

Amanda Olley
Summit Planning Associates
The Studio 4th Floor
No 1 St Ann Street
Manchester
M2 7LG



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No. 1 St Ann Street
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Mr Harrison
47 Church Road
New Mills
Derbyshire
SK22 4NU

Application no: HPK/2016/0208

Determined on: 22/07/2016

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:

Land At Whitle Road New Mills Derbyshire SK22 4EG

Description of Development:

Application to vary Condition 23 relating to HPK/2015/0217 and discharge of Condition 20.

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. This permission relates to the variation of condition 23 attached to permission HPK/2015/0217 dated 11/06/2015. Other than the variation hereby approved, the development shall be carried out in total accordance with the approved plans and conditions attached to the original permission.

Reason:- For the avoidance of doubt and in the interests of proper planning.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 15010-210F, 15010-310A, 15010-202D, 15010-303A, 15010-302, NH-HMT-2015 150x, 01, 02, NH-HMT-2015 140A.

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

3. Before any other operations are commenced (excluding demolition/ site clearance), space shall be provided within the site curtilage for [storage of plant and materials/





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site accommodation/ loading and unloading of goods vehicles/ parking and manoeuvring of site operatives and visitors vehicles], laid out and constructed in accordance with approved designs to be submitted to and approved in writing by the Local Planning Authority and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

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

4. Before any other operations are commenced a new vehicular access shall be created to Whittle Road in accordance with the approved plans, laid out, constructed and provided with visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centre line of the access, to the extremities of the site frontage abutting the highway in each direction. The land in advance of the sightlines shall be maintained in perpetuity clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway edge.

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

5. The access, the subject of condition No 4 above, shall not be taken into use until 2m x 2m x 45° pedestrian intervisibility splays have been provided on either side of the access at the back of the footway, 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.

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

6. The dwelling, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the approved plans for the parking and manoeuvring of residents vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use. Parking spaces shall measure a minimum of 2.4m x 4.8m.

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 Policies 2016.

7. The proposed access drive to Whittle Road shall be no steeper than 1:14 for the first 5m from the nearside highway boundary and 1:10 thereafter.

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

8. 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



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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.

Reason:- In the interests of visual amenity, in accordance with Policy EQ6 of the High Peak Local Plan Policies 2016

9. 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.

Reason:- In the interests of visual amenity, in accordance with Policy EQ6 of the High Peak Local Plan Policies 2016

10. The approved remediation scheme 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.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:- To ensure that the site is developed in a safe manner in the interests of the amenity of the area, in accordance with Policy EQ10 of the High Peak Local Plan Policies 2016.

11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason:- To ensure that the site is developed in a safe manner in the interests of the



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amenity of the area, in accordance with Policy EQ10 of the High Peak Local Plan Policies 2016.

12. No construction work at the site shall take place outside the following hours:-

1. 0800 hours to 1800 hours Mondays to Fridays.
2. 0900 hours to 1500 hours on Saturdays.
3. At any time on Sundays or Public Holidays except by agreement with the Local Planning Authority.

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 Policies 2016.

13. Any equipment which needs to be operated outside the hours specified above shall be acoustically screened in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority.

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 Policies 2016.

14. The development hereby approved shall not be drained otherwise than to a separate system. There shall be no discharge of surface or other run-off waters to the foul sewer.

Reason:- To ensure a satisfactory standard of development, in accordance with Policy EQ11 of the High Peak Local Plan Policies 2016.

15. Surface water shall be disposed of to a soakaway system designed and constructed and maintained for the lifetime of the development in accordance with the approved scheme on plan no NH-HMT-2015 140A., unless otherwise agreed in writing with the Local Planning Authority.

Reason:- To ensure a satisfactory standard of development, in accordance with Policy EQ11 of the High Peak Local Plan Policies 2016.

16. The boundary treatments shall be completed in accordance with the approved details 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.

Reason:- In the interests of visual amenity, in accordance with Policy EQ6 of the High Peak Local Plan Policies 2016.

17. The window on the south elevation serving bedroom 3 shall be glazed with obscured glass and shall be permanently maintained in that condition. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) this/these



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window(s) shall not be re-glazed with any transparent materials or enlarged or otherwise altered, nor shall any additional door, window or other opening be formed in that elevation unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:- To safeguard the privacy of both the occupants of the adjacent property and of the development hereby approved, in accordance with Policy EQ6 of the High Peak Local Plan Policies 2016 and paragraph 17 of the National Planning Policy Framework.

18. The window on the north elevation serving bedroom 4 shall be only used as a means of escape window, it shall be restricted in opening in accordance with the approved plans and glazed with obscured glass. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) this/these window(s) shall not be re-glazed with any transparent materials or enlarged or otherwise altered, nor shall any additional door, window or other opening be formed in that elevation unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason:- To safeguard the privacy of both the occupants of the adjacent property and of the development hereby approved, in accordance with Policy EQ6 of the High Peak Local Plan Policies 2016 and paragraph 17 of the National Planning Policy Framework.

19. The dwelling shall be constructed of those external materials as shown on the approved plans and samples as submitted as part of application DOC/2015/0086.

Reason:- For the avoidance of doubt and 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 Policies 2016 and the National Planning Policy Framework.

20. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended by The Town and Country Planning (General Permitted Development) Order 2015) (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Class(es) A, B, C, D, E, F, G of Part 1 Schedule 2 of the Order shall be carried out unless a further planning permission has first been granted on application to the local planning authority.

Reason: - For the avoidance of doubt and in the interests of proper planning.

Informative





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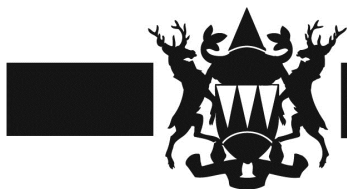
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During the course of the consideration of the application the Council sought amendments to the proposals in relation to residential amenity and drainage at the site. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

X *B.J. Haywood*

Signed by: Haywood, Ben

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.