www.highpeak.gov.uk

**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 | Landau Properties<br>1C Parkhurst 13 Park Road<br>Buxton<br>SK17 6SG | Application no. | HPK/2011/0049 |
| | | Registered on | 10/02/2011 |
| Agent | Ashworth, Jackson & Walker<br>1 Gilmore Street<br>Stockport<br>SK3 8DN | Determined on | 06/04/2011 |

---

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

**Refurbishment of victorian house, including rear extension to create 5 additional flats at 15 The Nook Park 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. No development shall commence until samples of the materials to be used in the construction of the external surfaces of the approved development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

……..

Andy Ellis – Development Control Manager

3. No other works shall commence at the site until details of the repointing to be undertaken, including mortar mix have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed strictly in accordance with the approved details.

4. The development shall proceed strictly in accordance with the window and door details hereby approved unless otherwise agreed in writing by the Local Planning Authority.

5. All external timber shall be painted in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall be maintained thereafter.

6. No window or door frame shall be recessed less than 100mm from the external face into which it is set.

7. No development shall take place until there has been submitted to and improved in writing by the local planning authority technical details of the proposed drives and parking areas, to include their dimensions and levels (including existing ground levels), when they are to be constructed in relation to other development operations and details of supervision of the works. The design and construction of vehicular drives and parking areas within the crown spread any trees to be retained on site and must be in line with appropriate guidelines (BS 5837: 'Trees in Relation to Construction' 2005). They must be constructed using three dimensional 'no dig' techniques and incorporating permeable surfaces to avoid damage to trees.

8. No development or other operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved Method Statement. Such Method Statement shall include full details of the following:

   a) Implementation, supervision and monitoring of the approved Tree Protection Scheme
   b) Implementation, supervision and monitoring of the approved Tree Work Specification including methods of working that take into account protected species on the site
   c) Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme
   d) Timing and phasing of Arboricultural works in relation to the approved development.

9. (a) No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of any Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

   (b) No operations shall commence on site in connection with the development hereby approved (including demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction

……..

Andy Ellis – Development Control Manager

machinery) until the protection works required by the approved protection scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

10. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased with five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

11. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include the number, sizes and species of the proposed planting and hard surfacing material. Thereafter the approved soft landscaping details shall be shall be carried out in the first planting season follwoing the first occupation of the development hereby approved. Any trees or plants which within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the nest planting season with others of similar size and species.

12. Before any other operations are commenced (excluding demolition/ site clearance), space shall be provided within the site curtilage for the storage of plant and materials, site accommodation/ loading and unloading of goods vehicles/ parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

13. The development, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawings for the parking of residents/ visitors. Thereafter the parking shall be maintained throughout the life of the development free from any impediment to its designated use.

14. The development hereby approved shall not be occupied until the exit/pedestrian visibility has been improved for a distance of 2m either side of the each access by a reduction in the hedge to 0.6m, or hedge relocation to behind the sightlines. The area in advance shall be maintained thereafter free from obstructions (other than 0.6m in the case of the hedge) measures relative to the nearside carriageway channel level.

15. There shall be no gates of other barriers within 5m of the highway boundary.

……..

Andy Ellis – Development Control Manager

16. Prior to the first occupation of the development hereby approved, details of the proposed cycle enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle storage shall be implemented in full prior to the first occupation the development hereby approved.

17. Prior to the first occupation of the development hereby approved, details of the proposed refuse enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse enclosure shall be implemented in full prior to the first occupation the development hereby approved.

18. Windows WG16, WG15, WF14, WF13 as shown on plan ref 1120(05)06 Rev C shall be glazed with obscured glass and shall be permanently maintained in that condition.

**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 the interests of the visual and historic interest of the building and in accordance with Policies BC1 and BC5 of the High Peak Saved Local Plan Policies 2008.

4. In the interests of the visual and historic interest of the building and in accordance with Policies BC1 and BC5 of the High Peak Saved Local Plan Policies 2008.

5. 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.

6. 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.

7. To ensure the continued well being of the trees in the interests of the amenity and environmental quality of the locality and in accordance with Policy OC10 of the High Peak Saved Local Plan Policies 2008.

8. To ensure the continued well being of the trees in the interests of the amenity and environmental quality of the locality and in accordance with Policy OC10 of the High Peak Saved Local Plan Policies 2008.

9. To ensure the continued well being of the trees in the interests of the amenity and environmental quality of the locality and in accordance with Policy OC10 of the High Peak Saved Local Plan Policies 2008.

10. To ensure the continued well being of the trees in the interests of the amenity and environmental quality of the locality and in accordance with Policy OC10 of the High Peak Saved Local Plan Policies 2008.

……..

Andy Ellis – Development Control Manager

11. In the interests of visual amenity, in accordance with Policy OC10 of the High Peak Saved Local Plan Policies 2008.

12. To ensure satisfactory service provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

13. To ensure satisfactory service provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

14. 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.

15. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

16. In the interests of sustainability and in accordance with Policy TR1 of the High Peak Saved Local Plan Polices 2008.

17. In the interests of sustainability and in accordance with Policy TR1 of the High Peak Saved Local Plan Polices 2008.

18. 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 proposals which would preserve the character and appearance of the Conservation Area, would not harm the residential amenities of neighbouring properties and would provide for a safe access for all highway users

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
BC5 - Conservation Areas
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
OC10 - Trees and Woodlands
TR5 - Access, parking and design

**National Planning Policy**
Planning Policy Statement 3: Housing
Planning Policy Statement 5: Planning and the Historic Environment

……..

Andy Ellis – Development Control Manager

**Notes to Applicant**

Breeding birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended), as are all bat species. It is an offence to disturb, injure or kill these species. If bats are found during the course of the development, works must stop immediately and a local representative of Natural England should be contacted.

**Plans**

The plans to which this Notice refers are listed below:

1120(05)01 Rev A
1120(05)02 Rev A
1120(05)03 Rev A
1120(05)04 Rev B
1120(05)05 Rev C
1120(05)06 Rev C
1120(05)07 Rev C
1120(05)08
1120(05)09
1120(05)10
1120(05)11
1120(05)12
1120(05)13
1120(05)14
1120(05)15
1120(05)16
1120(05)17
1120(05)18
1120(05)19
1120(05)20
1120(05)21
1120(05)22
1120(05)23
1120(05)24
1120(05)25

**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.

……..

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.

……..

Andy Ellis – Development Control Manager