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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 Neil Hadfield
Thorn Heyes Cottage
London Road
Buxton
SK17 9NW

Agent RLM Associates
11 Ashdale Road
The Mount
Leek
ST13 6QZ

Application no. HPK/2011/0472

Registered on 26/09/2011

Determined on 21/11/2011

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

Change of use of triple garage to residential use at Thorn Heyes, London 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. Any windows on the ground floor of the eastern elevation shall be glazed with obscured glass and shall be permanently maintained in that condition.

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Michael Green
Planning Applications Manager

3. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Classes A, B, C, D, E and G of Part 1 of Schedule 2 of the Order shall be erected on the application site.

4. This permission relates only to the conversion of the car port indicated on the drawings hereby approved. It does not grant or convey any consent or permission for any works of demolition, reconstruction, construction or alteration affecting the external appearance of the building.

5. Prior to the first occuation of the development hereby approved, a close-boarded fence of 1.8 metres in height shall be erected along the eastern boundary of the site with number 1 Thorn Heyes Cottage and the southern boundary along the boundary with Thorn Heyes.

6. Before any other operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, 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.

7. The building, 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 and staff, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

8. The access as shown on the approved plans shall not be gated to allow the turning facilities by all vehicles including service/delivery/emergency vehicles enabling all such vehicles to manoeuvre thus entering and exiting in a forward gear.

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 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.

3. To enable the Council to exercise control over future developments at the site, in accordance with Policy GD4 and Policy GD5 of the High Peak Saved Local Plan Policies 2008.

4. In the interests of the visual amenities of the building and wider area and in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.

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5. In order that the amenities of the district shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

6. 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.

7. 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.

8. In the interests of highway safety and in accordance with Policy TR5 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 provides for a sustainable form of development which would not harm the visual or residential amenities of the locality.

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

Notes to Applicant

Plans
The plans to which this Notice refers are listed below:
RLM588/4
RLM588/5
RLM588/6
RLM588/7

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Michael Green
Planning Applications Manager

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:
(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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Michael Green
Planning Applications Manager