



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

Sella Properties Ltd
Market Street
Whaley Bridge
SK23 7AA

Application no. HPK/2012/0156

Registered on 14/03/2012

Determined on 12/06/2012

Agent

Silson Planning Service
4 St James Terrace
Buxton
SK17 6HS

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

Application to Replace Extant Planning Permission HPK/2009/0287 for new refurbishment of range of buildings to form one office unit and nine dwellings. Demolition of two area to allow construction of five further dwellings. at Mycocks Yard Rear of Brooklyn Place Fairfield 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. Before any other operations are commenced (excluding demolition/ site clearance), space shall be provided within the site curtilage for 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

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Michael Green
Planning Applications Manager

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.

3. Notwithstanding the information submitted, before any other operations are commenced, revised parking and on-site turning arrangements shall be submitted to and approved in writing by the Local Planning Authority (having regard to vehicle inter-visibility between entering and exiting vehicles and service/delivery vehicle access). The approved scheme shall be implemented prior to the occupation of any dwelling/office, and shall thereafter remain free from any impediment to its designated use.
4. Before any other operations are commenced, the access to the A6 shall be laid out in accordance with the application drawings and constructed in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority.
5. There shall be no gates or other barriers within 5m of the highway boundary and any gates shall open inwards only.
6. 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; the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg drainage power, communications, cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.
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, and any trees or plants which within a period of 5 years from the completion of the approved scheme die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.
8. 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.
9. No works shall take place on site until details of windows, including glazing bar details at 1:20, together with details of the door joinery, have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.
10. No development shall take place within the site until a written scheme of investigation (WSI) for historic building recording has been submitted to and approved by the Local Planning Authority in writing, unless all on-site elements of the approved scheme have

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Michael Green
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Tel 0845 129 7777 or 01298 28400 Fax 01457 860290 Minicom 0845 129 48 76
E-mail planning@highpeak.gov.uk Website www.highpeak.gov.uk

been completed to the written satisfaction of the Local Planning Authority and until the provision to be made for analysis, reporting, publication and dissemination of the results and archive deposition has been secured. The WSI shall include an assessment of significance and research questions ; and

- The programme and methodology of site investigation and recording
- The programme and provision for post-investigation analysis and reporting
- Provision shall be made for publication and dissemination of the analysis and records for site investigation
- Provision shall be made for archive deposition of the analysis and records of site investigation
- Nomination of a competent person or organisation to undertake the works set out within the WSI

11. No development shall take place until a site investigation has been carried out to assess the type, location and quantities of contaminants, in accordance with a scheme to be agreed, in writing, with the Local Planning Authority. The results of the site investigation shall be submitted to the Local Planning Authority as soon as they are available.
12. Where the presence of contamination is confirmed, no development shall commence until satisfactory remedial measures have been agreed in writing with the Local Planning Authority to remove or render harmless any contaminants found. The approved remediation scheme shall be implemented.
13. No construction work at the site shall take place outside the following hours:-
 1. 0700 hours to 1900 hours Mondays to Fridays.
 2. 0800 hours to 1600 hours on Saturdays.
 3. At any time on Sundays or Public Holidays except by agreement with the Local Planning Authority.
14. prior to the first occupation of the development hereby permitted, measures to minimise the risk of crime to meet the specific needs of the application site and the development shall be implemented in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.
15. The existing stone sett circle shall be reused in its original position as shown on the approved drawings. Prior to re-use, the stone shall be retained in a secure place to be agreed in writing by the Local Planning Authority.
16. The development shall be carried out in strict accordance with plans approved under application HPK/2009/0287 which are listed below.

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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. 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.
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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.
6. In the interests of visual amenity, in accordance with Policy GD6 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 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.
9. 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.
10. To enable the site's archaeological remains to be properly investigated and recorded, in accordance with Policy BC10 of the High Peak Saved Local Plan Policies 2008.
11. To ensure that the site is developed in a safe manner in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
12. To ensure that the site is developed in a safe manner in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
13. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
14. In pursuance of the Council's duty under s 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote

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the well-being of the area pursuant to the Councils powers under Section 2 of the Local Government Act 2000 and to reflect government guidance set out in PPS1

15. In order that the character and appearance of the area shall be retained, 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.
16. For the avoidance of doubt.

Policies relevant to this decision

BC5 - Conservation Areas

EMP 6 - Industry and business within the built-up area boundaries and homeworking

GD2 - Built up area boundaries

GD3 - Improvement Corridors

H1- Principles of Housing provision

H5 - Housing within the Built up Area Boundaries

Advice in the National Planning Policy Framework

Notes to Applicant

This Decision Notice should be read in conjunction with the Environment Agencys letter dated 28 July 2009 which sets out the detailed requirements for the land contamination investigation as required by condition 11 above.

Plans

The plans to which this Notice refers are listed below:

01A

02A

03A

04

05

06

07C

08B

09B

10C

11B

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Michael Green
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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 that will provide a beneficial economic use in an area which is currently underused and in a sustainable location . the proposal will contribute to the supply of housing within the Borough and will conserve a heritage asset. It is not considered that proposal will result in any significant loss of amenity to adjoining residents nor compromise highway safety. Adequate mitigation measures are proposed in respect of flood risk.

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.

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.

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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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