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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 Michael Tully
Styles & Wood Ltd
Aspect House Manchester Road
West Timperley
Altrincham
WA14 5PG

Agent Styles And Wood Ltd
Miss Laura Hayes
Aspect House
Manchester Road
West Timperley
Altrincham
WA14 5PG

Application no. HPK/2012/0577

Registered on 26/10/2012

Determined on 20/12/2012

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

Proposed Replacement of the Existing R22 Air Conditioning Units at 74 Spring Gardens 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.

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Michael Green
Planning Applications Manager

2. Prior to the commencement of development details of the colour of the new VRV Condensor Unit REYQ14P8 and accompanying steel mounting framework hereby permitted should be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

3. Prior to the commencement of development a noise assessment report to establish pre-existing background noise levels should be submitted to and approved in writing by the local planning authority, the assessment being carried out in accordance with BS4142:1997. Details of the rating level of the roof mounted condensor shall be submitted to and approved in writing by the local planning authority and should not exceed the background noise levels at the nearest noise sensitive properties in the direction of the White Lion and Holker Road. The unit shall be maintained throughout the life of the development in order to continue to maintain this standard.

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 protect the residential amenities of the area, 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 that is visually acceptable within the conservation area and whilst in operation will not exceed pre-existing noise levels thereby protecting the amenity of nearby residential properties.

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

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Planning Applications Manager

GD5 - Amenity
TC1 - Town Centres

National Planning Policy Framework

Chapters 1, 2 and 7.

Notes to Applicant

Plans
The plans to which this Notice refers are listed below:

50960798-AR01-00-A1-0700
50960798-AREX-00
50960798-AREX-01
50960798-AREX-02
50960798-AREX-02
50960798-AREX-03
50960798-AREX-03
50960798-AREX-04
50960798-AREX-04

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.

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Michael Green
Planning Applications Manager

(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