

Mr Ken Wainman
Ken Wainman Associates Ltd
31A St Edward Street
Leek
Staffordshire
ST13 5DN



High Peak Borough Council

working for our community

Mr Ken Wainman
Ken Wainman Associates Ltd
31A St Edward Street
Leek
Staffordshire
ST13 5DN

Mrs Arnfield
Laneside Farm Laneside Road
New Mills
High Peak
SK22 4LU

Application no: HPK/2016/0534

Determined on: 04/11/2016

**Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015**

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990 (as amended).

Location of Development:

Laneside Farm Laneside Road New Mills Derbyshire SK22 4LU

Description of Development:

Retrospective amendment of application no. HPK/2015/0553 for the change of use of the site from agricultural to equestrian use & the construction of an all -weather outdoor riding area including earth-shaping

In pursuance of their power under the above mentioned Act, High Peak Borough Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

1. The development hereby permitted shall be carried out in accordance with the following approved plans 3570-01B, 3570-02C, 3570-03C and 3570-05B.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

2. The development hereby permitted shall only be used by the occupants of the adjacent dwelling know as Laneside Farm and shall not be separately sold or sub let or used for commerical purposes or special events such as gymkhanas and competitions without the prior written consent of the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Polic CF6 of the High Peak Local Plan 2016.





High Peak Borough Council

working for our community

3. There shall be no artificial illumination installed on the site without the prior written consent of the Local Planning Authority.

Reason: To safeguard the character and appearance for the countryside and nearby residents and in accordance with Policies EQ3 and EQ6 of the High Peak Local Plan 2016.

4. Should the retained sycamore tree become significantly diseased, fail or otherwise be lost within a period of 5 years from the date of this consent then it shall be replaced in the next available planting season with a tree of a size and species to be agreed in writing by the Local Planning Authority.

Reason: To safeguard significant landscape features and to safeguard the character and appearance of the development and in accordance with Policy EQ3 of the High Peak Local Plan 2016.

5. All soft landscaping comprised in the approved details of landscaping, shown on plan ref 3570-05B shall be carried out in the first planting and seeding season following the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, 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 otherwise agreed in writing by the Local Planning Authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason:- To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features, in the interests of visual amenity, in accordance with Policies S1 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

Informative

This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

X *B.J. Haywood*

Signed by: Haywood, Ben

On behalf of High Peak Borough Council



NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section.
2. 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 at Derbyshire County Council.
3. 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.
4. 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.
5. 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.
6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must



High Peak Borough Council

working for our community

do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate#other-ways-to-apply>. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.