



High Peak Borough Council
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Application no: HPK/2023/0253

Determined on: 27/11/2023

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:

28, Park Road, Buxton, Derbyshire, SK17 6SQ

Description of Development:

Change of use and renovation, including replacement windows and removal of rear porch, to four self contained apartments (Class C3); demolition of outbuilding; erection of sauna and shower unit; installation of hot tub and landscaped seating areas; and widening of entrance driveway

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:-





Existing Plans - Page 01
Existing Plans - Page 02
Proposed Plans - Page 03
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Existing Site Plan - Page 11
Proposed Landscaping Plans - Revision B
Existing Elevations - Page 13
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Proposed Elevations - Page 16
Proposed Roof Plan - Page 18
Existing and Proposed Annex Drawings - Page 19
Existing and Proposed Street Scene Elevation - Page 20
Existing and Proposed Rear Yard Drawings – Revision B
Proposed Landscape Elevation - Revision B
Location Plan

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

3. Unless otherwise required by other conditions, all facing and hardsurfacing materials shall be as detailed within the application 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.

4. Notwithstanding the details shown on the approved plans, no consent is hereby granted for the installation of timber panels to the inside of the existing walls to the rear yard area.

Reason:- To ensure that the works harmonise with the existing development.

5. Prior to any works to construct the hot-tub, bin store or sauna, details or samples of the artificial stone cladding shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason:- To ensure that the works harmonise with the existing development.

6. All replacement windows shall match design, appearance and materials (timber) of the existing property on a like-for-like basis.

Reason:- To ensure that the works harmonise with the existing development.

7. The parking areas detailed on the approved plans shall be provided prior to first occupation of the development hereby approved and shall thereafter be retained.

Reason: To ensure that the site is served by an appropriate level of off street parking in the interest of highway safety.



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8. The widened access off Park Road shall be formed through reinstating the existing gate pillar in the position shown.

Reason:- To ensure that the works harmonise with the existing development.

9. Prior to any works to construct the bin store being undertaken, revised details for the siting and screening of the bin store shall be submitted to the Local Planning Authority and approved in writing. The development shall be carried out in strict accordance with the approved details.

Reason:- To ensure that the works harmonise with the existing development.

Informative

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.

