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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 Martin Hoban
Hoban Properties Ltd
56 Brown Edge Road
Buxton
SK17 7AG

Application no. HPK/2012/0719

Registered on 20/12/2012

Determined on 06/02/2013

Agent AJS Architecture
Mr Andrew Smith
32 Carr Road
Buxton
SK17 6WF

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

Proposed Sub Division of Existing Ground floor Accommodation & Basement Room Creating One Bedroomed New Apartment at 52 West Road Buxton

in accordance with the submitted application, details and accompanying plans listed below subject to the following conditions and reasons:-

Conditions

1. Notwithstanding the originally submitted details this permission shall relate to the amended drawings numbered 01A; received in this office on 04/02/13

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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Michael Green
Planning Applications Manager

3. The new light well window hereby approved shall be of timber frame construction only.

4. No development shall take place until the site has been monitored for the presence of radon gas. The results of the monitoring shall be submitted to the Local Planning Authority. If the presence of radon gas above 200Bq/m cubed is confirmed, development shall not commence until a comprehensive scheme of radon gas protection measures are implemented and agreed to the written satisfaction of the Local Planning Authority.

5. The approved sheme of protection shall be carried out in accordance with its terms and shall ensure that adjusted radon concentrations are below 200 Bq/m cubed and shall be monitored to ensure that concentrations are below 200 Bq/m3 during the life of the development hereby approved.

6. The railing as proposed shall be of a traditional decorative style, finished in black gloss paint as indicated in plan 01A

Reasons

1. For the avoidance of doubt.

2. To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

3. 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.

4. In the interests of the health and safety of the future occupiers of the development hereby approved

5. In the interests of health and safety of the future occupants of the development herby approved.

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.

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 which will preserve the character of the conservation area and which will have a neutral impact upon the amenity of neighbouring residents.

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Michael Green
Planning Applications Manager

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

BC5 - Conservation Areas
H15 - Sub-Division of Existing dwellings
TR5 - Access, parking and design

National Planning Policy Framework

Notes to Applicant

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

SITE 01

EXISTNG 01

PROPOSED 01A

In accordance with Article 31 (1) (cc) Town & Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012, the Local Planning Authority were proactive in determination of the planning application as an amendment was sought to ensure that the scheme was acceptable development within designated conservation area.

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.

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Michael Green
Planning Applications Manager

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