

Mr Shaw
Rocks Barn Mudhurst lane
Disley
Stockport
SK12 2AN



High Peak Borough Council

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Mr John Flinn
Davenport & Flinn
3A Hamnett Street
Hyde
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SK14 2EX

Mr Shaw
Rocks Barn Mudhurst lane
Disley
Stockport
SK12 2AN

Application no: HPK/2016/0199

Determined on: 09/06/2016

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015**

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990 (as amended).

Location of Development:

Fairy Meadow Laneside Road New Mills Derbyshire SK22 4LU

Description of Development:

Proposed new bungalow adjacent to Fairy Meadow with dormers, access & landscaping

In pursuance of their power under the above mentioned Act, High Peak Borough Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg Nos. 6501-01, 6501-02 and 6501-03 and Location Plan.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. No development shall commence until samples of the materials to be used in the construction of external walls and roofs of the building and hard surfaces have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with the approved materials.





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Reason:- To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ6 of the High Peak Local Plan and the National Planning Policy Framework.

4. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;

Reason:- To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features, in the interests of visual amenity, in accordance with Policy EQ6 of the High Peak Local Plan and the National Planning Policy Framework.

5. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, 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 otherwise agreed in writing by the Local Planning Authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason:- To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features, in the interests of visual amenity, in accordance with Policy EQ6 of the High Peak Local Plan and the National Planning Policy Framework.

6. 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 until the Local Planning Authority gives written consent to any variation.





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Reason:- To protect the health and amenity of the trees in accordance with Policy EQ9 of the High Peak Local Plan and paragraph 118 of the National Planning Policy Framework.

7. 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 tree protection scheme in accordance with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations has been submitted to and approved in writing by the Local Planning Authority and erected. The approved details shall be erected prior to the commencement of development.

Reason:- To protect the health and amenity of the trees in accordance with Policy EQ9 of the High Peak Local Plan and paragraph 118 of the National Planning Policy Framework.

8. Before any other operations are commenced a new vehicular access shall be created to Laneside Road in accordance with the revised and approved application drawings, laid out, constructed and provided with maximised exit visibility sightlines by means of maintaining all areas of the site within 2.4m of the nearside carriageway channel clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the same channel level.

Reason:- In the interests of highway safety in accordance with Policy CF6 of the High Peak Local Plan 2016.

9. Before any operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, parking and manoeuvring of site operatives' and visitors' vehicles together with the loading / unloading and manoeuvring of goods vehicles, designed, laid out and constructed in accordance with details to be submitted to and agreed in writing by the Local Planning Authority in advance of construction work commencing and maintained free from impediment throughout the duration of construction works.

Reason:- In the interests of highway safety in accordance with Policy CF6 of the High Peak Local Plan 2016.

10. The dwelling hereby approved shall not be occupied until the on-site parking spaces have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The spaces shall be laid out and constructed and maintained thereafter free from any impediment to their designated



use in accordance with the approved details.

Reason:- To ensure adequate car parking provision within the site in accordance with the adopted standards of the Local Planning Authority and in accordance with Policy CF6 of the High Peak Local Plan 2016.

11. The access shall not be gated within 5m of the nearside highway boundary and any gates shall only open into the site unless otherwise agreed with the Local Planning Authority.

Reason:- In the interests of highway safety in accordance with Policy CF6 of the High Peak Local Plan 2016.

12. Prior to the occupation of the dwelling hereby approved, adequate bin storage and a bin dwell area for use on refuse collection days shall be provided within the site curtilage in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The areas shall be clear of the public highway and all access, parking and turning provision and retained thereafter free from any impediment to their designated use.

Reason:- In the interests of highway safety in accordance with Policy CF6 of the High Peak Local Plan 2016.

13. No development or other operations at the site shall take place during the bird breeding season (March - August inclusive) unless a survey has been undertaken to assess the nesting bird activity on site during this period and details of measures to protect the nesting bird interest on the site have first been submitted to and approved in writing by the Local Planning Authority and then implemented as approved.

Reason:- To safeguard wildlife in the interests of nature conservation.

14. No construction/demolition work at the site shall take place outside the following hours:-

- (i) 07:00 hours to 19:00 hours Mondays to Fridays.
- (i) 08:00 hours to 16:00 hours on Saturdays.
- (ii) At any time on Sundays or Public Holidays except by agreement in writing with the Local Planning Authority.
- (iii) All deliveries to the site shall be limited to within the above hours.

Reason:- In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy EQ6 of the High Peak Local Plan 2016.



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Summary of reasons for granting planning permission

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

Informatives

1. Under Section 50 (Schedule 3), New Roads and Street Works Act 1991, before any excavation works are commenced within the limits of the existing highway, at least 6 weeks prior notification shall be given to the County Highway Authority (contact the Streetworks Co-ordinator - tel no. 01629 538516).
2. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy Transport and Environment at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via email ETENetmanadmin@derbyshire.gov.uk or telephone Call Derbyshire on 01629 533190 or via the County Council's website.

X 

Signed by: Jane Colley

On behalf of High Peak Borough Council





NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section.
2. 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 at Derbyshire County Council.
3. 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.
4. 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.
5. 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.
6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority’s decision then you must



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do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate#other-ways-to-apply>. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

