amenity and in accordance with Policy GD5 of the HIgh Peak Saved Local Plan Policies 2008.

5. In the interests of the highway safety and in accordance with Policy TR5 of the adopted High Peak Saved Local Plan Policies 2008.

6. In the interests of the highway safety and in accordance with Policy TR5 of the adopted High Peak Saved Local Plan Policies 2008.

7. In the interests of the highway safety and in accordance with Policy TR5 of the adopted High Peak Saved Local Plan Policies 2008.

8. In the interests of the highway safety and in accordance with Policy TR5 of the adopted High Peak Saved Local Plan Policies 2008.

9. In the interests of the highway safety and in accordance with Policy TR5 of the adopted High Peak Saved Local Plan Policies 2008.

10. In the interests of the highway safety and in accordance with Policy TR5 of the adopted igh Peak Saved Local Plan Policies 2008.

11. To ensure a satisfactory standard of drainage and in the interests of the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

12. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

13. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved

Local Plan Policies 2008.

14. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

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

16. To prevent pollution of water environment, 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.

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 2012.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
GD4 - Character Form and Design
GD5 - Amenity
GD6 - Landscaping
GD7 - Crime Prevention
H11 - Layout and Design of residential development
OC1 - Countryside Development
OC4 - Landscape Character and Design
OC10 - Trees and Woodlands
TR1 - Transport Implications of new development
TR5 - Access, parking and design

National Planning Policy
Core Planning Principles
Section 4 – Promoting Sustainable Transport
Section 7 – Requiring Good Design
Section 11 – Conserving and enhancing the Natural Environment.

Notes to Applicant

1. This approval of Reserved Matters relates to outline planning permission reference no. HPK/2011/0282. Please note that the condirions of this outline permission still apply.

2. 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 [01629 580000] before any works commence on the vehicular access

within highway limits.

3. Pursuant to Section 38 and the Advance Payments Code of the Highways Act 1980, the proposed new estate roads should be laid out and constructed to adoptable standards and financially secured. Advice regarding the technical, financial, legal and administrative processes involved in achieving adoption of new residential roads may be obtained from the Strategic Director of the Economy, Transport and Environment Department at County Hall, Matlock (tel: 01629 533190). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 38 Agreement.

4. Pursuant to Sections 219/220 of the Highways Act 1980, relating to the Advance Payments Code, where development takes place fronting new estate streets the Highway Authority is obliged to serve notice on the developer, under the provisions of the Act, to financially secure the cost of bringing up the estate streets up to adoptable standards at some future date. This takes the form of a cash deposit equal to the calculated construction costs and may be held indefinitely. The developer normally discharges his obligations under this Act by producing a layout suitable for adoption and entering into an Agreement under Section 38 of the Highways Act 1980.

5. 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.

6. The Highway Authority recommends that the first 5m of the proposed access driveways should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the adopted highway and is regarded as a hazard or nuisance to highway users the Authority reserves the right to take any necessary action against the householder. Pursuant to Section 163 of the Highways Act 1980, where individual/shared vehicular accesses slopes down towards the new estate street, 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.

7. The application proposals are affected by a Prescribed Improvement / Building Line under the Public Health Act / Roads Improvement Act 1925. Whilst it is an offence to undertake building works in advance of this line, it may be possible for the applicant to apply to rescind the lines. The applicant is advised to write to the Strategic Director of the Economy, Transport and Environment Department at County Hall, Matlock, DE4 3AG, at least 6 weeks before commencing works requesting that the line(s) be removed and confirming that they will meet the Authority's administrative / legal costs if the removal is approved. For further advice, please contact Mr G Hill, Principle Engineer, Development Control (tel: 01629 538647).

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.