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High Peak Borough Council

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TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

FULL PLANNING APPLICATION

PERMISSION

Applicant Mr Nick Blackwell
19 Mosley Road
Buxton
SK17 9DR

Agent

Application no. HPK/2011/0015

Registered on 28/01/2011

Determined on 10/03/2011

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

Conversion of garage into dining room & construction of new detached garage at 19 Mosley Road 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. The materials of external construction shall match those used on the existing building in their colour, form and texture, unless otherwise agreed in writing with the Local Planning Authority.
3. Before any other operations are commenced a new vehicular access shall be created to in accordance with the application drawings, laid out, constructed and provided with visibility sightlines of a 2.4m x maximum achievable, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in

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height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 the garage accommodation/ parking space to be provided shall not be used other than for the above stated purpose except with the prior permission of the Local Planning Authority granted on an application made in that regard.

5. Before any other operations are commenced (excluding the creation of the new access, the subject of condition 3) the existing vehicular access shall be permanently closed and the existing vehicle cross over reinstated as footway in a manner to be agreed in writing by the Local Planning Authority, in consultation with the County Highway Authority.

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 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.

4. To maintain adequate on-site parking provision in the interests of highway safety, in accordance with Policy TR5 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 Polices 2008.

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 which would not harm either the visual appearance of the street scene or the residential amenities of the neighbouring properties. Furthermore the proposed alteration to the highway, subject to the above conditions would not harm the safe operation of the highway.

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
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD5 - Amenity

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H14 - Domestic Extensions and ancillary buildings
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 Area Maintenance Manager, North tel: 01629 538537 before any works commence on the vehicular access within highway limits.
Under Section 278 of the Highways Act 1980, modification works within the public highway i.e. the creation of or reinstatement of a dropped vehicle crossing shall be made the subject of a legal agreement between the developer and County Council. Advice regarding the design, specification and procedures for undertaking these works may be obtained from the Strategic Director f Environmental Services at County Hall, Matlock, contact Chris Allwood on 10629 538582

Plans
The plans to which this Notice refers are listed below:
Location Plan
1
2
3
04
05
06
07

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:

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(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