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High Peak Borough Council
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Mr Nash
Foxlow Grange Harpur Hill Road
Buxton
Derbyshire
SK17 9LU

Application no: HPK/2021/0059

Determined on: 28th October 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:

Foxlow Grange Harpur Hill Road Harpur Hill Buxton Derbyshire SK17 9LU

Description of Development:

CHANGE OF USE OF EXISTING DWELLING TO 9 SELF CONTAINED APARTMENTS.
ASSOCIATED EXTERNAL WORKS TO SINGLE STOREY EXTENSION TO REAR, REAR
BALCONY FIRE ESCAPE TO REAR DORMER ROOF, ALTERATIONS OF ROOF TO
ORIGINAL FIRST FLOOR CONSERVATORY AND INTRODUCTION OF GROUND FLOOR
WINDOW THERETO.

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:

Site Location Plan

01A - Block Plan As Proposed

01B - Ground Floor As Proposed

02A - First Floor As Proposed

03B - Second Floor As Proposed

04A - Attic Floor As Proposed

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05B - Front Elevation As Proposed

06B - Rear Elevation As Proposed

07C - Side Elevations As Proposed

08B - Bedsit Side Elevations as Proposed

09A - Rear Bedroom Extension Elevation

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

3. No external facing materials to be used in the approved development shall be installed until samples or full details of the materials to be used in the construction of external walls and roofs of the structures hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with the approved materials.

Reason:- To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

4. Prior to first occupation of the development hereby approved, the developer shall ensure that visibility in the northern direction at the vehicle access point onto Harpur Hill Road achieves a minimum visibility splay of 2.4m by 43m, with the area in advance of the sightline remaining free from any obstructions to visibility over 900mm high, relative to the nearside carriageway edge (including, as necessary, the cutting back of any vegetation overhanging into the visibility splay). The visibility splay shall be maintained free of obstruction at all times thereafter.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

5. The development hereby approved shall not be occupied until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall be retained for use at all times thereafter.

Reason:- To ensure that adequate facilities for the parking of cycles are provided and to encourage travel by means other than the private motor car, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

6. The roof areas of the flat-roofed rear extensions hereby approved (shown as accessible from accessible from 'escapes windows' from first-floor bedrooms shall not be used as balconies, terraces, patios, raised platforms or any other form of external amenity space at any time.

Reason:- To safeguard the privacy of the occupants of adjacent properties, in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority.

Reason:- To protect the health and amenity of the trees in accordance with Policies EQ2 and



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EQ9 of the High Peak Local Plan 2016.

Informative

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

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





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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.

