



# High Peak Borough Council

*working for our community*

Miss Celia Brearley  
The Harris Partnership  
77 Dale Sreet  
Manchester  
M1 2HG

Mr Stuart Parks  
Aldi Bolton  
Logistics North  
Bolton  
BL5 1EE

Application no: HPK/2023/0311

Determined on: 20/09/2023

**Town and Country Planning Act 1990**  
**Planning and Compensation Act 1991**  
**Town and Country Planning (Control of Advertisement) (England) Regulations 2007 (as amended)**

## GRANT OF CONSENT TO DISPLAY AN ADVERTISEMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation other than Section 220 of the Town and Country Planning Act, 1990.

### **Location of Development:**

Land At Foxlow Fields South west of Ashbourne Road Harpur Hill Buxton Derbyshire

### **Description of Development:**

1x internally-illuminated totem sign

In pursuance of their power under the above mentioned Act, High Peak Borough Council Planning Authority, **HEREBY GRANT CONSENT** for the display of advertisements for the development described above subject to the following condition(s):

1. The work hereby granted advertisement consent shall be carried out in accordance with the following approved plans:

- Proposed Location Plan drawing ref. 2703BOL-1000
- Proposed Site Plan drawing ref. 2703BOL-1011
- Proposed Signage Details drawing ref. 2703BOL-1012

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

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission. No advertisement shall be sited or displayed so as to:

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

**Reason:-** To comply with Regulation 14 of The Town and Country Planning (Control of Advertisements)(England) Regulations 2007, as amended, and in the interests of amenity.

3.The advertisement(s) hereby approved by this consent shall only be illuminated during the hours of 0700 and 2300 on any day.

**Reason:-** In the interests of amenity in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

4.The intensity of the illumination of the advertisement(s) hereby approved shall be no greater than 50.86 candela per square metre.

**Reason:-** In the interests of amenity and public safety in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and of the National Planning Policy Framework.

5.The illumination of the advertisement(s) hereby approved shall be static and shall not be of a flashing type.

**Reason:-** In the interests of amenity and public safety in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

6. In the event that any of the retail units are unoccupied the relevant signage panel shall comprise a blank panel in grey colour to match the totem framework for the duration of the vacancy.

**Reason:-** In the interests of amenity in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

### **Informatives**

1. The proposal comprises of sustainable development, it would improve the economic, social and environmental conditions of the area and would accord with the provisions of the development plan and NPPF.

20/09/2023

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 DBCP Limited, Web: [dbcp.co.uk](http://dbcp.co.uk); Email: [info@dbcp.co.uk](mailto:info@dbcp.co.uk) ; [Tel:0333 880 2000](tel:03338802000).
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](http://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 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.
9. Developers should also be aware of the provisions of the Gas Safety Regulations 1972 and Gas Safety (Installation and Use) Regulations 1984. It is possible that the existing gas service pipe which lies within the area of the proposed extension of alterations which will contravene the provisions of these Regulations. It is necessary that you contact British Gas, North West House, Gould Street, Manchester, M4 4DJ, who will advise if the existing gas service pipe requires alterations.