



High Peak Borough Council
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2 Fairfield Road
Buxton
SK17 7DW

Mr Peter Bloomfield
39 Temple Road
Buxton
Derbyshire
SK17 9BA

Application no: HPK/2022/0513

Determined on: 16/02/2023

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:

39, Temple Road, Buxton, Derbyshire, SK17 9BA

Description of Development:

The proposal includes a first storey extension above the existing attached garage and a single storey rear extension

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 the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in complete accordance with the submitted plans and specifications as follows:-





A_TEM_L_100 Rev A Location Plan
A_TEM_S_200 Rev A Existing Site Plan
A_TEM_S_201 Rev B Proposed Site Plan
A_TEM_S_202 Rev A Proposed Tree Plan
A_TEM_E_300 Rev B Ground/First Floor Plan
A_TEM_E_301 Rev B Roof Plan
A_TEM_E_350 Rev B Ground Floor Plan
A_TEM_E_351 Rev B First Floor Plan
A_TEM_E_400 Rev B Existing Elevations
A_TEM_E_450 Rev B Existing West Elevation
A_TEM_E_451 Rev B Existing East Elevation
A_TEM_E_452 Rev B Existing South Elevation
A_TEM_E_450 Rev B Existing North Elevation
A_TEM_P_300 Rev C Ground/First Floor Plan
A_TEM_P_301 Rev C Roof Plan
A_TEM_P_350 Rev C Ground Floor Plan
A_TEM_P_351 Rev C First Floor Plan
A_TEM_P_400 Rev C Proposed Elevations
A_TEM_P_450 Rev C Proposed West Elevation
A_TEM_P_451 Rev C Proposed East Elevation
A_TEM_P_452 Rev C Proposed South Elevation
A_TEM_P_450 Rev C Proposed North Elevation

Reason:- To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

3. Notwithstanding the material details shown on the approved plans, the single storey rear extension shall be constructed with either render or stonework to match the host dwelling. The first floor side extension shall be constructed with external facing and roofing materials as detailed within the approved plans and there shall be no variation without the prior consent in writing of the Local Planning Authority.

Reason:- To ensure that the works harmonise with the existing development and the visual character of the surrounding conservation area.

4. The development hereby approved shall be carried out in accordance with the measures detailed within A_TEM_S_202 Rev A Proposed Tree Plan. For the avoidance of doubt, protective fencing shall be erected at the edge of the existing hardstanding areas, in accordance with BS5837:2012, prior to the commencement of any construction works, and shall thereafter be retained for the duration of construction and development works at the site. No works, machinery or the storage of materials shall take place inside of the tree protection barrier.

Reason: To ensure that important trees are not harmed during the construction phase of the development.

Informative





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1. In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive way by taking a proactive approach to development proposals. In this instance the application proposals were acceptable without amendment and the scheme has been approved without delay.

X *J Colley*

Signed by: Jane Colley Signature

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.

