

Mr Alan Sorah
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Simmondley,
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Derbyshire,
SK13 6US



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Simmondley,
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SK13 6US

Mr M Street
80, Glossop Road,
Charlesworth,
Derbyshire,
SK13 5EZ

Application no: HPK/2023/0343

Determined on: 19th January 2024

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:

40, Glossop Road, Charlesworth, Derbyshire, SK13 5EZ

Description of Development:

Demolition of existing bungalow and proposed two storey detached house and outbuilding

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: -

3D Illustrative Reference: A3/PM3D 1045 Rev 1.2 Page No: 1

Existing Front and Rear Elevations Reference: A3/PM3D 1045 Rev 1.2 Page No: 2

Existing Side Elevation and Floor Plan Reference: A3/PM3D 1045 Rev 1.2 Page No: 3

Proposed Front and Rear Elevations Reference: A3/PM3D 1045 Rev 1.2 Page No: 4

Proposed Side Elevations Reference: A3/PM3D 1045 Rev 1.2 Page No: 5

Proposed Ground and First Floor Plans Reference: A3/PM3D 1045 Rev 1.2 Page No: 6

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Proposed Roof Plan and Site Plan Reference: A3/PM3D 1045 Rev 1.2 Page No: 7

Proposed Outbuilding Elevations and Floor Plan Reference: A3/PM3D 1045 Rev 1.2 Page No: 8

Arboricultural Site Plan Reference: A3/PM3D 1045 Rev 1.2 Page No: 9

Location Plan and Arboricultural Tabulated Schedule Reference: A3/PM3D 1045 Rev 1.2 Page No: 10

Boundary Fencing Plan Reference: A3/PM3D 1045 Rev 1.2 Page No: 11

3D Illustrative Streetscene Reference: A3/PM3D 1045 Rev 1.2 Page No: 12

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

3. Prior to the use of any facing or roofing materials, samples of the materials to be used in the construction of external walls and roof of the development hereby approved shall be 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 policies EQ6 and EQ7 of the of the High Peak Local Plan (2016) and the NPPF (2023).

4. The rooflights shall be of a conservation type fitted flush with the roof covering. Prior to the installation of any rooflights, details of the make/model, colour and sizes of all rooflights 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 details and shall be permanently so maintained.

Reason: - To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policies EQ6 and EQ7 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

5. Notwithstanding details on the application form and plans the windows shall be heritage style UPVC/aluminum windows and prior to the installation of any windows or doors, details of all new windows and external doors and colour, including details of cills and lintels, 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 details and shall be permanently so maintained.

Reason: - To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policies EQ6 and EQ7 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

6. No building hereby permitted shall be occupied until the vehicle parking area (and turning space) shown on the approved plans has been completed and thereafter the area shall be kept free of obstruction and available for the parking of vehicles associated with the development. Driveways/vehicle parking areas accessed from the adopted highway must be properly consolidated and surfaced, (not loose stone, gravel or grasscrete) and subsequently maintained in good working order at all times thereafter for the lifetime of the development.





Reason: To ensure that there are adequate parking facilities to serve the development constructed to an acceptable standard in accordance with CF6 of the High Peak Local Plan 2016.

7. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 and 2 of this condition have been complied with.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme shall be agreed in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be submitted to and approved in writing by Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out, unless otherwise agreed in writing by the Local Planning Authority prior to the first occupation of the development. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

4. Reporting of Unexpected Contamination





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In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2 of this condition. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, in accordance with part 3 of this condition.

Reason: To ensure that risks from land contamination both during the construction phase and to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EQ6 of the High Peak Local Plan 2016.

8. 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 shall be made available for inspection when required by officers of the Local Planning Authority.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with policy EQ6 of the High Peak Local Plan 2016.

9. 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 the purpose of disposing of demolition materials. Any open fires that arise shall be extinguished without delay.

Reason: To safeguard the amenity of adjoining properties and to protect the general environment in accordance with policy EQ6 of the High Peak Local Plan 2016.

10. If piling is necessary, a written piling options assessment shall be submitted to the Local Planning Authority and approved in writing, to demonstrate noise and vibration mitigation measures consistent with best practical means. The assessment shall consider Environment Agency guidance (Environment Agency (2001), Piling and Penetrative Ground Improvements on Land Affected by Land Contamination NC/99/73) where land contamination is suspected or proven. No piling shall take place until the piling options assessment has been approved. Piling shall only take place in accordance with the approved options assessment. No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays.

Reason: To safeguard the amenity of adjoining properties and to protect the general environment in accordance with policy EQ6 of the High Peak Local Plan 2016.

11. Unless prior permission has been obtained in writing from the Local Planning





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Authority, all noise-generating activities shall be restricted to the following times of operations.

- 07:30 - 18:00 hours (Monday to Friday);
- 08:30 - 14:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

In this condition, a noise-generating activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.

Reason: To safeguard the amenity of adjoining properties and to protect the general environment in accordance with policy EQ6 of the High Peak Local Plan 2016.

12. No development shall take place until a written scheme of investigation (WSI) for archaeological work has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; and:

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Any WSI shall be authored by the archaeological organisation that will undertake the work in the field in consultation with the Derbyshire County Council archaeologist. The WSI and all works undertaken shall be in line with current industry standards by suitably and demonstrably experienced archaeologists.

13. Prior to the first occupation of the replacement dwelling hereby approved, 4 Wooden bat boxes/ bat brick or roof access tiles in the new house or within the site shall be erected. The bat boxes shall be retained thereafter.

Reason - To provide adequate safeguards for the protection of any protected species or habitats existing on the site and to ensure the development achieves a net gain in biodiversity in accordance with Policy EQ5 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

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 (2023).

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.

3. The best practicable means, as defined in Section 72 of the Control of Pollution Act 1974 to reduce noise and vibration from the site to a minimum, shall be employed at





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all times during construction.

4. Anyone who kills, injures, or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981, the Countryside and Rights of Way Act 2000 and the Conservation (Natural Habitats, &c.) Regulations. Prior to commencing work you should ensure that no bats or bat roosts would be affected. If it is suspected that a bat or bat roost is likely to be affected by the proposed works, you should consult Natural England (0845 6003078).

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 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.

