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Mr Harlow
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SK14 4DJ

Application no: HPK/2021/0076

Determined on: 20th September 2021

**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 Adjacent 265 Hadfield Road Hadfield Glossop Derbyshire

Description of Development:

Approval of Reserved Matters following outline approval HPK/2018/0215 for the Construction of 1 No. four bedroom detached house and associated works

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: Access, Appearance, Landscaping, Scale and Layout.

1. This notice of approval of reserved matters shall only relate to outline planning permission ref. HPK/2018/0215 dated 10th July 2018.

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.





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

- Location Plan
- Proposed Plans and Elevations (Ref: 021/BH/002 Rev D)
- Landscape Proposals (Ref: 6421.02 Rev B)

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

3. Prior to the occupation of the approved dwelling a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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.

4. All foul and surface water associated with the development shall be drained on separate systems

Reason:- To ensure that effective drainage facilities are provided for the proposed development and that no adverse impact occurs to the environment or the existing public sewerage system.

5. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any Order revoking or re-enacting or amending that Order with or without modification, no development within Schedule 2 Part 1, Classes A-H shall take place on the dwelling house(s) hereby permitted or within their curtilages.

Reason:- In the interests of the preserving the residential amenity of neighbouring Properties in accordance with Local Plan Policy EQ6, the High Peak Residential Design Guide SPD, and paragraph 130 of the NPPF

6. Prior to commencement of development (other than demolition/site clearance), a scheme showing the space to be provided within the site curtilage for the storage of plant and materials shall be submitted to and approved in writing by the Local Planning Authority. The arrangements shall be maintained throughout the contract period, in accordance with approved designs, free from any impediment to their designated use.



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Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

7. Before any other operations are commenced, excluding condition 6 above, a new vehicular access shall be created to Hadfield Road (CIII) in accordance with the revised application drawing, laid out, constructed and provided with a visibility sightline measured 2.4m back and parallel to the nearside carriageway edge across the entire controlled site frontage to Hadfield Road. The area in advance of the sightline 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 the adjoining nearside carriageway channel level.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

8. The premises, the subject of the application, shall not be occupied until the parking spaces identified on the revised application drawing have been laid out and surfaced in a solid bound material. The spaces being maintained thereafter free from any impediment to their designated use.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

9. There shall be no gates, chains or other barriers at the proposed access point.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF

Informatives

1. The Local Planning Authority has worked in a positive and proactive manner with the applicant to overcome all outstanding planning issue to achieve a sustainable form of development, as required by the NPPF.
2. Planning permission does not give you approval to work on the public highway. To carry works associated with this planning permission (formation of vehicle access), separate approval must first be obtained from Derbyshire County Council as Highway Authority - this will take the form of a section 184 licence (Highways Act 1980). It is strongly recommended that you make contact with the County Council at the earliest opportunity to allow time for the process to be completed. Information and relevant application forms, regarding the undertaking of access works within highway limits, are available via the County Council's website www.derbyshire.gov.uk, email highways.hub@derbyshire.gov.uk or telephone 01629 533190.





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3. The Highway Authority recommends that the first 5m of the proposed access / driveway 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 landowner.
4. Under provisions within Sections 149 and 151 of the Highways Act 1980, the developer must take all necessary action 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 developer'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.
5. Where the site curtilage slopes down towards the public highway provisions within Section 163 of the Highways Act 1980 requires measures to 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 dished channel or gully laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council



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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



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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.