



TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010

OUTLINE PLANNING APPLICATION

PERMISSION

Applicant Mr Scott Richardson
Scott Richardson & Partners
129 Manchester Road
Chapel en le Frith
SK23 9TN
Agent Trevor Gilman
7 Athelstane Terrace
Manchester Road
Buxton
SK17 6SE

Application no. HPK/2014/0210

Registered on 08/05/2014

Determined on 07/08/2014

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

Proposed outline application for new dwellings with all matters reserved at Land adjacent to 129 Manchester Road Chapel en le Frith

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

Conditions

1. The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is later.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.

.....
Signed on Behalf of High Peak Borough Council

3. Approval of the details of layout, scale, appearance, access and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
4. The development hereby permitted relates to the principle of residential development only and does not grant or imply consent for the number of houses or indicative layout which are referred to in the planning documents submitted as part of this application.
5. Notwithstanding the details submitted on plans Richardson 41, CW/7019-P-TC, CW/7019-P-LA, this approval relates solely to the principle of development within the site as shown on plan Richardson OS 'Location Plan'.
6. The reserved matters application for access shall include full details of access to and within the site, including: the new junction onto Manchester Road provided with 2.4m x 54m visibility splays in either direction, roads and footways within the site; pedestrian/cycle access points/links to the existing highway network; new footway to Manchester Road; the highway boundary to the site. The access works shall be carried out in accordance with the approved details.
7. Before any other operations are commenced (excluding condition 6 above), 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.
8. Before any other operations are commenced, (excluding conditions 6 & 7 above), a new estate street junction (the subject of condition 6 above) shall be formed to Manchester Road (B5470) located, designed, laid out, constructed and provided with 2.4m X 54m visibility splays in either direction, all as agreed in writing with the Local Planning Authority, the area in advance of the sightlines being levelled, forming part of the new street constructed as footway and not forming part of any plot or other sub-division of the site.
9. The dwellings, the subject of the application, shall not be occupied until the proposed new estate streets within the application site have been designed and laid out in accordance with the County Council's current design guide and constructed to adoptable standards all as agreed in writing with the Local Planning Authority.

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10. The premises, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking/ loading and unloading/manoeuvring of residents/ visitors/service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
11. The sole means of vehicular and pedestrian access to the application site shall be from Manchester Road (B5470) only. There shall be no means of access (either pedestrian or vehicular) to Marsh Hall Lane.
12. The development hereby permitted shall not be commenced until such time as a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements that are to be embodied within the scheme.
13. The development hereby permitted shall not be commenced until such time as a scheme to manage the risk of flooding from overland flow of surface water on the proposed development, has been submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented and subsequently maintained in accordance with the timing/phasing arrangements that are to be embodied within the scheme.
14. Prior to the commencement of development a scheme for the treatment of foul drainage for the site shall be submitted to and approved in writing. No surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.
15. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

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- adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).
This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

16. Where the presence of contamination is confirmed, no development shall commence until satisfactory remedial measures have been agreed in writing with the Local Planning Authority to remove or render harmless any contaminants found. The approved remediation must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.
17. No development or other operations shall commence until a detailed Arboricultural Method Statement to include a scheme for the retention and protection of trees and hedges on or adjacent to the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Method Statement.
18. No development or other operations shall take place unless within one month prior to commencement an assessment of the site for protected species has been undertaken by a suitably qualified ecologist and a report setting out any necessary mitigation plan has been submitted to and approved in writing by the local planning authority. Any approved mitigation measures shall be implemented in accordance with the approved plan and retained thereafter.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of section 92 of the Town and Country Planning Act 1990.
2. 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.
3. To ensure a satisfactory standard of development, in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.

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4. To ensure a satisfactory standard of development, in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.
5. For the avoidance of doubt and in the interests of proper planning.
6. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
7. 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.
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12. 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.
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14. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
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16. To ensure that the site is developed in a safe manner in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
17. To enable proper consideration to be given to the impact of the proposed development on existing trees, in accordance with Policy OC10 of the High Peak Saved Local Plan Policies 2008.
18. To safeguard wildlife in the interests of nature conservation.

