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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 Jonathan Watmough
Fern Cottage Fern Road
Buxton
SK!7 9NP

Agent

Application no. HPK/2012/0127

Registered on 06/03/2012

Determined on 30/04/2012

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

**Block of two wooden stables with an adjoining tack/feed room at Fern Cottage, Fern 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. The stables hereby approved shall be constructed with shiplap boarding to the elevations and a black felt roof unless otherwise agreed in writing with Local Planning Authority.
3. The stables hereby permitted shall be occupied solely by horses within the management and control of the occupiers of Fern Cottage and shall not be sold off or sublet separately from this property.
4. The stables shall not be used for any commercial riding, breeding or training purposes.
5. No development or other operations shall commence on site in connection with the development hereby approved until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority. All tree felling and

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Planning Applications Manager

pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998 (1989) Recommendations for Tree Works.

6. No development or other operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved Method Statement. Such Method Statement shall include full details of the following:

   a) Implementation, supervision and monitoring of the approved Tree Protection Scheme.

   b) Implementation, supervision and monitoring of the approved Tree Work Specification.

   c) Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme

   d) Timing and phasing of Arboricultural works in relation to the approved development.

7. No development shall commence on site until details of any foundations to be used in the construction of the stables hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed strictly in accordance with the approved details.
8. Prior to the commencement of development details including the location for the storage of any bedding, feed or manure shall be submitted to an approved in writing by the Local Planning Authority. There shall be no storage of these items where they would be within the crown spread of the adjacent trees.

**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 the visual amenities of the countryside and Special Landscape Area and in accordance with Policies OC1 and OC3 of the adopted High Peak Saved Local Plan Policies 2008.
3. To ensure that the safety of the animals is not endangered by the lack of residential supervision on the site and in accordance with Policy LT5 of the adopted High Peak Saved Local Plan Policies 2008.
4. In the interests of the visual amenities of the countryside and Special Landscape Area and in accordance with Policies OC1 and OC3 of the adopted High Peak Saved Local Plan Policies 2008.
5. 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 GD5 and OC10 of the High Peak Saved Local Plan Policies 2008.

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6. 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 GD5 and OC10 of the High Peak Saved Local Plan Policies 2008.
7. In the interests of the existing trees adjacent to the site and in accordance with Policy OC10 of the adopted High Peak Saved Local Plan Policies 2008.
8. In the interests of the existing trees adjacent to the site and in accordance with Policy OC10 of the adopted 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 would not harm the visual and residential amenities of the locality and would not harm the

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
LT5 - Horse riding facilities, stables and riding schools
OC1 - Countryside Development
OC3 - Special Landscape Area Development
OC4 - Landscape Character and Design
OC10 - Trees and Woodlands
TR5 - Access, parking and design

National Planning Policy Framework

**Notes to Applicant**

**Plans**
The plans to which this Notice refers are listed below:
Location Plan
Site Plan
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Planning Applications Manager

**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.
(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