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**High Peak Borough Council**

*working for our community*

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 Steven Poyser
Flat 12 Broadway Court
Stoke on Trent
ST3 5PX

Agent Trevor Gilman Designs Ltd
73 Windsor Road
Buxton
SK17 7NR

Application no. HPK/2011/0030

Registered on 25/01/2011

Determined on 17/03/2011

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

**Application to replace extant planning permission HPK/2007/0585 for erection of one detached house. at 58 Undergrin Leek 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. Prior to the commencement of the construction of the dwelling hereby approved, a new vehicular access shall be created to Leek Road (A53) in accordance with the approved plans, laid out and constructed at least 3.2m in width and provided with 2m x 90m visibility splays in both directions. No object or structure greater than 0.6m shall be placed or constructed

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Andy Ellis – Development Control Manager

relative to the adjoining nearside carriageway channel level.

3. The dwelling hereby permitted shall not be occupied until space has been provided within the site curtilage for the parking and turning of vehicles. The parking and turning areas shall be retained as such thereafter.

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

5. All building materials, plant and machinery shall be stored within the site's curtilage.

6. The materials of the external construction shall be natural blue slate and render with natural or reconstituted stone retaining walls. The colour of the render shall be agreed in writing with the Local Planning Authority prior to the commencement of the construction of the house.

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings and no later than 12 months of that occupation or the completion of the development, whichever is the sooner.

8. Notwithstanding details shown on the approved plans there shall be no habitable room windows (including kitchen windows) on the south elevation for the life of the development.

**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.

3. To ensure adequate car parking provision within the site in accordance with the adopted standards of the Local Planning Authority and in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

4. 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, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

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6. In the interests of visual amenity, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

7. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

8. In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 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 to renew a permission for a development that was approved by a planning Inspector on appeal. There has been no material change in circumstances since that time.

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**

GD2 - Built up area boundaries
GD4 Character Form and Design
GD5 Amenity
H1 Principles of Housing Provision
H5 - Housing within the Built up Area Boundaries
H11 Layout and Design of Residential Development
TR5 Access parking and Design

**Plans**

The plans to which this Notice refers are listed below:

Location Plan

**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.

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Andy Ellis – Development Control Manager

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