



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 & Ms Hewish & Kirkham
37 Burlow Road
Harpur Hill
Buxton
SK17 9HZ

Application no. HPK/2010/0078

Registered on 16/02/2010

Determined on 06/04/2010

Agent

Mr A Schofield
8 New Street
Peak Dale
Buxton
SK17 8AX

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

New vehicular access to dwelling at 37 Burlow Road Harpur Hill Buxton

in accordance with the submitted application, details and accompanying plans listed below 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. Before any other operations are commenced, a new vehicular and pedestrian access shall be formed to Burlow Road laid in accordance with the approved plans, laid out, constructed and provided with 2.4m x maximum achievable visibility splays in either direction, the area in advance of the sightlines being maintained throughout the life of the

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Andy Ellis – Development Control Manager

development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

3. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.

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Andy Ellis – Development Control Manager

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 highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
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Summary of reasons for granting permission

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal that will not harm the visual amenity or the highway safety of the surrounding area.

The decision to grant planning permission has also been taken having regard to all other relevant material planning considerations and to the following relevant policies and proposals in the Development Plan.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
GD4 - Character Form and Design
GD5 - Amenity
TR5 - Access, parking and design

Notes to Applicant

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 Administration Officer) before any works commence on the vehicular access within highway limits.

The highway authority recommends that 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.

Plans

The plans to which this Notice refers are listed below:

loc Plan
HHBUR-01

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Andy Ellis – Development Control Manager

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:

- (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.

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Andy Ellis – Development Control Manager