

Michael Foulkes
M J F Architectural Design
43 B, High Street
Buxton,
SK17 6HA



High Peak Borough Council

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43 B, High Street
Buxton,
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Mr Andrew Duncan
9 Stoneridge,
Park Road,
Buxton,
Derbyshire,
SK17 6SG

Application no: HPK/2023/0433

Determined on: 11th December 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:

9 Stoneridge, Park Road, Buxton, Derbyshire, SK17 6SG

Description of Development:

Demolition of existing garage and rebuild with same style with upgraded materials

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 accordance with the following submitted plans and subject to the following conditions and/or modifications: -

Site and Location Plan Drawing Number: ADPL-001

Existing Plans Drawing Number: ADPL-002A

Proposed Plans Drawing Number: ADPL-003A

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

3. The development hereby permitted shall be constructed of gritstone and slate





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as outlined within the application form and approved plans, unless otherwise first agreed in writing with the Local Planning Authority and shall be retained as such for the lifetime of the development.

Reason: - To ensure that the external appearance of the development is satisfactory and to comply with policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

3. The door on the west elevation hereby permitted shall be solid with no glazing and shall be retained as such for as long as the structure remains, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: - To ensure that there is no potential for loss of privacy/overlooking given the proximity of the amenity space and conservatory associated to 7 Park Road, to protect neighbour privacy/amenity to comply with policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows, doors or other openings, other than those shown on the approved plans shall at any time be formed in any elevation of the garage hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy and to comply with policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

5. The use of garage building hereby permitted shall be restricted to uses incidental to, and shall enure for the benefit only of residents of, 9 Park Road.

Reason: The development proposed is only acceptable by limiting its use for incidental purposes associated to the dwellinghouse (9 Park Road) and the Local Planning Authority wishes to have the opportunity of exercising control over any subsequent use introduced that is not incidental.

6. No development shall take place, including any demolition works, until a construction management plan or demolition/construction method statement has been submitted to and approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the demolition/construction period. The plan/statement shall provide for:

- 24 hour emergency contact number;
- Hours of operation;
- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Locations for loading/unloading and storage of plant, waste, and construction materials;
- Methods of communicating the Construction Management Plan to neighbouring residents.

Reason: In the interests of safety of nearby residents and; safe operation of the adopted





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highway in the lead into development both during the demolition and construction phase of the development and to comply with policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

Informative

1. This is considered to be a sustainable form of development and so complies with the provisions of High Peak Local Plan (2016) and the NPPF (2021).
2. The applicant should be made aware of the following matters:
 - any damage to the footpath in between the garage and number 7, caused during construction, shall be repaired, and made good.
 - right of access into the garage along the path exists, permission may require to be sought from the landowner to construct the garage from the footpath.

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; Email: info@dbcp.co.uk ; Tel:0333 880 2000, as per your website..
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.

