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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 JRD Morten
Cowdale Hall
Cowdale
Buxton
SK17 9SE

Agent Sammons Architectural Ltd
10 Cawdry Buildings
Fountain Street
Leek
ST13 6JP

Application no. HPK/2012/0091

Registered on 16/02/2012

Determined on 12/04/2012

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

Proposed Conversion of former farm buildings to form holiday unit at Cowdale Hall Cowdale

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 soley to the use of the premises for holiday residential use; the property shall not be occupied as a permanent dwelling and shall not be occupied by any persons for a continuous period exceeding 28 days in any calender year.

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Michael Green
Planning Applications Manager

3. Notwithstanding the provisions of Classes A B C D E of Part 1 of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking or re-enacting that Order) no alterations or extensions or outbuildings shall be erected (built) without the prior written approval of the local planning authority.

4. No development shall commence until samples of the materials to be used in the construction of the external surfaces of the approved development hereby permitted 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.

5. The premises, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking of residents vehicles , located, designed, laid out and constructed in accordance with a detsiled scheme to be submitted to and agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.

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. To define the permission for the avoidance of doubt, in particular because the property lies within the open countryside where permenant residential use is not normally permitted in accordance with Policy OC1 of the adopted High Peak Local Plan 2008 and because the building has limited amenity space that would be associated with a permanent dwelling, as set out in Policy GD5 of the adopted High Peak Local Plan 2008.

3. 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.

4. 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.

5. To ensure satisfactory service provision in the interests of highway safety, in accordance with Policy TR5 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 will provide an economically beneficial use to the building in line with current planning guidance and policy. The proposal will also enhance the appearance of

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the building. It is not considered that the proposal will result in substantial harm to any interest of acknowledged importance.

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

EMP 7 - Industry and business in the countryside
GD4 - Character Form and Design
GD13 - Buxton Mineral Water
OC1 - Countryside Development
OC3 - Special Landscape Area Development
OC4 - Landscape Character and Design
TR5- Access Parking and Design
GD5- Amenity

National Planning Policy Framework

Plans
The plans to which this Notice refers are listed below:
2011-1748-06
2011-1748-06A
2011-1784-08

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

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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.

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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Michael Green
Planning Applications Manager