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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 Mrs Wendy Stoodley
Bolefield House
Bank Hall
Chapel en le Frith
SK23 9UB

Agent

Application no. HPK/2012/0641

Registered on 08/11/2012

Determined on **03/01/2013**

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

(HPK/2010/0007) For New Proposed Conversion of Barn to form Single Dwelling at The Barn Bank Hall Chapel en le Frith

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 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.

……
Michael Green
Planning Applications Manager

3. The propossed windows shall be timber unless otherwise agreed in writing by the Local Planning Authority.

4. This permission relates only to the conservation of the barn indicated on the drawings hereby approved. It does not grant or convey any consent or permission for any works of demoliation, reconstruction, conctruction or alteration 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.

5. The premises, the subject of the application, shall not be occupied until space has been provided for two on-site parking spaces in accordacne with the application drawings, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

6. Before work commences, a bat survey shall be undertaken by a licenced bat ecologist. A copy of the bat survey report shall be submitted to the Local Planning Authority and any necessary mitigation plan shall be agreed in consultation with Natural England and confirmed in writing by the Local Planning Authority.

7. (a) No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of any Tree Preservation Order currently in force, 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 protection scheme.

   (b) No operations shall commence on site in connection with the development hereby approved (including demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

   (c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

   (d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

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Michael Green
Planning Applications Manager

8. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased with five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of 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, 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.

3. In the interests of visual amenity, in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.

4. For the avoidance of doubt.

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.

6. To safeguard wildlife in the interests of nature conservation.

7. 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.

8. 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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Michael Green
Planning Applications Manager

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 that is considered to be a suitable re-use of an agricultural building that will not harm the visual qualities of the open landscape. The proposed change of use is not considered to harm the amenity of neighbouring occupiers or detract from the character of the surrounding countryside.

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
GD7 - Crime Prevention
OC1 - Countryside Development
OC3 - Special Landscape Area Development
TR5 - Access, parking and design

National Planning Policy Framework

Notes to Applicant

The application site is affected by a public right of way (FP44) on the Derbyshire Definitive Map. The route must remain unobstructed on its lawful alignmnet at all times and the safety of the public using it must not be prejudiced either during or after development works take place. Advice on procedures for the temporary or permanent diversion of such routes may be obtained from the County Council's Public Right of Way Section at Shand House, Matlock (tel: 01629 539673).

Plans

The plans to which this Notice refers are listed below:

Location Plan
0709019/01
0709019/02
0709019/03
0709019/04

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.

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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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