

Mr Steve Hill  
Steve Hill Planning Associates Ltd  
208 Prestbury Road  
Macclesfield  
SK10 3HL



# High Peak Borough Council

*working for our community*

Mr Steve Hill  
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208 Prestbury Road  
Macclesfield  
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Mr Durnell  
Waterswallows Industrial Estate  
Waterswallows Lane  
Buxton

Application no: HPK/2016/0244

Determined on: 18/07/2016

## Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

### FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990 (as amended).

#### Location of Development:

Hillhead Quarry Hillhead Lane Harpur Hill Buxton Derbyshire

#### Description of Development:

Variation of conditions 3 and 4 (to continue the permitted use for a further 10 years to 31 May 2026) on planning permission HPK/2011/0119

In pursuance of their power under the above mentioned Act, High Peak Borough Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

1. The site shall be used solely for the storage of HGV's, commercial vehicles, police impounded vehicles and for the stock piling of rock salt and for no other purposes.  
Reason: In the interests of the future restoration of the site and in the visual amenity of the site, in accordance with Policy EQ3 of the High Peak Local Plan 2016.
2. The permission hereby granted shall be for a limited period expiring on the 31st May 2026, on or before which date the use of the land for the storage of HGV's/commercial vehicles, police impounded vehicles and the stockpiling of rock salt shall be discontinued permanently unless a further planning permission has first been granted on application to the Local Planning Authority.  
Reason: In the interests of the future restoration of the site and the visual amenity of the site, in accordance with Policy EQ3 of the High Peak Local Plan 2016.
3. All HGV's/commercial vehicles, police impounded vehicles and the stockpiling of rock salt shall be removed from the site no later than the 31st May 2026 unless a further planning





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permission has first been granted on application to the Local Planning Authority.

Reason: In the interests of the future restoration of the site and the visual amenity of the site, in accordance with Policy EQ3 of the High Peak Local Plan 2016.

## **Informative**

The Council has sought (negotiated) a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

X *B.J. Haywood*

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Signed by: Haywood, Ben

**On behalf of High Peak Borough Council**



## **NOTES**

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section.
2. 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 at Derbyshire County Council.
3. 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](http://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.
4. 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.
5. 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.
6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must



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do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate#other-ways-to-apply>. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.