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**High Peak Borough Council**

*working for our community*

TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING AND COMPENSATION ACT 1991  
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1995

FULL PLANNING APPLICATION

## PERMISSION

Applicant	Nottingham Community Housing Association 12/14 Pelham Road Sherwood Rise Nottingham NG5 1AP	Application no. HPK/2007/0095 Registered on 06/02/2007 Determined on 20/03/2007
Agent	N C H A Architects Nottingham Community Housing Association 12/14 Pelham Road Sherwood Rise Nottingham NG5 1AF	

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High Peak Borough Council hereby **PERMIT** this application for **FULL PLANNING PERMISSION** for

**Erection of 6 no. 2 bed four person houses and 1 no. 3 bed five persons bungalow (wheelchair type) at Land west of Etherow Way Hadfield Glossop**

in accordance with the submitted application, details and accompanying plans listed below because having regard to the existing development in the area and the provisions of the development plan the proposal would be in accordance with the plan, would not materially harm the character or appearance of the area or the living conditions of neighbouring occupiers subject to the following conditions and reasons:-

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Steve Anderson  
Development Control Manager

High Peak Borough Council Planning and Development Services, Municipal Buildings, Glossop, Derbyshire SK13 8AF  
Tel 0845 129 77 77 Fax 01457 860290 Minicom 0845 129 48 76  
E-mail [planning@highpeak.gov.uk](mailto:planning@highpeak.gov.uk) Website [www.highpeak.gov.uk](http://www.highpeak.gov.uk)

## Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission unless some other specific period has been indicated in other conditions given.
2. Notwithstanding the details submitted on plan no 1716-05-01, details of the external appearance of the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.
3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced, or before the building is occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings and no later than 12 months of that occupation or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the approved scheme 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 the local planning authority gives written consent to any variation.
5. Before any other operations are commenced, a new estate street junction shall be formed to Ethrow Way located, designed, laid out, constructed and provided with appropriate visibility splays in either direction, all as agreed in writing with the Local Planning Authority, the area in advance of the sightlines being levelled, forming part of the new street constructed as footway and not forming part of any plot or other sub-division of the site.
6. The premises, the subject of the application, shall not be [occupied/ taken into use] until space has been provided within the application site in accordance with the [revised] application drawings for the [parking/ loading and unloading/ picking up and setting down passengers/ manoeuvring] of [residents/ visitors/ staff/ customers/ service and delivery vehicles (including secure covered cycle parking)], laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
7. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

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8. (a) No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of any Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.
- (b) No operations shall commence on site in connection with the development hereby approved (including demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.
- (c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
- (d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
9. Notwithstanding the details provided on the submitted scheme, no additional window or door openings shall be made in any elevation
10. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no buildings, plant, machinery, structures, walls or fences of any kind shall be erected within the curtilage of the site.
11. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class (i) of Part (i) of Schedule 2 of the Order shall be erected on the application site.

## Reasons

1. 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 and section 51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of visual amenity in accordance with policy GD5 of the Adopted High Peak Local Plan.

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3. To ensure adequate and appropriate treatment to all boundaries.
4. In the interests of the visual amenities. In accordance with Policy GD6 of the Adopted High Peak Local Plan 2005.
5. In the interests of highway safety. In accordance with Policy TR5 of the Adopted High Peak Local Plan 2005.
6. To ensure satisfactory service provision in the interests of highway safety. In accordance with Policy TR5 of the Adopted High Peak Local Plan 2005.
7. To ensure the continued well being of the trees in the interests of the amenity and environmental quality of the locality. In accordance with Policy GD5 and OC10 of the Adopted High Peak Local Plan 2005.
8. To ensure the continued well being of the trees in the interests of the amenity and environmental quality of the locality. In accordance with Policy GD5 and OC10 of the Adopted High Peak Local Plan 2005.
9. In the interests of residential amenity in accordance with policy GD5 of the Adopted High Peak Local Plan.
10. To enable the Council to exercise control over future developments at the site. In accordance with Policy GD4 and GD5 of the Adopted High Peak Local Plan 2005.
11. To enable the Council to exercise control over future developments at the site. In accordance with Policy GD4 and GD5 of the Adopted High Peak Local Plan 2005.

## **Notes to Applicant**

### **Plans**

The plans to which this Notice refers are listed below:

Site Plan  
1716-00-01C  
STD/005A  
1716-04-00  
1716-05-01

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Development Control Manager

High Peak Borough Council Planning and Development Services, Municipal Buildings, Glossop, Derbyshire SK13 8AF  
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## NOTES

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Office of the Deputy Prime Minister in accordance with Section 78 & 79 of the Town and Country Planning Act 1990. **PLEASE NOTE the time period for appeal has changed.** If your application was registered as received before 14<sup>th</sup> January 2005 you can appeal within 3 months of the date of this decision. **If your application was registered on or after 14<sup>th</sup> January 2005 you can appeal within 6 months of the date of this decision.** The Office of the Deputy Prime Minister has power to allow a longer period for the giving of a notice but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal, if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any direction given under the order.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Office of the Deputy Prime Minister, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of development which has been or would be permitted, he may serve on the Council of the county district in which the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Section 137 & 138 of the Town and Country Planning Act 1990.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
4. This permission relates to planning control only. Approval under the Building Regulations may also be required from this authority. Any other statutory consent necessary must be obtained from the appropriate authority.
5. If it is intended to give notice of appeal in accordance with Paragraph 1 above, this should be done on the appropriate form obtainable from: The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0117 3728000, fax. 0117 – 3728624.
6. 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 the strengthening of a footway, as the Authority considers necessary, or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority, Derbyshire County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.
7. Developers should be aware of their statutory obligations with regard to access to buildings

and their surroundings, in particular:

Building Regulations 2000 Approved Document M, 1999 Edition  
The Work Place (Health, Safety & Welfare) Regulations 1992  
The Disability Discrimination Act 1995  
The Disability Discrimination (Employment) Regulations 1996

8. 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.