

Mr Phil Lomas
COGS (Community Organising Green Space)
7 Park Crescent
Furness Vale
SK23 7PU



High Peak Borough Council

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Mr Copson
1A Turnlee Road
Glossop
SK13 6JS

Application no: HPK/2021/0019

Determined on: 1st July 2022

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:

1A Turnlee Road Simmondley Glossop Derbyshire SK13 6JS

Description of Development:

2 New detached dwellings

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:

B/01 Rev A, B/02 Rev A, B/04 Rev A, B/05 Rev A, B/06 ALT Rev A, B/07 ALT Rev A, B/09 Rev A, B/10 Rev A and 14.

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

3. No works above foundation level shall be carried out 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.

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.

4. The development permitted by this planning permission shall only be carried out in accordance with the approved Typical Section, Indicative details and levels drawing no 14 and Flood Risk Assessment (FRA) from Floodplan Limited (Ref 00132 1A Turnlee Road dated 02 September 2021) and the following mitigation measures:

1. The dwellings are built as shown on typical section, indicative details and levels drawing DC/01/2020 dwg no 14 dated Sept 2021 with a finished floor level of 151.34 metres Above Ordnance Datum, retaining existing ground levels.
 2. Identification and provision of safe routes into and out of the site to an appropriate safe haven.
 3. The preparation of an emergency evacuation plan, including the registration with Floodline on 0345 988 1188 to receive Flood Warnings for Long Clough brook.
- Reason: To reduce the impact of flooding on the proposed development and future occupants. To ensure safe access and egress from and to the site.

5. Prior to the commencement of development (excluding demolition/ site clearance), 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 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 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.

6. Before any other operations are commenced, (excluding Condition 5 above), the existing vehicular access to Turnlee Road shall be modified, 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 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.

7. Prior to the first occupation of each dwelling, space shall be provided for the parking of residents vehicles associated with that dwelling (each space measuring 2.4m x 5.5m) in accordance with the approved plans and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any statutory instrument amending, revoking and/or replacing that Order, such space shall be maintained throughout the life of the development free of 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.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that Order) the garage



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spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the Local Planning Authority.

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.

9. There shall be no gates or barriers within 6.0m of the nearside highway boundary and any gates shall open inwards only.

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.

10. Prior to the construction of any driveways or parking areas, details of surface water drainage provision to those areas (so as to adequately mitigate runoff of surface water on to the highway) shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage details shall be fully implemented prior to first occupation and thereafter maintained in a fully functional state.

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.

11. No works above foundation level shall commence 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) hard surfacing materials;
- (f) All boundary treatment, including location, height and use of 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 Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

12. 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(s) 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 and the erection of the approved boundary treatment 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 Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

13. 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 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show details of the tree protection measure in accordance with BS5837:2012, which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site. Thereafter the approved tree protection measures shall be installed before the commencement of development and thereafter be retained for the duration of the construction works. There shall be no storage of materials or the burning of fires within the approved tree protection area.

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.

14. Prior to any works above foundation level, details of biodiversity enhancement measures to be incorporated into the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be installed prior to the first occupation of the development hereby approved and retained for the lifetime of the development.

Reason:- To mitigate against the loss of existing biodiversity and nature habitats, in accordance with Policy EQ5 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

15. All construction and delivery times shall be restricted to the following times:

- 08:00 - 18:00 hours (Monday to Friday);
- 08:00 - 13:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

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 the National Planning Policy Framework.

16. No development above damp proof course level shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;





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(ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and

(iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and in accordance with Policy EQ11 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

17. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution and in accordance with Policy EQ11 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

18. 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 or amending that Order with or without modification, no development within Schedule 2 Part 1, Classes A-E shall take place on the dwelling house(s) hereby permitted or within their curtilages.

Reason: In the interests of the visual amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements, in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

Informative

1. During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the design of the dwellings complimented the character of the surrounding area. It is therefore considered that the proposals meet the provisions of paragraph 38 of the NPPF.

2. Planning permission does not give you approval to work on the public highway. To carry works associated with this planning permission, 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.

3. The Highway Authority recommends that the first 6.0m of the modified 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





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nuisance to highway users, the Authority reserves the right to take any necessary action against the landowner.

3. 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.

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



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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.

