Mr Alan Corinaldi-Knott Knights 1759 The Brampton Newcastle-under-Lyme Staffordshire ST5 0QW

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Mr Artiss c/o Agent

Application no: HPK/2017/0613

Determined on: 20.07.2018

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

APPROVAL OF RESERVED MATTERS

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.

Location of Development:

Land At Burlow Road And Heathfield Nook Road Burlow Road Harpur Hill Buxton Derbyshire

Description of Development:

Application for the approval of reserved matters following outline approval relating to HPK/2017/0612 and the discharge of conditions 12, 14 and 15 of HPK/2017/0612.

In pursuance of their power under the above mentioned Act, High Peak Borough Council Planning Authority, APPROVES the following matters which have been reserved for later approval on the grant of outline planning permission for development.

1. This notice of approval of reserved matters shall only relate to outline planning permission ref. HPK/2017/0612 dated 9th July 2017.

Reason:- For the avoidance of doubt and to comply with Section 92 of The Town and Country Planning Act 1990 and Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

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473/P/LP/01 - Location Plan - Site A - Dated 26.10.2017 473/P/LP/02 - Location Plan - Site B - Dated 25.10.2017







High Peak Borough Council

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437/ED/17 - Engineering Layout - Site A -Dated Mar 2018

473/ED/18 Revision A - Engineering Layout - Site B - Dated 09/05/18

473/P/BTD02 - Boundary Treatment Details - Dated 26.10.2017

473/P/BTL/01 Revision D - Boundary Treatments Layout - Site A - Dated 30.04.18

473/P/BTL/02 Revision D - Boundary Treatments Layout - Site B - Dated 09.05.2018

473/P/CPP/01 - Chimney Position Plan - Site A - Dated 15.2018

473/P/CPP/02 - Chimney Position Plan - Site B - Dated 15.2018

473/P/HLL/01 Revision E - Hard Landscaping Layout - Site A - Dated 11.05.2018

473/P/HLL/02 Revision D - Hard Landscaping Layout - Site B - Dated 11.05.2018

473/P/ML/01 Revision D - Materials Layout - Site A - Dated 19.03.2018

473/P/ML/02 Revision B - Materials Layout - Site B - Dated 08.03.2018

473/P/PL/01 Revision J - Planning Layout - Site A - Dated 30.04.2018

473/P/PL/02 Revision G - Planning Layout - Site B - Dated 30.04.2018

473/P/PP/01 Revision A - Phasing Plan - Site A - Dated 16.03.18

473/P/PP/02 - Phasing Plan - Site B - Dated 09.2017

473/P/RSL/01 Revision C - Refuse Strategy - Site A - Dated 08.03.2018

473/P/RSL/02 Revision B - Refuse Strategy - Site B - Dated 08.03.2018

473/P/SHL/01 Revision C - Storey Heights Layout - Site A - Dated 08.03.2018

473/P/SHL/02 Revision B - Storey Heights Layout - Site B - Dated 08.03.2018

473/P/SS/01 Revision A - Street Scenes - Site A - Dated 13.03.17

473/P/SS/01 Revision A - Street Scenes - Site B - Dated 13.03.17

473/ED/18 Revision A - Engineering Layout - Site B - Dated 09/05/18

473-P-MP01A - Management Plan - Site A (undated)

473-P-MP01B - Management Plan - Site B (undated)

Housetypes:

- o Alderney Classic (Det) Dated Aug 2017
- o Andover Classic (Det) Dated Dec 2017
- o Buchanan Classic (Det) Revision A Dated Oct 2016
- o Chester Classic (Det) Revision A Dated Oct 2016
- o Derwent Classic (Det) Revision A Dated August 2017
- o Ennerdale Classic (Det) Revision A Dated Oct 2016
- o Ennerdale Classic (End) Revision A Dated Oct 2016
- o Eskdale Classic (Det) Revision A Dated August 2017
- o The Falkirk (3 Storey) Elevations Revision A Dated Jan 2018
- o The Falkirk (3 Storey) Floor Plans Dated Jan 2018
- Folkestone Classic (End) Revision A Dated Aug 2017
- o Halton Classic (Det) Revision A Dated Oct 2017
- o Hampton Classic Dated December 2017
- o Kennford Classic (Det) Dated December 2016
- o Kingsley Classic (Det) Dated November 2016
- o Kingsville (End) Revision A Dated October 2016
- o Maidstone Classic (End) Revision A Dated October 2016
- Tamerton Classic Revision B Dated August 2017
- o Thornton (Det) Dated June 2016
- o Winsford Classic Dated December 2017
- Woodley/Disley Classic Elevations Revision A Dated Aug 2014
- o Woodley/Disley Classic Floor Plans Revision E Dated Aug 2014

