

Mrs Eleanor Hall
Hayes And Partners
Atlas House Old Hall Street
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Cheshire
SK10 2DT



High Peak Borough Council

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Mr Murphy
c/o Agent

Application no: HPK/2023/0461

Determined on: 15th February 2024

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:

12 Little Mount Lascelles Road Buxton Derbyshire SK17 6RA

Description of Development:

New dwelling on the side garden of 12 Lascelles Road - renewal of planning approval
HPK/2019/0440 re-submission of HPK/2022/0523

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; Proposed Block Plan (Ref: 3908-00-11E); Site Plan as Proposed (Ref: 3908-00-10E); Plans and Elevations (Ref: 3908-00-12C); Tree Protection and Storage Compound (Ref: 3908-00-14F)

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

3. The materials of external construction shall be coursed natural gritstone to the lower walls, render to the upper walls, with dark coloured tiles to the roof.

Reason:- In the interests of good design and visual amenity in accordance with Local Plan





EQ6 and relevant paragraphs under Chapter 12 of the NPPF.

4. Prior to the construction of any external wall or installation of any hard surface, samples of the materials to be used in the construction of the external walls, roofing materials and hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:- In the interests of good design and visual amenity in accordance with Local Plan EQ6 and relevant paragraphs under Chapter 12 of the NPPF.

5. No development shall commence until a temporary access for construction purposes has been provided in accordance with a detailed design first submitted to and approved in writing by the Local Planning Authority. The access shall be retained in accordance with the approved scheme throughout the construction period, or such other period of time as may be agreed in writing by the Local Planning Authority, free from impediment to its designated use. Thereafter the temporary access shall be removed prior to the first occupation of the dwelling hereby approved.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF

6. Space shall be provided within the site curtilage for the storage of plant and materials, laid out and constructed in accordance with the approved designs and maintained throughout the duration of any contract periods/active phases of development in accordance with the approved designs free from any impediment to its designated use.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF

7. Prior to the first occupation of the dwelling hereby approved a new vehicular access to Lansdowne Road shall be laid out and constructed in accordance with details shown on drawing no 3908_00_10 Rev E or alternative proposals submitted to and agreed in writing with the Local Planning Authority; the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level. All tree protection measures shall be in place before and during the duration of the construction of the new vehicular access in accordance with the Tree Protection and Storage Compound Diagram or with alternative proposals submitted to and agreed in writing by with the Local Authority.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF

8. The premises, the subject of the application shall not be occupied until space has been provided laid out, and surfaced within the application site in accordance with the application drawings for the parking of residents and visitors vehicles. Those areas shall be maintained throughout the life of the development free from any impediment to their designated use.



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Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF

9. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.

Reason:- In the interests of highway safety in accordance with Local Plan Policy CF6 and relevant paragraphs under Chapter 9 of the NPPF

10. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason - in the interests of the amenity and environmental quality of the locality, in accordance with Policy EQ9 of the High Peak Local Plan 2016.

11. (a) No development or other operations shall take place except in complete accordance with the approved Tree Protection and Storage Compound Diagram (Dwg No. 3908_00_14 Rev F) or with alternative proposals submitted to and agreed with the Local Planning Authority. (b) No operations shall commence on site in connection with the development hereby approved (including demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the Tree Protection and Storage Compound Diagram (Dwg No. 3908_00_14 Rev F), or with alternative proposals submitted to and agreed with the Local Planning Authority, are in place. (c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme. (d) Protective fencing shall be retained intact during all active phases of the development hereby approved and shall not be removed or repositioned during these contract periods/active phases without the prior written approval of the Local Planning Authority.

Reason -To ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality, in accordance with Policy EQ9 of the High Peak Local Plan 2016.

12. The Rainwater Harvesting System and Sustainable Drainage System (SUDS) shall be installed in accordance with details set out under Section 2.0 of the supporting Nutrient Neutrality and Mitigation Strategy prepared by EnvirEn Ltd (dated 28th November 2023) prior to the first occupation of the development and shall be retained in situ thereafter for the lifetime of the development.





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Reason:- In order to mitigation potential impacts to the Peak District Dales SAC

Informative

1. The Local Planning Authority has where necessary worked in a positive and proactive manner with the applicant to achieve a sustainable form of development as required by the National Planning Policy Framework.

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.
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.

