

Mrs Joanne Harrison
J C Harrison Planning & Admin Services
19 Mayfield Avenue
Ashbourne
DE6 2JA



High Peak Borough Council

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19 Mayfield Avenue
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Mr Vaines
Hillcrest Sterndale Moor
Buxton
Derbyshire
SK17 9QA

Application no: HPK/2022/0496

Determined on: 15th May 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:

Land adjacent to A515 Sterndale Moor Buxton Derbyshire SK17 9QA

Description of Development:

Retrospective application for retention of a light industrial storage building.

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 carried out in accordance with the following approved plans: Location and Block Plan (Ref: 1053-001 Rev C); Existing Block Plan (Ref: 1053-004 Rev B); Plans and Elevations (Ref: 1053-005 Rev A)

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

2. The use of the building hereby approved shall be restricted solely to that which falls within the Class E(g) of the Town and Country Planning (Use Classes) Order 2021 and shall not be used for any other purpose without the submission to and subsequent approval by the Local Planning Authority of a further planning application.

Reason:- In the interests of controlling the level of intensification of the industrial use on site and in order to ensure that public and residential amenity is preserved





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3. The light industrial building hereby approved shall be used solely within the following hours:

Monday – Friday 08:00 – 18:00
Saturday 08:00 – 13:00
There shall be no working on Sundays and Bank Holidays

Reason:- In the interests of preserving public and residential amenity

4. All external artificial lighting associated with the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 contained within Table 1 of the Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01-21.

Reason:- In the interests of preserving public and residential amenity

5. No gaseous or particulate matter arising from the operation of any process or plant shall be discharged to the atmosphere, unless and until a scheme detailing atmospheric pollution control measures has been submitted to and approved in writing by the Local Planning Authority and those measures have been implemented in full.

Reason:- In the interests of preserving public and residential amenity

6. The permitted uses associated with the approved light industrial unit shall not result in any activity that causes dust to be emitted beyond the site boundary. Appropriate means and sufficient water resources on site for dust suppression shall be provided on site at all time and shall be made available for inspection when required by officers of the Local Planning Authority.

Reason:- In the interests of preserving public and residential amenity

Informative

1. The Local Planning Authority has where necessary worked in a proactive and positive manner with the applicant to address and overcome planning issues to achieve a sustainable form of development, as required by National Planning Policy Framework

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.



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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 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.