- 473/ED/38 dated May 2018 0 473/ED/39 dated May 2018
- 11194/P03 LM/JB Revision B Landscape Typology Areas and Boundary Treatments Site A -Dated March 2018
- 11194/P04 NC/JB Revision B Landscape Typology Areas and Boundary Treatments Site B -Dated March 2018
- 11194/P05 Revision B Strategic Landscape Masterplan Site A Dated March 2018
- 11194/P06 Revision B Strategic Landscape Masterplan Site B Dated March 2018
- 11194/P09 Revision D Planting Plan Site A Dated 17.05.2018
- 11194/P10 Revision E Planting Plan Site B Dated 17.05.2018
- SCP/17433/ATR01 Revision D Swept Path Analysis Refuse Vehicle Site A Dated 09.03.2018
- SCP/17433/ATR02 Revision D Swept Path Analysis Refuse Vehicle Site B Dated 09.03.2018
- SCP/17433/SK01 Access Arrangement Burlow Road Site A Dated 03.11.2017
- SCP/17433/SK02 Access Arrangement Heathfield Nook Road Site A Dated 03.11.2017
- SCP/17433/SK03 Access Arrangement Burlow Road Site B Dated 03.11.2017
- 17/120/PO2 Proposed Community Centre Plans and Elevations Dated 26/10/17 17/120/PO3 Revision A - Proposed Creche - Plans and Elevations - Dated 15/03/18 Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.
- 3. The approved boundary treatments as shown on the following plan refs:
- 473/P/BTD02 Boundary Treatment Details Dated 26.10.2017 473/P/BTL/01 Revision D - Boundary Treatments Layout - Site A - Dated 30.04.2018 473/P/BTL/02 Revision D - Boundary Treatments Layout - Site B - Dated 09.05.2018

shall be installed in accordance with the approved details and prior to the first occupation of any dwelling/commerical building.

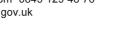
Reason:- In the interest of visual amenity and residential amenity, in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

4. Prior to installtion the colour of the doors and garages shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

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

5. Prior to the commencement of any dwelling/apartment/commerical building samples of the roof and hard surfacing materials to be used in the construction of external roofs of the buildings 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 2016 and the National Planning Policy Framework.

7. All hard and soft landscape works shall be carried out in accordance with the approved details shown on the following references:

473/P/BTD02 - Boundary Treatment Details - Dated 26.10.2017

473/P/BTL/01 Revision D - Boundary Treatments Layout - Site A - Dated 30.04.2018

473/P/BTL/02 Revision D - Boundary Treatments Layout - Site B - Dated 09.05.2018

473/P/HLL/01 Revision E - Hard Landscaping Layout - Site A - Dated 11.05.2018

473/P/HLL/02 Revision D - Hard Landscaping Layout - Site B - Dated 11.05.2018

11194/P03 LM/JB Revision B - Landscape Typology Areas and Boundary Treatments - Site A - Dated March 2018

11194/P04 NC/JB Revision B - Landscape Typology Areas and Boundary Treatments - Site B - Dated March 2018

11194/P05 Revision B - Strategic Landscape Masterplan - Site A - Dated March 2018

11194/P06 Revision B - Strategic Landscape Masterplan - Site B - Dated March 2018

11194/P09 Revision DB - Planting Plan - Site A - Dated 17.05.2018

11194/P10 Revision E - Planting Plan - Site B - Dated 17.05.2018

Reason:- In the interest of visual amenity, in the interests of visual amenity, in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

8. No development shall commence on site until a scheme of phasing of landscaping has been approved in writing by the Local Planning Authority. The landscaping to which condition 7 refers shall be carried out in the first planting and seeding season following occupation of the building(s) or the completion of the development, whichever is the sooner within that particular phase; 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.

Reason:- In the interest of visual amenity, in the interests of visual amenity, in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

9. 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.

Reason:- To protect the health and amenity of the trees in accordance with Policies EQ2 and EQ9 of the High Peak Local Plan 2016 and paragraph 118 of the National Planning Policy Framework.





- 10. a) All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 Recommendations for Tree Works.
- b) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
- c) No fires shall be lit within 6m of the furthest extent of the canopy of any tree or tree group to be retained as part of the approved scheme.
- d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
- e) No development or other operations shall take place except in complete accordance with the approved protection scheme and Arboricultural Method Statement.

 Reason:- To protect the health and amenity of the trees in accordance with Policies EQ2 and

EQ9 of the High Peak Local Plan 2016 and paragraph 118 of the National Planning Policy Framework.

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11. Prior to the commencement of development, on Site A as shown on plan references:

437/ED/17 - Engineering Layout - Site A -Dated Mar 2018 473/P/PL/01 Revision J - Planning Layout - Site A - Dated 30.04.2018

details of the method of excavation in respect of the new water main and high voltage cable to be installed on Site A shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the installation of the services shall be carreid out strictly in accordance with the approved methodology.

Reason:- To protect the health and amenity of the trees in accordance with Policies EQ2 and EQ9 of the High Peak Local Plan 2016 and paragraph 118 of the National Planning Policy Framework.

