

Ms Fiona Wylie
Wylie Architects
38 Lismore Road
Buxton
SK17 9AN



High Peak Borough Council

working for our community

Ms Fiona Wylie
Wylie Architects
38 Lismore Road
Buxton
SK17 9AN

Mr Peel
32 Leek Road
Buxton
Derbyshire
SK17 6UE

Application no: HPK/2021/0057

Determined on: 24th June 2021

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:

60 Workshop Rear Of Fairfield Road Buxton Derbyshire SK17 7DW

Description of Development:

Change of use from Class E Commercial, Business and Service to C3 Dwellinghouses.
Conversion of former carpenters workshop to form 2 bedroom dwelling.

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

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 01.01; Revised Site Plan Rev A; Proposed Floor Plans 03.01; Proposed Elevations 03.02

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. If during development any contamination or evidence of likely contamination is identified that has not previously been identified or considered, then it a written scheme to identify and control that contamination shall be submitted to and approved in writing by the Local Planning Authority. This shall include a phased risk assessment carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part IIA,





High Peak Borough Council

working for our community

and appropriate remediation proposals, and shall be submitted and approved in writing by the Local Planning Authority. The approved remediation scheme shall be implemented prior to the first occupation of the development.

Reason: In the interests of pollution prevention

3. There shall be no visible dust emissions beyond the site boundary associated with construction/demolition works undertaken at the site. In controlling dust on site, the contractor shall have due regard to the Building Research Establishment Document '*Control of Dust from Construction and Demolition Activities*' (BR456) and the Institute of Air Quality Managements '*Assessment of dust from demolition and Construction*' (2014).

Reason: In the interests of pollution prevention

4. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. There shall be no fires lit on the site for purpose of disposing of demolition materials. Any open fires that arise shall be extinguished without delay.

Reason: In the interests of pollution prevention

5. The best practicable means, as defined in Section 72 of the Control of Pollution Act 1974 to reduce noise and vibration from the site to a minimum, shall be employed at all times during construction.

Reason: In the interests of residential amenity

6. If piling is necessary, a written method statement shall be submitted to the Local Planning Authority and approved in writing. The affects of noise generation (hours of operation) shall be considered, and shall include noise mitigation measures consistent with best practical means. No piling shall take place except in accordance with the approved method statement. No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays

Reason: In the interests of residential amenity

7. Unless prior permission has been obtained in writing from the Local Planning Authority, all noise generating activities shall be restricted to the following times of operations.

- ☐ 07:30 - 18:00 hours (Monday to Friday);
- ☐ 08:30 - 14:00 hours (Saturday)
- ☐ No working is permitted on Sundays or Bank Holidays.

In this condition, a noise-generating activity is defined as any activity (for instance, but not restricted to, building construction/demolition operations, refurbishing and landscaping) which generates noise that is audible at the site boundary.





High Peak Borough Council

working for our community

Reason: In the interests of residential amenity

Informative

1. The Local Planning Authority has worked in a positive and proactive manner to address and overcome all outstanding planning issues in order to achieve a sustainable form of development in line with paragraph 38 of the NPPF

X *B.J. Haywood*

Signed by: Ben Haywood

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 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





High Peak Borough Council

working for our community

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.

