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High Peak Borough Council

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Application no: HPK/2023/0250

Determined on: 01/09/2023

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:

24 Lightwood Road Buxton Derbyshire SK17 7BP

Description of Development:

Remodeling of the internal layout of the existing building to provide parking and the rebuilding of the front elevation.

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; Block Plan; 68-02A; 68-03A

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

3. No development shall take place above foundation level until samples of the materials to be used in the elevations and roof, including natural stone, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in 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 commencement of development a Construction Management and Method Statement shall be submitted to and approved in writing the Local Planning Authority. The Plan/Statement shall provide for the following:

- a) storage of plant and materials,
- b) site accommodation, loading, unloading of goods vehicles,
- c) parking of site operatives and visitors vehicles,
- d) method of prevention of debris being carried onto highway,
- e) proposed temporary traffic management.

The approved Plan/Statement shall be adhered to throughout the construction period.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF.

5. The most northerly first floor window on the western elevation fronting Lightwood Road shall be obscure glazed and permanently fixed shut for the lifetime of the development.

Reason:- In the interests of preserving the residential amenity of occupiers of No.1 Ash Terrace, in accordance with LP Policy EQ6 the Residential Design Guide SPD and paragraph 130 of the NPPF.

6. Before any other operations are commenced a new vehicular access shall be created to Lightwood Road in accordance with the approved plans set out in Condition 2.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF.

7. The parking spaces shall be provided in accordance with the approved drawings and shall be retained free from impediment to their designated use for the lifetime of the development.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF.

8. The ground floor parking provision shall be accessible from the public highway at all times via the open mesh metal shutter and access gate. The open mesh metal shutter and access gate shall not be replaced with other means of enclosure, including any walls or partitions.

Reason:- For the avoidance of doubt and to secure a safe and suitable access in the interests of highway safety in accordance with LP Policy CF6 and paragraph 110 of the NPPF

9. There shall be no gates or other barriers on the access/driveway



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Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF.

10. The proposed acces/driveway shall be no steeper than 1:12

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF.

11. Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or any statutory instrument amending, revoking, and/or replacing that Order, no additional first floor windows or openings shall be inserted on the western and eastern elevations and all doors/windows shall not open across or project over the adajcent public highway (Lightwood Road) at any time.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and paragraph 110 of the NPPF.

12. All construction works, including deliveries shall only take place between the following hours:

0800 -1800 Monday – Friday

0800 – 1300 on Saurdays

At no time on a sunday, bank holiday or public holiday.

Reason: In the interests of the amenity of surrounding residential properties and in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the NPPF.

Informatives

1. The Local Planning Authority have where necessary worked in a positive and proactive manner with the applicant to achieve any outstanding planning matters to achieve a sustainable form of development as required by paragraph 38 of the National Planning Policy Framework.
2. Planning permission does not give you approval to work on the public highway. To carry works associated with this planning permission, separate approval must first be obtained from Derbyshire County Council as Highway Authority - this will take the form of a section 184 licence (Highways Act 1980). It is strongly recommended that you make contact with the County Council at the earliest opportunity to allow time for the process to be completed. Information and relevant application forms, regarding the undertaking of access works within highway limits, are available via the County Council's website www.derbyshire.gov.uk, email highways.hub@derbyshire.gov.uk or telephone 01629 533190.
3. The Highway Authority recommends that the first 5m of the proposed access/driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the householder.





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4. Where the site curtilage slopes down towards the public highway provisions within Section 163 of the Highways Act 1980 requires measures to be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dished channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.
5. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
6. If construction works are likely to require Traffic Management, advice regarding procedures should be sought from the County Council Traffic Management Team. All road closure and temporary traffic signal applications will have to be submitted via the County Councils web-site; relevant forms are available via the following link - http://www.derbyshire.gov.uk/transport_roads/roads_traffic/roadworks/default.asp

X 

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 DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel:0333 880 2000.
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





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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.

