

Mr Brian Elwell
Brian Elwell and Co
9 The Grange
Bolton
BL7 9GF



High Peak Borough Council

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9 The Grange
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Mr Hacking
22 Valehouse Way
Tintwistle

Application no: HPK/2023/0099

Determined on: 31/05/2023

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:

Land Adjacent to The Meadows Green Lane Hadfield Glossop Derbyshire SK13 2DT

Description of Development:

Demolition of existing garage and erection of 1No. 2 storey detached house, together with associated external works.

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 commenced before the expiration of three years from the date of this permission

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan: Dwg no 1 RLB

Site Section: Dwg no 1891/104

Proposed Site Plan: Dwg no 1891/102 Rev B

Proposed Elevations and Floor Plans: Dwg no 1891/103 Rev A

Reason : For the avoidance of doubt and to clarify which plans are relevant to the consent.

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3. No work shall take place above foundation level until samples of all external materials including roofing materials, facing materials, including colour of render and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved samples.

Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the area.

4. No development shall take place until a Sustainable Drainage Strategy and associated detailed design, management and maintenance plan of surface water drainage for the site outlined in 'Sewerage Sector Guidance Appendix C – Design and Construction Guidance v2-2' dated 29 June 2022 or any subsequent iteration has been submitted to and approved in writing by the Local Planning Authority.

The approved drainage system shall be implemented in accordance with the approved Sustainable Drainage Strategy prior to the use of the building commencing and maintained thereafter for the lifetime of the development.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal

5. The site shall be drained via separate systems for the disposal of foul and surface water.

Reason: To secure a satisfactory system of drainage and to prevent pollution of the water environment.

6. The landscaping proposals hereby approved shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the Local Planning Authority. All planted materials shall be maintained for five years, and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

Reason: To ensure that the appearance of the development is satisfactory

7. Prior to the first occupation of the development hereby approved, details artificial bird nesting boxes and artificial bat roosting sites shall be submitted to and approved in writing by the Local Planning Authority. The details shall identify the actual wall and roof elevations into which the above provisions shall be incorporated. The artificial bird/bat boxes shall be incorporated into the construction of the dwelling before the dwelling is first brought into use.

Reason: In the interests of biodiversity and to enhance nesting/roosting opportunities for species of conservation concern and protected species.



8. The development hereby permitted shall be carried out in complete accordance with the ground and building slab levels shown on dwg no 1891/104.

Reason: To ensure a satisfactory form of development in the interest of visual and residential amenities

9. Before the first occupation of the dwelling a new vehicular access shall be created to Green Lane in accordance with the approved application drawings, laid out, constructed and maintained in perpetuity free from any impediment to its designated use.

Reason: In the interests of highway safety.

10. Before the first occupation of the dwelling space shall be provided within the application site in accordance with the approved application drawings for the parking and manoeuvring of residents' vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Reason: In the interests of highway safety.

11. Before the first occupation of the dwelling the existing vehicular access to Green Lane shall be permanently closed with a physical barrier and the existing vehicle crossover reinstated as footway in a manner to be agreed in writing with the Local Planning Authority in consultation with the County Highway Authority.

Reason: in the interests of highway safety

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Classes A, B, C, D, E, F and G and Part 2 Class A other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, to safeguard the amenities of neighbouring properties and to ensure that adequate private or shared amenity space is retained within the curtilage of the building

13. If during development any contamination or evidence of likely contamination is identified that has not previously been identified or considered, then the applicant shall submit a written scheme to identify and control that contamination. This shall include a phased risk assessment carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part IIA, and appropriate remediation proposals, and shall be submitted to the Local Planning Authority without delay. The approved remediation scheme shall be implemented to the satisfaction of the Local Planning Authority.

Reason: To protect the health of future occupants and the wider environment



14. No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority.

Reason: In the interest of neighbour amenity

15. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. There shall be no fires lit on the site for purpose of disposing of demolition materials. Any open fires that arise shall be extinguished without delay.

Reason: In the interest of neighbour amenity

16. No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays

Reason: In the interest of neighbour amenity

17. All construction works and deliveries shall take place between the following times:

- 08:00 - 18:00 hours (Monday to Friday);
- 08:30 - 14:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

Reason: In the interest of neighbour amenity

18. The first floor window of the southwest elevation (serving the bathroom) of the dwelling hereby permitted shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

Reason: In the interests of the privacy of occupiers of neighbouring property

Informative

1. The Local Planning Authority has acted positively and proactively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework, by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern within the application as (originally submitted) and negotiating acceptable amendments to the proposal with the applicant in order to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.





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2. A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition/renovation of the existing buildings. The enforcing authority for this type of work is the Health and Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements: <http://www.hse.uk>

Informative

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](tel:03338802000).
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.

