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New Mills
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1 Southview
New Mills
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Application no: HPK/2022/0482

Determined on: 11/04/2023

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

GRANT OF OUTLINE PLANNING PERMISSION

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 149 High Hill Road New Mills Derbyshire

Description of Development:

Outline Planning Permission with some matters reserved, appearance, landscaping, layout and scale for a proposed single detached dwelling

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

1. The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last date of the reserved matters to be approved, whichever is later.

Reason:- The time limit condition is imposed in order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters (Layout, Scale, Appearance and Landscaping) shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.

Reason:- The time limit condition is imposed in order to comply with the requirements of Sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990.





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3. Approval of the details of layout, scale, appearance, access and landscaping (hereinafter called “the Reserved Matters” shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason:- To ensure a satisfactory standard of development, in accordance with Policy EQ6 of the High Peak Local Plan, the Residential Design Guide SPD (2006), the Design Guide SPD (2018) and relevant paragraphs under Chapter 15 of the NPPF.

4. Prior to commencement of development, a surface water and foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include:

- An investigation of the hierarchy of drainage options in the National Planning Practice Guidance, which shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- The restricted rate of discharge of surface water;
- Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- Mitigation measures to manage the risk of sewage surcharge where applicable; and
- Foul and surface water drain on separate systems

The approved scheme shall be prepared in accordance with the Non Statutory Technical Standards for Sustainable Drainage Systems (March 2015), or any subsequent replacement national standards.

Reason:- To secure proper drainage and to manage the risk of flooding and pollution in line with Local Plan Policy EQ11 and relevant paragraphs under Chapter 14 of the National Planning Policy Framework

5. Prior to the first occupation of the approved dwelling, the approved drainage scheme (approved under Condition 4) shall be implemented in full, and shall be retained thereafter for the lifetime of the development

Reason:- To secure proper drainage and to manage the risk of flooding and pollution in line with Local Plan Policy EQ11 and relevant paragraphs under Chapter 14 of the National Planning Policy Framework

6. No development shall commence until a Highway Construction Management Statement / Plan has been submitted to and approved in writing by the Local Planning Authority. The Statement / Plan shall include the following details:

- Parking for vehicles of site personnel, operatives and visitors
- Site accommodation
- Storage of plant and materials
- Provision of roadside boundary hoarding behind any visibility zones





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- Any proposed temporary traffic management

The approved construction management plan shall be adhered to throughout the construction period

Reason:- To secure safe and suitable access for users, in the interests of highway safety, in accordance with Local Plan Policy CF6 and paragraph 110 of the National Planning Policy Framework

7. No development, including preparatory works, shall commence until the new vehicular access to High Hill Road has been constructed. The junction shall be laid out in accordance with the approved plan(s), constructed to base level, drained and visibility sightlines of 43m measured in each direction to the nearside edge of carriageway, as measured from a point located centrally and 2.4m back into the access. The area within the sightlines shall thereafter be kept clear of any object greater than 1m in height (0.6m in the case of vegetation) above the nearside carriageway channel level.

Reason:- To secure safe and suitable access for users, in the interests of highway safety, in accordance with Local Plan Policy CF6 and paragraph 110 of the National Planning Policy Framework

8. Prior to the first occupation of each dwelling, space shall be provided for the parking of vehicles associated with that dwelling in accordance with the approved plan(s) and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 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:- To secure safe and suitable access for users, in the interests of highway safety, in accordance with Local Plan Policy CF6 and paragraph 110 of the National Planning Policy Framework

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order or any statutory instrument amending, revoking and/or replacing that Order, any parking spaces and/or garages to be provided in connection with the development shall not be used other than for the parking of vehicles except with the prior grant of planning permission pursuant to an application made to the Local Planning Authority in that regard.

Reason:- To secure safe and suitable access for users, in the interests of highway safety, in accordance with Local Plan Policy CF6 and paragraph 110 of the National Planning Policy Framework

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order or any statutory instrument amending, revoking and/or replacing that Order, no gates / bollards / chains / other means of obstruction shall be





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erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority

Reason:- To secure safe and suitable access for users, in the interests of highway safety, in accordance with Local Plan Policy CF6 and paragraph 110 of the National Planning Policy Framework

11. The details to be submitted pursuant of condition 3 shall show that the dwellinghouse is compliant with the Nationally Described Space Standards published by DCLG (2015)

Reason: To ensure that the development meets Policy H3 of the adopted High Peak Local Plan 2016.

12. Any future reserved matters application shall be accompanied by a topographical plan which shall include details of existing and proposed ground levels and finished floor levels.

Reason: To ensure that the scale of the development relates to surrounding development in the interests of visual amenity and in accordance with Policy EQ6 of the High Peak Local Plan and the National Planning Policy Framework.

13. All construction works, including deliveries to the site shall take place between the following times:

0800 – 1800 Monday to Friday

0800 – 1300 on Saturdays

At no time on a Sunday or bank holiday

Reason: In the interests of residential amenity of neighbouring properties and in accordance with Policy EQ6 of the High Peak Local Plan and the National Planning Policy Framework.

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

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

Informative

1. The Local Planning Authority have where necessary worked in a positive and proactive manner with the applicant to address all outstanding planning issues to achieve a sustainable form of development, as required by the National Planning Policy Framework
2. The applicant is advised that whilst outline planning permission has granted for the description of development as set out on the Application Form, the siting and orientation of the development (dwellinghouse) will need to be amended as part of the Reserved Matters application in order to be supported, in the interests of good design having regard to all relevant local and national planning policies and relevant supplementary planning guidance.
3. Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer





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without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contacting the Build Team (Tel: 0345 2667930 / email: building.over@severntrent.co.uk).

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 developers 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.
6. Planning permission does not give you approval to work on the public highway. To carry out 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 184/278 license (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
7. The Highways 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 householder.

X *J Colley*

Signed by: Jane Colley Signature

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





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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 www.planningportal.gov.uk/pes. 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.

