

Mr Simon Jones
SJ Design Ltd
The Old Co-Op Building
Church Street
Hayfield
SK22 2JE



High Peak Borough Council
working for our community

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Church Street
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Adam Jackson
37 Belgrade Avenue
Chinley
Derbyshire
SK23 6BG

Application no: HPK/2023/0115

Determined on: 25/5/2023

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:

37, Belgrade Avenue, Chinley, Derbyshire, SK23 6BG

Description of Development:

Two storey side extension

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 the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications: -

- Site Plan, Location Plan and Existing Elevations & Floor Plans Dwg No: 101 dated March 2023
- Proposed Site Plan, Floor Plans and Elevations Dwg No: 200 dated March 2023
- Proposed and Existing Block Plans Dwg No: 201 Rev B dated April 2023

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





3. The development hereby permitted shall be constructed of those materials as outlined within the application form and approved plans, the materials shall match the finishes of the host dwelling, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: - To ensure that the external appearance of the development is satisfactory and to comply with policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

4. The development hereby permitted shall be occupied until the replacement parking space shown on Block Plan 201 Rev B has been fully implemented, with the front boundary abutting the highway kept clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: - To ensure that visibility sightlines are kept clear and the level of on-site parking available to occupants of the property is maintained in the interests of highway safety, to comply with policy CF6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

5. Before any part of the development is first brought into use, the existing access shall be permanently closed-off and the highway made good (full height kerb) in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. After such closure, no new access shall be created without the prior approval of the Local Planning Authority.

Reason: - In the interests of highway safety, to comply with policy CF6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

6. The proposed parking space shall be provided in accordance with the approved plans and prior to the first occupation of the development hereby approved. Once provided, the space shall be retained free from any impediment to its designated use for the life of the development.

Reason: - In the interests of highway safety, to comply with policy CF6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

7. There shall be no gates or other barriers on the access/driveway.

Reason: - In the interests of highway safety, to comply with policy CF6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

8. The proposed access/driveway shall be no steeper than 1:14.

Reason: - In the interests of highway safety, to comply with policy CF6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

Informative

1. This is considered to be a sustainable form of development and so complies with the provisions of High Peak Local Plan (2016) and the NPPF (2021). Revised plans were received



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in respect of parking provision. Therefore the Local Planning Authority has worked with the applicant in accordance with paragraph 38 of the National Planning Policy Framework.

2. Severn Trent Water (STW) advise that statutory sewer records show that they have assets within close proximity to the site or its boundary, the landowner is advised to email STW on building.over@severntrent.co.uk so that they can discuss the proposed works.

The Highway Authority advises the following notes shall be included for the benefit of the applicant.:

3. Section 184 Licence. 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 contact 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.

4. The Highway Authority recommends that the first 5m of the proposed access/driveway should not be surfaced with 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.

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 gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.

X 

Signed by: Jane Colley Signature

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 DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel:0333 880 2000, as per your website..
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 <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.

