www.highpeak.gov.uk

High Peak Borough Council

working for our community

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 S Booth Millward Cold Springs Farm Manchester Road Buxton SK17 6SS	Application no. HPK/2012/0092 Registered on 21/02/2012
Agent	Allen & Hunt Construction Engineers Ltd Narlow Works Thorpe Nr Ashbourne DE6 2AT	Determined on 05/04/2012

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

Proposed Agricultural Replacement building to house livestock and to store fodder and implements at Cold Springs Farm, Manchester Road, Buxton

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. No development shall commence until samples of the materials to be used in the construction of the external surfaces, including their colour, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

…….
Michael Green
Planning Applications Manager

3. 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, the proposed finished levels and hard surfacing materials.

4. 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.

5. If the building hereby permitted ceases to be used for agricultural purposes in relation to the agricultural use of the holding, the building shall be removed and the land restored in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall implemented within 6 months of the date of the removal of the building.

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, in accordance with Policies OC1 and OC3 of the High Peak Saved Local Plan Policies 2008.
3. In the interests of visual amenity, in accordance with Policies, OC1, OC3 and GD6 of the High Peak Saved Local Plan Policies 2008.
4. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.
5. The site is in a location where new buildings, other than those which are related to the rural economy will be permitted, in accordance with Policies OC1 and OC6 of the High Peak Saved Local Plan Policies 2008.

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 relates to the rural economy and would not harm either the residential amenities of the neighbouring property or the visual amenities of the open countryside and Special Landscape Area.

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.

……

Michael Green
Planning Applications Manager

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

GD5 - Amenity
OC1 - Countryside Development
OC3 - Special Landscape Area Development
OC4 - Landscape Character and Design
OC6 - Agricultural Development
TR5 - Access, parking and design

National Planning Policy
National Planning Policy Framework

Notes to Applicant

Plans
The plans to which this Notice refers are listed below:
892-001
892-002
892-003

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 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.

……
Michael Green
Planning Applications Manager

(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.

……
Michael Green
Planning Applications Manager