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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 B Howat
Kirkstones Garrison Road
Birch Vale
SK22 1DQ

Agent Andy Cudworth Architecture
35 Hopwood Street
Barnsley
SK22 1DQ

Application no. HPK/2013/0167

Registered on 21/03/2013

Determined on 16/05/2013

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

Proposed Conversion of Barn to 1 Bedroom Holiday Let at Kirkstones Garrison Road Birch Vale

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 works shall take place on site until details of windows, including glazing bar details at 1:20, 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.

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Michael Green
Planning Applications Manager

3. 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.

4. The premises, the subject of the application, shall not be occupied until space has been provided within the site curtilage (2.4m x 4.8m) for the parking of the residents vehicle , located, designed, laid out and constructed and maintained throughout the life of the development free from any impediment to its designated use.

5. Any gates shall open inwards only.

6. Notwithstanding the provisions of ClassesA B C D E of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order) no further alterations shall be made to the property or outbuildings erected (built) without the prior written approval of the local planning authority.

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. For the avoidance of doubt.

4. 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.

5. In the interests of highway safety, in accordance with Policy TR5 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.

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 for an underused building, without detriment to the character of the countryside, highway safety or the amenity of adjoining neighbours.

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Michael Green
Planning Applications Manager

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

GD4 - Character Form and Design
OC1 - Countryside Development
OC4 - Landscape Character and Design
GD5 Amenity
TR5 Access Parking and Design

National Planning Policy Framework

Notes to Applicant

This permission is granted on the basis that there are no alterations to the guttering and fascia boards and thus there will be no impact on the habitat of bats. The applicant is made aware of obligations to consult Natural England if works affect a bat roost.

The permission affects New Mills Public Footpath 121. The route must remain open, unobstructed on its legal alignment at all times, both during and on completion of works at the site.

There shall be no disturbance to the surface of the path without the prior consent of Derbyshire County Council.

Plans
The plans to which this Notice refers are listed below:
BHBV-312-2 Rev B

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.

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Michael Green
Planning Applications Manager

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