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Application No: 16/00168/FUL

Date Valid: 14.03.2016

Date Decn.: 25.05.2016

Town and Country Planning Act 1990

APPLICATION FOR Full Planning Permission

With reference to your application for Full Planning Permission, under the above legislation notice is hereby given that Derbyshire Dales District Council as the Local Planning Authority have **Granted with Conditions Full Planning Permission** for:-

Formation of new link road - Ashbourne Airfield, A52, Ashbourne, Derbyshire for Mr Paul Harrison.

as described on the application form and shown on the accompanying documents and subject to the following condition(s): -

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.
2. This permission relates solely to the application as amended by the revised plan(s) received by the Local Planning Authority as follows:
Amended Site Plan reference 905-001B received 11th May 2016
Amended Link Road Overview plan ref. F15076/02C received 10th May 2016
Amended Link Road Section Plans 1 to 8 reference: F15076/04 Rev.C, F15076/05 Rev.C, F15076/06 Rev.C, F15076/07 Rev.C, F15076/08 Rev.C, F15076/09 Rev.C, F15076/10 Rev.C, F15076/11 Rev.C all received 10th May 2016.
3. Prior to commencement of development a detailed scheme of ecological mitigation specific to the route of the access road and immediate surroundings shall be submitted to and agreed to in writing by the Local Planning Authority. The mitigation shall then be carried out in accordance with the approved scheme.

4. No development shall take place, including any works of demolition, until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:
 - i. Construction compound and site accommodation,
 - ii. Parking of vehicles of site operatives and visitors,
 - iii. arrangements for loading / unloading and turning vehicles within the site,
 - iv. routes for construction traffic,
 - v. method of prevention of debris being carried onto highway,
 - vi. proposed temporary traffic restrictions,
 - vii. roadside hoarding (including any gates),
 - viii. site access arrangements.
5. No development shall be commenced until a Phasing and Completion Plan for the new link road has been submitted to and approved in writing by the Local Planning Authority. The Phasing and Completion Plan shall set out in detail the works program for connections to Blenheim Road / A52 and delivery of the new link road and the standards that estate streets serving any phase of the development will be completed, all as may be agreed in writing with the Local Planning Authority.
6. No development shall be commenced until a temporary access for construction purposes has been provided to the public highway (Blenheim Road or A52 Derby Road) in accordance with a detailed design first submitted to and approved in writing by the Local Planning Authority. The access shall be retained in accordance with the approved scheme throughout the construction period, or such other period of time as may be agreed in writing by the Local Planning Authority, free from any impediment to its designated use.
7. Before any other operations are commenced detailed designs for the layout and construction of the signalised junction to the A52 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme being fully constructed to an adoptable standard and be operational, in a timescale to be agreed in advance with the Local Planning Authority. For the avoidance of doubt the developer will be required to enter into a Highways Act 1980 Agreement (Section 278) with the Highway Authority in order to comply with the requirements of this condition.
8. No development shall take place until construction details of the new link road and footways (including layout, levels, gradients, surfacing and means of surface water drainage) have been submitted to and approved in writing by the Local Planning Authority.
9. The new link road shall be laid out in accordance with the revised application drawings (numbers F15076/02 Rev C, F15076/04 Rev C, F15076/05 Rev C, F15076/06 Rev C, F15076/07 Rev C, F15076/08 Rev C, F15076/09 Rev C, F15076/10 Rev C and F15076/11 Rev C - as modified), fully constructed in accordance with Condition 5 above, prior to the link being opened to vehicular or pedestrian traffic.
10. Direct accesses / junction spurs indicated on the application drawings, to the internal link road, shall be provided with 2.4m x 47m visibility splays in either direction, the area in advance of the sightlines being levelled, constructed as footway or verge and not being included in any plot or other sub-division of the site.
11. The existing commercial access points, to the western extremity of the new link road, shall be provided with 2.4m x 47m visibility sightlines onto the existing / new link road, in accordance with detailed designs submitted to the Local Planning Authority for written approval. Any amendments being laid out strictly in accordance with the approved details, prior to the new link road being formally opened to traffic.

12. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto the highway. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.
13. Works shall not commence on site until a scheme for the disposal of highway surface water has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the road being opened to vehicular and pedestrian traffic and retained accordingly thereafter.
14. The road hereby permitted shall not be brought into use until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation; and
 - iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
15. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site, in accordance with DEFRA Non-statutory technical standards for sustainable drainage systems (March 2015), has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.
16. No development shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority to demonstrate that the proposed destination for surface water accords with the hierarchy in Approved Document Part H of the Building Regulations 2000.

Reasons

1. This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. To ensure the ecological interest of the site is appropriately safeguarded.
4. In the interests of highway safety in accordance with Policy TR1 of the Adopted Derbyshire Dales Local Plan.
5. In the interests of highway safety in accordance with Policy TR1 of the Adopted Derbyshire Dales Local Plan.
6. In the interests of highway safety in accordance with Policy TR1 of the Adopted Derbyshire Dales Local Plan.
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14. In the interests of highway safety in accordance with Policy TR1 of the Adopted Derbyshire Dales Local Plan.
15. To ensure that the principles of sustainable drainage are incorporated into this proposal and sufficient detail of the construction, operation and maintenance of sustainable drainage systems is provided to the Local Planning Authority in advance of full planning consent being granted.
16. To ensure that surface water from the development is directed towards the most appropriate waterbody in terms of flood risk and practicality by utilising the highest possible priority destination on the hierarchy of drainage options. The assessment should demonstrate with appropriate evidence that surface water runoff is discharged as high up as reasonably practicable in the following hierarchy:
 - a. into the ground (infiltration);
 - b. to a surface water body
 - c. to a surface water sewer, highway drain, or another drainage system;
 - d. to a combined sewer

Signed: 

Jon Bradbury – Development Manager

NOTES TO APPLICANT

1. Pursuant to Section 38 and the Advance Payments Code of the Highways Act 1980, the proposed new estate roads should be laid out and constructed to adoptable standards and financially secured. Advice regarding the technical, financial, legal and administrative processes involved in achieving adoption of new residential roads may be obtained from the Strategic Director of the Economy, Transport and Communities Department at County Hall, Matlock (telephone : 01629 538578). The applicant is advised to allow approximately 16 weeks in any programme of works to obtain a Section 38 Agreement.
2. 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.