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.

This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

GD4 - Character Form and Design
GD5 - Amenity
H1 - Principles of Housing Provision
H11 - Layout and Design of residential development
OC1 - Countryside Development
OC4 - Landscape Character and Design
OC10 - Trees and Woodlands
TR5 - Access, parking and design

National Planning Policy

Para 17 Core Principles
Section 1: Building a Strong and Competitive Economy
Section 6: Delivering a Wide Choice of High Quality Homes
Section 7: Requiring Good Design
Section 8: Promoting Healthy Communities
Section 11: Conserving Enhancing the Natural Street.

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Notes to Applicant

Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway/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.

Pursuant to Section 278 of the Highways Act 1980, no works may commence within the limits of the public highway without the formal agreement of the County Council as Highway Authority. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Strategic Director of Economy, Transport and Environment at County Hall, Matlock (tel: 01629 538582). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.

Pursuant to Section 38 and the Advanced 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 Direction of Economy, Transport and Environment at County Hall, Matlock (tel: 01629 538578). Highway surface water shall be disposed of via a positive, gravity fed system (ie; not pumped) discharging to an approved point of outfall (eg; existing public sewer, highway drain or watercourse) to be sanctioned by the Water Authority (or their agent), Highway Authority or Environment Agency respectively. The use of soakaways for highway purposes is generally not sanctioned.

Car parking provision should be made on the basis of 2no. or 3 no. parking spaces per 2/3 bedroom or 4/4+ bedroom dwelling respectively. Each parking bay should measure 2.4m x 4.8m with adequate space behind each space for manoeuvring

Under the provisions of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, all works that involve breaking up, resurfacing and / or reducing the width of the carriageway require a notice to be submitted to Derbyshire County Council for Highway, Developer and Street Works. Works that involve road closures and / or are for a duration of more than 11 days require a three months notice. Developers Works will generally require a three months notice. Developers and Utilities (for associated services) should prepare programmes for all works that are required for the development by all parties such that these can be approved through the coordination, noticing and licensing processes. This will require utilities and developers to work to agreed programmes and booked slots for each part of the works. Developers considering all scaled of development are advised to enter into dialogue with Derbyshire County Council's Highway Noticing Section at the earliest stage possible and this includes prior to final planning consents.

The application proposals are affected by a Prescribed Building Line under the Roads Improvement Act 1925. Whilst it is an offence to undertake building works in advance of this line,

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it may be possible for the applicant to apply to rescind the line. The applicant is advised to write to the Strategic Director of Economy, Transport and Environment at County Hall, Matlock, DE4 3AG, at least 6 weeks before commencing works requesting that the line be removed and confirming that they will meet the Authority's administrative / legal costs if the removal is approved.

The discharge of surface water from the proposed development is to mimic that which discharges from the existing site. If a single rate of discharge is proposed, this is to be the mean annual run-off (Qbar) from the existing undeveloped greenfield site. The water company should be contacted for confirmation of the acceptable method of disposal of surface water run off.

The discharge of surface water should, wherever practicable, be by Sustainable Drainage Systems (SuDS). SuDS, in the form of grassy swales, detention ponds, soakaways, permeable paving etc can help remove the harmful contaminants found in surface water can help reduce the discharge rate.

Plans

The plans to which this Notice refers are listed below:

RICHARDSON os
RICHARDSON 41
CW/7019-P-TC
CW/7019-P-LA

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.

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:

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- (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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High Peak Borough Council, Development Services, Municipal Buildings, Glossop, Derbyshire SK13 8AF

Tel 0845 129 7777 or 01298 28400

Fax 01457 860290

Minicom 0845 129 48 76

E-mail planning@highpeak.gov.uk

Website www.highpeak.gov.uk

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- (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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