

Telephone: 01246 231111

**PLANNING DECISION NOTICE TCP1
(CONDITIONAL PERMISSION)**

Mr Peter Lindley-Hughes
32 Roach Road
Sheffield
S11 8UA



**North East
Derbyshire
District Council**

NOTE: The applicant should note that this permission relates only to the submitted plans. Any deviation from them, however, small, may require further permission and should not be carried out without first finding out from this Council whether a further planning application is required.

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

In pursuance of powers vested in the North East Derbyshire District Council under the above Act and Order, and with reference to the development described on the application and shown on the accompanying plan(s) and drawing(s):-

Application No: 21/00874/FL

Proposal: Application to vary condition 2 (Permitted plans) pursuant of planning permission 19/01212/FL

Location: Oaks Farm Sicklebrook Lane Coal Aston Dronfield

Applicant: Mr Chris Laver

NOTICE IS HEREBY GIVEN that permission for the proposed development is GRANTED subject to the following conditions:-

Conditions

- 1 The development hereby permitted shall be started within three years from 5 June 2020.
- 2 The development hereby approved shall be carried out in accordance with plan drawing numbers:
19.036 103 Rev C - Proposed Site
21007-S11-BD-ZZ-DR-A-PL01-P05- Floor Plans
21007-S11-BD-ZZ-DR-A-PL02-P05- Elevations
19.036 107 - Proposed Garage
19.036 109 - Access Plan

unless otherwise specifically agreed through a formal submission under the Non-Material Amendment procedures and unless otherwise required by any other condition in this decision notice.

- 3 The development shall then be carried out in accordance with the materials as specified within the application unless otherwise agreed in writing by the Local Planning Authority.
- 4 The materials used for the conversion of the former Vehicle storage shall be of a type and texture to match the existing building.

- 5 The proposed finished floor levels of the dwelling and the proposed finished ground levels of the site shall be carried out in accordance with the approved details considered under reference 20/01059/DISCON. The levels shall be retained as approved thereafter.
- 6 The landscaping of the site shall be carried out in accordance with the details approved under planning reference 20/01059/DISCON.
- 7 All planting, seeding or turfing in the approved scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation
- 8 The protection of the trees shall be installed in accordance with the method statement and plans approved under planning reference 20/01059/DISCON
- 9 The boundary treatments as approved under planning reference 20/01059/DISCON shall be implemented in full before the occupation of the dwelling hereby approved and it shall be retained as approved.
- 10 The existing access shall be retained in accordance with drawing number 109 - Access Plan, with the areas in advance of the demonstrated visibility sightlines remaining free from any obstructions to visibility over 1m in height (600mm in the case of vegetation), relative to the nearside carriageway channel level. The sightlines being retained as such for the life of the development.
- 11 The stables, garage and store buildings shall be for private, domestic purposes only and shall remain ancillary to the main dwelling.
- 12 Prior to occupation of the new dwelling, the subject of the application, all commercial activity associated with the site shall be ceased.
- 13 The site shall be developed with separate systems of drainage for foul and surface water on and off site.
- 14 The dwelling hereby approved shall not be occupied until the remediation works approved under planning reference 21/00373/DISCON have been carried out in full in compliance with the approved methodology and best practice.

If during the construction works associated with the development hereby approved any suspected areas of contamination are discovered, which have not previously been identified, then all works shall be suspended until the nature and extent of the contamination is assessed and a report submitted and approved in writing by the local planning authority and the local planning authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated, and undated Phase 2 report submitted for approval

- 15 Upon completion of the remediation works required by 14 above a validation report prepared by a competent person shall be submitted to and approved in writing by the local planning authority. The validation report shall include details of the remediation works and Quality Assurance/Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and analysis to show the site has achieved the approved remediation standard, together with the necessary waste management documentation shall be included.