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 gully laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.
4. Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. It must be ensured that public transport services in the vicinity of the site are not adversely affected by the development works. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Economy, Transport and Communities Department at County Hall, Matlock (tel: 01629 580000). The applicant is advised to allow approximately 16 weeks in any programme of works to obtain a Section 278 Agreement.
5. Pursuant to Section 50 (Schedule 3) of the New Roads and Street Works Act 1991, before any excavation works are commenced within the limits of the public highway (including public Rights of Way), at least 6 weeks prior notification should be given to the Strategic Director of the Economy, Transport and Communities Department at County Hall, Matlock (telephone: 01629 533190 and ask for the New Roads and Street Works Section).
6. Construction works are likely to require Traffic Management and advice regarding procedures should be sought from David Bailey, Traffic Management - telephone 01629 538686.
7. Under the provisions of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, all works that involve breaking up, resurfacing and / or reducing the width of the carriageway require a notice to be submitted to Derbyshire County Council. Works that involve road closures and / or are for a duration of more than 11 days require a three month notice; developers' works will generally fall into this category. Developers and Utility companies (for associated services) should prepare programmes for all works that are required for the development, such that these can be approved through the coordination, noticing and licencing processes. This will require developers and Utility companies to work to agreed programmes and booked slots for each part of the works. Discussions should therefore take place with Derbyshire County Council's Highway Noticing Section, at County Hall, Matlock at the earliest stage possible.
8. The application site is affected by a public Right of Way (Footpath number 21 Ashbourne on the Derbyshire Definitive Map). The routes must remain unobstructed on their legal alignment at all times and the safety of the public using them must not be prejudiced either during or after development works take place. Further advice can be obtained by calling 08456 058058 and asking for the Rights of Way Duty Officer. Please note that the granting of planning permission is not consent to divert or obstruct a public right of way. If it is necessary to temporarily obstruct a right of way to undertake development works then a temporary closure is obtainable from the County Council. Please contact 08456 058058 for further information and an application form. If a right of way is required to be permanently diverted then the Council that determines the planning application (The Planning Authority) has the necessary powers to make a diversion order. Any development insofar as it will permanently affect a public right of way must not commence until a diversion order (obtainable from the planning authority) has been

confirmed. A temporary closure of the public right of way to facilitate public safety during the works may then be granted by the County Council.

9. The application proposals are affected by a Prescribed Improvement / Building Line under the Public Health Act / Road Improvement Act 1925 - 83B, Ashbourne. Whilst it is an offence to undertake building works in advance of this line, it may be possible for the applicant to apply to rescind the line(s). The applicant is advised to write to the Strategic Director Economy, Transport and Communities Department at County Hall, Matlock, DE4 3AG, at least 6 weeks before commencing works requesting that the line(s) be removed and confirming that they will meet the Authority's administrative / legal costs if the removal is approved.
10. The Local Planning Authority have during the consideration of this application engaged in a positive and proactive dialogue with the applicant which has resulted in revised proposals which overcame initial problems with the application relating to the design of the road, its connection to the adopted highway and the detailing of the junction with the A52.
11. The Town and Country Planning (Fees for Applications and Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (SI 2012/2920) stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 30 of the Town and Country Planning (Development Management Procedure) Order 2010. Where written confirmation is required that one or more Conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £97 per request. The fee must be paid when the request is made and cannot be required retrospectively. Further advice in regard to these provisions is contained in DCLG Circular 04/2008.
12. This decision notice relates to the following documents:
 - Amended Site Plan reference 905-001B received 11th May 2016
 - Amended Link Road Overview plan ref. F15076/02C received 10th May 2016
 - Amended Link Road Section Plans 1 to 8 reference: F15076/04 Rev.C, F15076/05 Rev.C, F15076/06 Rev.C, F15076/07 Rev.C, F15076/08 Rev.C, F15076/09 Rev.C, F15076/10 Rev.C, F15076/11Rev.C all received 10th May 2016.
 - Plan R6599 PP E07 received 14th March 2016
 - Drainage Strategy Plans 1888/01 Rev.0 and EWE/1888/02 Rev.0
 - Planning Statement dated 14th March 2016
 - Ecological Appraisal Report dated 14th March 2016
 - Drainage Assessment dated 14th March 2016

ATTENTION IS CALLED TO THE ATTACHED NOTES

DERBYSHIRE DALES BUILDING CONTROL SERVICES

Building Regulation approval may be required for the works that are proposed under the terms of this decision notice. Derbyshire Dales Building Control Service is able to provide a comprehensive, efficient and effective service at competitive cost to individuals involved in development schemes of all types and sizes, including plan checking and site inspection services. For further information of the range of services that are available, please contact the Senior Building Control Surveyor on 01629 761321 or alternatively visit www.derbyshiredales.gov.uk/buildingcontrol