



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 Mark Radcliffe
Highbank Back Lane
Charlesworth
Glossop
SK13 5HJ

Agent Planmart Ltd
53a High Street West
Glossop
SK13 8AZ

Application no. HPK/2009/0595

Registered on 28/10/2009

Determined on 21/12/2009

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

Proposed animal shelter and hay barn and new field entrance with cross over. at Land at Park Road 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:-

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. The development hereby approved shall not be carried out otherwise than in complete accordance with the revised plans and specifications shown on drawing nos 2298-1B

.....
Andy Ellis – Development Control Manager

and 2298-2A. and received by the local planning authority on 21st and 16th December 2009 respectively.

3. Before any other operations are commenced, space shall be provided within the site curtilage for the storage of plant and materials/ site accommodation/ loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.
4. Before any other operations are commenced a new vehicular and pedestrian access shall be created to Park Road in accordance with the revised application drawings, laid out, constructed and provided with 2.4m x 120m visibility splays in either direction, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.
5. The access, the subject of condition 4 above, shall not be taken into use until 2m x 2m x 45° pedestrian intervisibility splays have been provided on either side of the access at the back of the footway, the splay area being maintained throughout the life of the development clear of any object greater than 0.6m in height relative to footway level.
6. Before any other operations are commenced (excluding creation of the new access, the subject of condition 4 above), the existing vehicular access to Park Road 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.
7. The buildings, the subject of the application, shall not be 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 of horses and manoeuvring of visitors vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
8. There shall be no gates or other barriers within 9m of the nearside highway boundary and any gates shall open inwards only.
9. If the building hereby permitted ceases to be used for agricultural use of the holding the building shall be removed and the land restored to its former condition.

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. For the avoidance of doubt.
3. To ensure satisfactory service provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

.....

Andy Ellis – Development Control Manager

4. In order to provide adequate visibility from the site in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
5. In order to provide adequate visibility from the site in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
6. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
7. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
8. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
9. Permission has only been granted to meet a specific justification in an area where new buildings would not normally be allowed, in accordance with Policy OC1 and Policy OC5 of the High Peak Saved Local Plan Policies 2008.

Policies relevant to this decision

BC1 - External Materials

GD4 - Character Form and Design

GD5 - Amenity

OC1 - Countryside Development

OC2 - Green Belt Development

OC4 - Landscape Character and Design

OC6 - Agricultural Development

TR5 - Access, parking and design

Notes to Applicant

Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway [new estate street] 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.

The proposed access driveway should be surfaced with a solid, bound material (ie; not loose chippings) for the initial 9m metres measured back from the nearside highway boundary.

Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps 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 (eg; street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

.....

Andy Ellis – Development Control Manager

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 Director of Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the District Highway Care Manager [name and contact number] before any works commence on the vehicular access within highway limits.

Plans

The plans to which this Notice refers are listed below:

Location Plan

2298-1B

2298-2A

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section on 0845 129 7777.

Any other statutory consent necessary must be obtained from the appropriate authority.

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, Derbyshire, County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.

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.

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.

The permission is granted in strict accordance with the approved plans. It should be noted however that:

.....

Andy Ellis – Development Control Manager

- (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.

.....

Andy Ellis – Development Control Manager