12. No development shall be commenced until temporary accesses for construction purposes has been provided in accordance with a detailed design first submitted to and approved in writing by the Local Planning Authority. The accesses shall be retained in accordance with the approved scheme throughout the construction period, or such other period of time as may be agreed in writing by the Local Planning Authority, 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 2016 and the National Planning Policy Framework.

13. No development shall take place until construction details of the residential estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak



Local Plan 2016 and the National Planning Policy Framework.

14. The carriageways of the proposed estate roads shall be constructed in accordance with Condition 5 above up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that roads. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or abutting the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surface course within twelve months (or three months in the case of a shared surface road) from the occupation of such dwelling, unless otherwise agreed in writing by the Local Planning Authority.

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

15. No part of the development shall be occupied until private vehicular accesses have been provided with emerging visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centreline of the junction, for a distance of 25m in each direction measured along the nearside carriageway edge. The area in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

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

- 16. Individual and shared private vehicular accesses, shall not be taken into use until 2m x 2m x 45° pedestrian intervisibility splays have been provided on either side of the accesses at the back of the footway, the splay areas 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 and the amenity of future occupants, in accordance with Policies EQ6 and CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.
- 17. No dwelling shall be occupied until space has been laid out within the site in accordance with drawing No's SCP 17433 ATR01 D and SCP 17433 ATR02 D, 473/P/PL/01 Rev J and 473/P/PL/02 Rev Gfor residents and visitors cars to be parked.

Reason:- To ensure that adequate provision is made for parking within the site in the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

18. The proposed access driveways to the new estate streets shall be no steeper than 1 in 14 for the first 10m from the nearside highway boundary and measures shall be implemented to prevent the flow of surface water onto the adjacent highway. Once provided any such facilities shall be maintained in perpetuity 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 and the National Planning Policy Framework.





19. The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason:- In pursuit of sustainable transport objectives, in the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

20. Prior to the first occupation of any dwelling hereby approved, the detail of any roads not to be adopted as shown on plan refs 473/ED/38 and 473/ED/39, 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.

Reason:- In the interests of highway safety and the amenity of future occupants, in accordance with Policies EQ6 and CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

21. The Buchanan, Folkestone and Madistone housetypes shall only be marketed as 3 bedroom, four person houses.

Reason:- To ensure that the size of housing meets the Housing Quality Indicators, in accordance with Policy H3 of the High Peak Local Plan 2016.

22. Prior to the commencement of the development details for refuse storage in resepct of plots 159, 160, 268 and 269 shall be submitted to and approved in writing by the Local Planning Authroity. Thereafter the approved refused storage shall be provided in accordance with the approved details prior to the first occuaption of these plots.

Reason:- In order that the amenities enjoyed by the occupants of the dwellings shall not be injured, in accordance with Policy EQ6 of the High Peak Saved Local Plan Policies 2008.

23. Prior to the first occupation of any dwellling refuse storage shall be provided in accordance with plan ref 473/P/RSL/01 Revision C - Refuse Strategy - Site A - Dated 08.03.2018 and 473/P/RSL/02 Revision B - Refuse Strategy - Site B - Dated 08.03.2018 Reason:- To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected in accordance with Policy EQ6 of the High Peak Local Plan 2016 and paragraph 17 of the National Planning Policy Framework.



In pursuance of thier power under the above mentioned Act, High Peak Borough Council Planning Authority, **DISCHARGES** conditions 14 and 15 of Outline Planning Permission HPK/2017/0612 subject to the development being carried out in accordance with:

Condition 14 – Landscape and Habitiat Enhancement Management Plan dated 17.05.18 by Tyler Grange

Condition 15 – Arboiroiculture Method Statamnent dated 15th March 2018 by Tyler Grange

And **REFUSES TO DISCHARGE** condition 12 of HPK/0612 due of the submission of insufficent information.

Informatives

- 1. During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the development responded to he visual and landscape character of the locality. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.
- 2. 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 Economy, Transport and Environment at County Hall, Matlock (tel: 01629 580000 and ask for the Development Control Implementation Officer Mr I Turkington).
- 3. Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. It must be ensured that public transport services in the vicinity of the site are not adversely affected by the development works. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from Mr K Barton in Development Control at County Hall, Matlock (tel: 01629 538658). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 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. Highway surface water shall be disposed of via a positive, gravity fed system (i.e.; not pumped) discharging to an approved point of outfall (e.g.; 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.

- 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 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.
- 7. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken 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 (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

X B.J. Haywood

Signed by: Ben Haywood

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 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.
- 9. Developers should also be aware of the provisions of the Gas Safety Regulations 1972 and Gas Safety (Installation and Use) Regulations 1984. It is possible that the existing gas service pipe which lies within the area of the proposed extension of alterations which will contravene the provisions of these Regulations. It is necessary that you contact British Gas, North West House, Gould Street, Manchester, M4 4DJ, who will advise if the existing gas service pipe requires alterations.

