



High Peak Borough Council

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Ms Fiona Wylie
Wylie Architecture
38 Lismore Road
Buxton
SK17 9AN

Mr & Mrs Steve Cocker
Templemore
Harpur Hill Road
Harpur Hill
Buxton
Derbyshire
SK17 9NA

Application no: HPK/2023/0362

Determined on: 31/10/23

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:

Templemore, Harpur Hill Road, Harpur Hill, Buxton, Derbyshire, SK17 9NA

Description of Development:

Separation of two semi-detached dwellings into two detached dwellings including demolition of interconnecting office and bedroom with minor internal alterations

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:-

01.02 - Location Plan

02.02 – Existing Site Plan

02.03 Rev B – Proposed Site Plan

03.01 – Existing Plans – ground and lower ground floors

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- 03.02 – Existing Plans – first and second floors
- 03.03 Rev A – Proposed Plans – ground and lower ground floors
- 03.04 Rev A – Proposed Plans – first and second floors
- 03.05 – Existing Elevations – front and side
- 03.06 – Existing Elevations – rear and side
- 03.07 – Proposed Elevations – front and side
- 03.08 – Proposed Elevations – rear and side

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

3. The materials to be used in the construction of the development hereby permitted shall be in materials to match the existing dwelling(s), as detailed in the application.

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 the commencement of development (including demolition and site clearance) a tree survey, arboricultural implications assessment, and arboricultural method statement (where necessary), shall be submitted to the Local Planning Authority for approval. The submitted information shall detail all existing trees on site, including those scheduled for removal, and shall demonstrate that the development will not have an unacceptable effect on important trees, including those covered by Tree Preservation Order, both on and off site. The submitted information shall include any mitigation that may be required and tree protection measures. The development shall be carried out in strict accordance with the approved details.

Reason: In the interest of protecting important trees both on and off site.

5. Notwithstanding the detail contained on approved plan referenced 02.03 Rev B – Proposed Site Plan, prior to the construction of any new hardstanding areas (including driveway and parking areas), full details of their coverage and extent, along with details of their construction and surfacing materials shall be submitted to the Local Planning Authority and approved in writing. Such information shall be informed by the details required pursuant to condition 4. The development shall be carried out in strict accordance with the approved details.

Reason: In the interest of protecting important trees both on and off site and in the interest of the character and appearance of the area.

6. Prior to completion of the development hereby approved, a detailed landscaping scheme shall be submitted to the Local Planning Authority for approval. The landscaping scheme shall detail species, size and location of landscaping and shall demonstrate replacement planting for any trees lost on a 2:1 basis. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the



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completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that any trees lost are appropriately replaced in the interest of the character and appearance of the area.

Informative(s)

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 *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.

