



High Peak Borough Council
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Miss E Storry
28 Dale Road
Buxton
Derbyshire
SK17 6NL

Application no: HPK/2016/0395

Determined on: 05/05/2017

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:

2 Hobsons Court Buxton Derbyshire SK17 6EY

Description of Development:

Proposed replacement of single glazed non sash windows with UPVC double glazed sash windows

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):

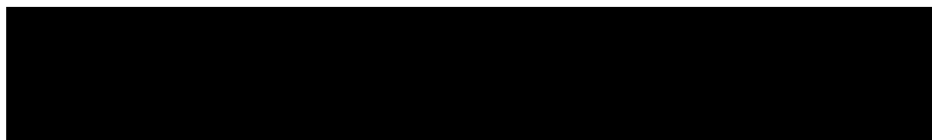
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

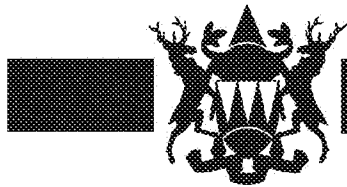
Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Amended Location Plan, Existing Elevations 2, Proposed Elevations 1, 'Roseview Windows - Ultimate Rose Technical Drawing 2016 v1'.

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

3. Notwithstanding the details on the approved plans, the 2 No. approved sash windows on the front elevation (ground and first floors) shall be the 'Ultimate Rose' model produced by 'Roseview'. The approved window on the second floor of the front elevation shall be side hung and of a quality to match the Roseview 'Ultimate Rose' sash windows approved. A





sample of the side hung window shall be submitted to and approved in writing by the Local Planning Authority prior to the window being installed. Once installed, the approved windows for the front elevation shall be retained thereafter. The approved windows on the side elevation shall be produced by Linear Windows.

Reason: - To ensure the appearance of the windows is acceptable within the Conservation Area and to comply with policies S1, EQ6 and EQ7 of the Local Plan and section 7 and 12 of the NPPF.

Informatives

1. NPPF

The LPA has worked closely with the applicant to secure a sustainable form of development. Therefore paras 186 & 187 of the NPPF have been adhered to.

2. Policies

High Peak Local Plan Adopted April 2016

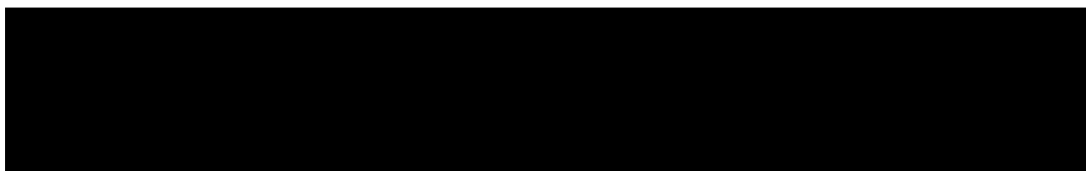
S1 - Sustainable development principles
S1a - Presumption in favour of sustainable development
S2 - Settlement hierarchy
S7 - Buxton sub-area strategy
EQ1 - Climate change
EQ6 - Design and place making
EQ7 - Built and historic environment

Buxton Conservation Areas Character Appraisal
Buxton Central Article 4
SPD - Buxton Design and Place Making Strategy

National Planning Policy Framework

- * Ministerial foreword
- * Introduction (Inc. Achieving sustainable development, presumption in favour of sustainable development, core planning principles, delivering sustainable development
- * 7 Requiring good design
- * 10 Meeting the challenge of climate change, flooding and coastal change
- * 12 Conserving and enhancing the historic environment

National Planning Practice Guidance





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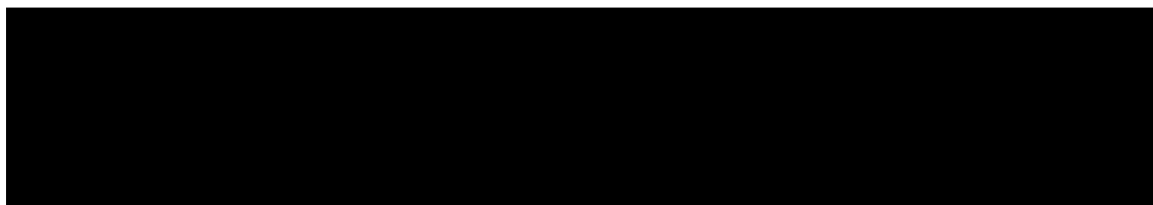
3. Replacing windows on the rear elevation

It is noted that the applicant has questioned what the requirements are if replacing a window or two on the rear elevation at some point in the future. The applicant should be aware that replacing windows on the rear elevation could be carried out without the need for planning permission under permitted development rights (subject to the criteria and conditions outlined in Schedule 2, Part 1, Class A of The Town & Country (General Permitted Development) (England) Order 2015) as the rear elevation is not constrained by the Article 4 Direction which applies to the area.



Signed by: Jane Colley

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.