- 16 Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order) no extensions (Part 1 Class A) dormer windows (Part 1 Class B) alterations to the roof (Part 1 Class C) porches (Part 1 Class D) curtilage buildings (Part 1 Class E) shall be erected/constructed without first obtaining planning permission.
- 17 The residential curtilage to serve the approved dwelling shall be contained to that shown on drawing number GD/2019/19.036 approved under planning reference 20/01059/DISCON. The boundary treatment to delineate the area shall be provided prior to the first occupation of the dwelling. The boundary treatment as approved shall be retained in perpetuity

Reasons for Conditions

- 1 To comply with the provision of Section 91 (as amended) of the Town and Country Planning Act 1990.
- 2 For clarity and the avoidance of doubt.
- 3 In the interests of the appearance of the area and in accordance with Policies GS2, GS6, BE1, H3 and H12 of the North East Derbyshire Local Plan and Policies SS9, SS10, SDC12 of the Draft Publication Local Plan 2014-2034
- 4 In the interests of the appearance of the area and in accordance with Policies GS2, GS6, BE1, H3 and H12 of the North East Derbyshire Local Plan and Policies SS9, SS10, SDC12 of the Draft Publication Local Plan 2014-2034
- 5 In the interests of the appearance of the area and in accordance with Policies GS2, GS6, BE1, H3 and H12 of the North East Derbyshire Local Plan and Policies SS9, SS10, SDC12 of the Draft Publication Local Plan 2014-2034.
- 6 In the interests of the appearance of the area and in accordance with Policies GS2, GS6, BE1, H3 and H12 of the North East Derbyshire Local Plan and Policies SS9, SS10, SDC12 of the Draft Publication Local Plan 2014-2034
- 7 In the interests of the appearance of the area and in accordance with Policies GS2, GS6, BE1, H3 and H12 of the North East Derbyshire Local Plan and Policies SS9, SS10, SDC12 of the Draft Publication Local Plan 2014-2034
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- 9 In the interests of the appearance of the area and in accordance with Policies GS2, GS6, BE1, H3 and H12 of the North East Derbyshire Local Plan and Policies SS9, SS10, SDC12 of the Draft Publication Local Plan 2014-2034
- 10 In the interests of the appearance of the area and in accordance with Policies T2 and T9 of the North East Derbyshire Local Plan; and Policies ID3 of the Publication Draft Local Plan 2011-2034.
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- 12 In the interests of the appearance of the area and in accordance with Policies T2 and T9 of the North East Derbyshire Local Plan; and Policies ID3 of the Publication Draft Local Plan 2011-2034.
- 13 In the interest of satisfactory and sustainable drainage
- 14 To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water
- 15 To protect future occupiers of the development, buildings, structures/services, ecosystems and controlled waters, including deep and shallow ground water
- 16 To prevent the over intensive development of the site in accordance with Policies GS2, GS6, BE1, H3 and H12 of the North East Derbyshire Local Plan and Policies SS9, SS10, SDC12 of the Draft Publication Local Plan 2014-2034
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Statement in accordance with The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015 and Paragraph 38 of the National Planning Policy Framework

In determining this application the Local Planning Authority has worked proactively with the applicant(s) to secure a development that would improve the economic, social and environmental conditions of the area (as appropriate to the specific case). This is in accordance with paragraph 38 of the National Planning Policy Framework.


Note

1. In accordance with the Town & Country Planning (fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008 a fee is payable to discharge any condition(s) on this planning permissions. The fees are as follows:
 - (a) £34 for each request to discharge condition(s) where the planning permission relates to a householder development (domestic extension, domestic outbuilding etc)
 - (b) £116 for each request to discharge condition(s) where the planning permission relates to any type of development other than a householder proposal

The fee is payable for each individual request made to the Local Planning Authority.

2. In accordance with the provisions of Section 96A of the Town and Country Planning Act which came into force 1st October 2009, any amendments to the approved plans will require either a formal application for a non-material amendment (for which a fee of £34/£234 would be required) or the submission of a full planning application for a revised scheme. Please discuss any proposed amendments with the Planning Officer.

Dated: 14.10.2021


Signed:.....
Authorised Officer of the Council

ATTENTION IS DRAWN TO THE ATTACHED NOTES