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High Peak Borough Council

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TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

FULL PLANNING APPLICATION

PERMISSION

Applicant Mr & Mrs Harding
Gorsty Low Farm
The Wash
Chapel-en-le-Frith
SK23 0QL

Agent CA Planning
7 East Cliff
Preston
PR1 3JE

Application no. HPK/2011/0019

Registered on 18/01/2011

Determined on 16/03/2011

High Peak Borough Council hereby **PERMIT** this application for **FULL PLANNING PERMISSION** for

Conversion of agricultural barn into residential unit & rebuilding of existing lean to extension at Gorsty Low Farm, Wash

in accordance with the submitted application, details and accompanying plans listed below subject to the following conditions and reasons:-

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission unless some other specific period has been indicated in other conditions given.
2. This permission relates only to the conversion of the barn indicated on the drawings hereby approved. It does not grant or convey any consent or permission for any works of demolition, reconstruction, construction or alteration affecting the external appearance of the building, except where such works are indicated in the submitted structural report.

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Andy Ellis – Development Control Manager

3. The materials of external construction shall be coursed natural gritstone to the walls with natural blue slate to the roof.

4. No works shall take place on site until details of windows, including glazing bar details at 1:2, together with details of the door joinery, have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

5. No window or door frame shall be recessed less than 75mm from the external face into which it is set.

6. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) Order (England) 2008 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class A, B, C, D, E and G of Part 1of the Order shall be erected on the application site.

7. The sole means of vehicular access to the residential property hereby approved shall be from the existing access serving the barn as shown on plan ref 7680-P03c. The access shall be maintained with maximised emerging vehicle visibility sightlines, from a 2.4m minor road viewpoint in each direction, the area in advance of the sightlines being maintained of the life of the development free from any obstruction to visibility over 1m high relative to the adjoining nearside carriageway channel level, or as may be agreed in writing by the Local Planning Authority.

8. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include the number, sizes and species of the proposed planting, boundary treatment and hard surfacing materials. The approved hard surfacing materials shall implemented within 12 months of the first occupation of the dwelling hereby approved.

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings and no later than 12 months of that occupation or the 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 approved scheme die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990 and section 51 of the Planning and Compulsory Purchase Act 2004.

2. In the interests of visual amenity and having regard to the advice in PPS7: Sustainable Development in Rural Areas, PPG2: Green Belts and Policy OC2 of the High Peak Saved Local Plan Policies 2008 which allows development of this kind only if conversion is possible without extensive reconstruction.

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Andy Ellis – Development Control Manager

3. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

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5. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

6. To enable the Council to exercise control over future developments at the site, in accordance with Policy GD4 and Policy GD5 of the High Peak Saved Local Plan Policies 2008.

7. In the interests of highway safety and in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

8. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

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Summary of reasons for granting permission

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal which has no adverse impact on the openness/visual amenity of the Green Belt. The extension covers a similar footprint to the extension which is to be demolished as part of the development.

The decision to grant planning permission has also been taken having regard to all other relevant material planning considerations and to the following relevant policies and proposals in the Development Plan.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
GD4 - Character Form and Design
GD5 - Amenity
OC1 - Countryside Development
OC2 - Green Belt Development
OC3 - Special Landscape Area Development
OC4 - Landscape Character and Design
OC5 - Developement Conspicuous from the Peak District National Park
TR5 - Access, parking and design

National Planning Policy

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Planning Policy Guidance Note 2: Green Belts

Planning Policy Statement 7: Sustainable Development In Rural Areas.

Notes to Applicant

1. Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (eg; street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

2. The application site is adjacent to a public right of way (Footpath no.55 Chinley, Buxworth & Brownside on the Derbyshire Definitive Map). The route must remain unobstructed on its legal alignment at all times and the safety of the public using it must not be prejudiced either during or after development works take place. Further advice can be obtained by calling 08456 058058 and asking for the Rights of Way Duty Officer. Please note that the grating of planning permission is not consent to divert a public right of way as shown on plan ref 7680-P03c.

3. Please note that the grant of planning permission does not convey any acceptance of the alterations shown to the existing field access illustrated shown on plan ref 7680-P03c

Plans

The plans to which this Notice refers are listed below:
L01a
L02a
P02c
P03c

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section on 0845 129 7777.

Any other statutory consent necessary must be obtained from the appropriate authority.

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, Derbyshire, County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.

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

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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.

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.

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.

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Andy Ellis – Development Control Manager