



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

FULL PLANNING APPLICATION

## PERMISSION

Applicant Mr Alastair Chalmers

A.C.H. Ltd

72 Hill Top Avenue

Cheadle Hulme

Stockport

SK8 7JA

Agent Lorains Design Associates Ltd

Calton House Calton Lees

Beeley

Matlock

DE4 2NX

Application no. HPK/2008/0585

Registered on 05/09/2008

Determined on 31/10/2008

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

**Alterations to existing detached dwelling with the addition of three single storey extensions and revision to existing new vehicle access. at 40 New Mills Road Birch Vale**

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:-

### 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.

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Adrian Fisher

Head of Planning & Development

2. The materials of the external construction of the extensions hereby approved shall be natural coursed stone to the walls with a slate to the roof, unless otherwise agreed in writing with the Local Planning Authority.
3. The new boundary wall as shown on plan ref BV/P05 shall be constructed with stone from the existing boundary wall, unless otherwise agreed in writing with the Local Planning Authority.
4. The new window on the southern elevation shall be constructed with stone cill and heads and a timber sash window to match the existing.
5. Before any operations are commenced, the existing access to Station Road shall be modified in accordance with the details shown on plan ref BV/P05
6. There shall be no gates or barriers within 5m of the nearside highway boundary and any gates shall open inwards only.
7. The extensions hereby approved shall not be occupied until space has been provided within the application site as shown on plan ref BV/P05 for the parking, manoeuvring of vehicles and laid out and surfaced and maintained throughout the life of the development free from impediment to its designated use.

## 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 GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.
3. In the interests of the visual amenities of the streetscene and in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.
4. In the interests of the visual appearance of the property and in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.
5. In the interests of highway safety and in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
6. In the interests of highway safety and in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
7. In the interests of highway safety and in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

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 Adrian Fisher  
 Head of Planning & Development

## Notes to Applicant

1. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991, at least 6 weeks prior notification should be given to the Strategic Director of Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the District Highway Care Manager, Mr J Hambrook) before any works commence on the vehicular access within highway limits.
2. The Highway 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
3. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway, measures shall 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 dish channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.
4. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken 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 applicant's 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.

## Plans

The plans to which this Notice refers are listed below:

Location Plan Rev A  
BV/PO2  
BV/PO3  
BV/PO4 Rev A  
BV/P05 Rev A

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Adrian Fisher  
Head of Planning & Development

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)

## 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, 2004 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.