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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 & Mrs Mark Austin
The Poplars Talbot Road
Glossop
SK13 7DP

Agent

Application no. HPK/2013/0030

Registered on 25/01/2013

Determined on 22/03/2013

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

Proposed detached dwelling with garage & associated landscaping at The Poplars Talbot Road 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.

3. The development hereby permitted shall not be commenced until detailed plans and sections of the proposed windows and doors at a scale of 1:20 together with details of proposed finishes have been submitted to and approved in writing by the Local Planning

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Authority. The development shall be carried out and retained in accordance with the approved details.

4. Notwithstanding the approved details, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced, or before the building is occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out and retained in accordance with the approved details.

5. Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority showing the position and specification of a replacement pond suitable as habitat for breeding amphibians. The replacement pond shall be provided and translocation of existing amphibians, invertebrates/aquatic plants conducted prior to the loss of the existing pond and prior to the commencement of development and in accordance to a scheme to be submitted to and approved in writing by the Local Planning Authority. The translocation of species shall be carried out by a qualified ecologist.

6. Before any other operations are commenced a new vehicular access shall be created to Talbot Road in accordance with the revised application drawing, laid out, constructed and provided with visibility splays as shown in drawing A7H from a point 2.4m from the carriageway edge, measured along the centre line of the access, to the extremities of the site frontage for a distance of 43m in either direction. The area 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 adjoining nearside carriageway edge.

7. Before any other operations are commenced, space shall be provided within the site curtilage for 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 the dwelling hereby approved is occupied, pedestrian visibility splays of 2m x 2m x 45 degrees shall be provided with the area in advance being maintained free of all obstructions.

9. The access width between the gate posts should be a minimum of 2.7m and gates shall open inwards only.

10. The proposed access drive to Talbot Road shall be no steeper than 1 in 15 for the first 10m from the nearside highway boundary.

11. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the revised application drawings for the parking/ loading and unloading/ picking up and setting down passengers/ manoeuvring

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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.

12. Prior to the commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority showing details of hard and soft landscaping proposed for the site.

13. 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 those works shall be carried out as approved. These details shall include the number, sizes and species of the proposed planting; the proposed fined levels or contours; means of enclosure; vehicle and pedestrian access and circulation areas, hard surface materials.

14. All planting seeding and turfing comprised in the approved details of landscaping shall be carried out in the first year of 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.

15. 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 within 5 years from 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.

16. The first floor east facing window shown as belonging to bedroom 3 on drawing 2341 – 204 shall be fitted with fixed and obscure glazing. This shall be retained as such for the life of the development unless agreed otherwise in writing by the Local Planning Authority.

17. The garage which forms part of this consent shall be completed prior to occupation of the dwelling also given permission and shall be retained for the life of the development unless agreed otherwise in writing by the Local Planning Authority.

18. No windows shall be inserted into the east facing garage roof unless agreed otherwise in writing by the Local Planning Authority.

19. No windows shall be inserted into the west elevation at first floor or above unless agreed otherwise in writing by the Local Planning Authority.

20. Prior to the commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority showing a scheme for surface water drainage from the site. The scheme shall be retained and implemented as agreed.

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21. The side facing roof windows shall be fitted with fixed and obscure glazing. This shall be retained as such for the life of the development unless agreed otherwise in writing by the Local Planning Authority.

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 of the High Peak Saved Local Plan Policies 2008 Supplementary Planning Development: Residential Design and National Planning Policy Framework sections 11, 7 and 4..

3. To protect and enhance the appearance of the building and the area as required by High Peak saved Local plan policies GD4, GD5, H11, Supplementary Planning Development: Residential Design and National Planning Policy Framework sections 11, 7 and 4.

4. To ensure adequate and appropriate treatment to all boundaries which protects the privacy of neighbouring properties without harming the visual appearnce of the site and its surroundings as required by High Peak saved Local Plan policies GD4, GD5, H11 Supplementary Planning Guidance: Residential Design and National Planning Policy Framework sections 4, 7 and 11.

5. To prevent the loss of biodiversity as required by the National Planning Policy Framework paragraph 9 which seeks to achieve a net gain of bio diversity and paragraph 118 which aims to encourage the conservation and enhancement of bio diversity.

6. 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 and National Planning Policy Framework section 4.

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 and National Planning Policy Framework section 4.

8. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008 and National Planning Policy Framework section 4.

9. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008 and National Planning Policy Framework section 4.

10. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008 and National Planning Policy Framework section 4.

11. 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 and National Planning

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Policy Framework section 4.

12. In the interests of visual amenity in accordance wwith policy GD6 of the High Peak saved Local Plan 2008 and section 7 of the National Planning Policy Framework.

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14. In the interests of visual amenity in accordance with policy GD6 of the High Peak saved Local Plan 2008 and section 7 of the National Planning Policy Framework.

15. In the interests of visual amenity in accordance with policy GD6 of the High Peak saved Local Plan 2008 and section 7 of the National Planning Policy Framework.

16. To safeguard the privacy of The Poplars as required by policy GD5, H11 and H14 of the High Peak saved Local Plan 2008 and section 7 of the National Planning Policy Framework.

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19. To safeguard the privacy of The Poplars as required by policy GD5, H11 and H14 of the High Peak saved Local Plan 2008 and section 7 of the National Planning Policy Framework.

20. 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 and National Planning Policy Framework section 4.

21. To safeguard the privacy of neighbouring properties as required by policy GD5, H11 and H14 of the High Peak saved Local Plan 2008 and section 7 of the National Planning Policy Framework.

Summary of reasons for granting permission

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal which subject to planning conditions will not have a harmful impact on its surroundings in terms of its appearance, biodiversity, impact on residential amenity and the safe and efficient operation of the public highway.

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.

During the course of the application the Council conducted negotiations and communication with consultees and applicant to ensure alteration to the original application which permitted the application to be approved.

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POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
GD4 - Character Form and Design
GD5 - Amenity
GD6 – Landscaping
OC10 – Trees and Woodlands
H1 - Principles of Housing Provision
H5 - Housing within the Built up Area Boundaries
H11 - Layout and Design of residential development
H14 - Domestic Extensions and ancillary buildings
TR5 - Access, parking and design

National Planning Policy Framework section 4, 6, 7, 10 and 11
Supplementary Planning Guidance: Residential Design.

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 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.

Pursuant to Section 50 (Schedule 3) of the New Roads and Streetworks Act 1991, before any excavation works are commenced within the limits of the public highway, 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 New Roads and Streetworks Section).

Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991, at least 12 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.

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The proposed access driveway should be surfaced with a solid, bound material (ie; not loose chippings) for the initial 5 metres measured back from the nearside highway boundary. Construction works are likely to require Traffic Management, including measures to protect pedestrians, and advice reqarding procedures should be sought from Dave Bailey, Traffic Managements on 01629 538686.

Under the Traffic Management Act 2004, as amended April 2008, the applicant or any other oraganisaation/third party etc working within the highway on the highway on their behalf will be subject to the requirements and provisions of that Act including the encessary Highway notices. The applicant should contact Elaine Coope, NRSWA on 01629 538516 with regard to advance liaison, notification and co-ordination required.

Plans

The plans to which this Notice refers are listed below:

Location Plan 2318-208
2341-203
2341-204 Rev A
2341-205
2341-A7H

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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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