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**High Peak Borough Council**

*working for our community*

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Sheffield  
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Mr Curtis  
C/O the Agent

Application no: HPK/2017/0283

Determined on: 28<sup>th</sup> July 2017

**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:**

Bank Hall Farm Bankhall Chapel-En-Le-Frith Derbyshire SK23 9UB

**Description of Development:**

Conversion of the building referred to as Bank Hall Farm Barn to a four bed dwelling with ancillary parking and landscaped amenity space

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 begun before the expiration of three years from the date of this permission.

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 15014(PL)002d, 15014(PL)003c, 15014(PL)004b, 15014(PL)005, 15014(PL)011d, 15014(PL)012e, 15014(PL)013d, 15014(PL)014d, 15014(PL)015a and 15014(PL)021.

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

3. No works shall commence until samples of the materials to be used on all the external surfaces of the works including rainwater goods hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. The work shall





be completed in strict accordance with the agreed details.

Reason:- To preserve the setting and architectural and historical integrity of the building in accordance with Policies EQ6 and EQ7 of the High Peak Local Plan 2016 and Section 12 of the National Planning Policy Framework.

4. No works shall commence until a plan indicating the details of all joinery, including cross sections of glazing bars, to a scale not less than 1:10 has been submitted to and approved in writing by the Local Planning Authority. The work shall be completed in strict accordance with the agreed details.

Reason:- To preserve the setting and architectural and historical integrity of the building in accordance with Policies EQ6 and EQ7 of the High Peak Local Plan 2016 and Section 12 of the National Planning Policy Framework.

5. Prior to commencement of development, the details of all new or replacement eaves, verges and trusses, including their external treatments shall be submitted to and agreed in writing by the Local Planning Authority. The work shall be completed in strict accordance with the agreed details.

Reason:- To preserve the architectural and historical integrity of the building in accordance with Policies EQ6 and EQ7 of the High Peak Local Plan 2016 and Section 12 of the National Planning Policy Framework.

6. No works shall commence until a plan of the proposed rooflights including cross sections of glazing bars, to a scale not less than 1:10 has been submitted to and approved in writing by the Local Planning Authority. The work shall be completed in strict accordance with the agreed details.

Reason:- To preserve the architectural and historical integrity of the building in accordance with Policies EQ6 and EQ7 of the High Peak Local Plan 2016 and Section 12 of the National Planning Policy Framework.

7. All external cladding and timber infill panels shall be well recessed and set back from the face of the stone piers of the building by a minimum of 200mm .

Reason:- To preserve the setting and architectural and historical integrity of the building in accordance with Policies EQ6 and EQ7 of the High Peak Local Plan 2016 and Section 12 of the National Planning Policy Framework.

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.



Reason:- In the interest of visual amenity, in the interests of visual amenity, in accordance with Policies S1, EQ3 and EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

9. The hard and soft landscaping as shown on plan ref 15014(PL)021 shall installed within 12 months of the first occupation of the development hereby approved or within the first available planting season whichever the sooner.

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.

10. 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 until the Local Planning Authority gives written consent to any variation.

Reason:- To protect the health and amenity of the trees in accordance with Policies EQ2 and EQ9 of the High Peak Local Plan 2016 and paragraph 118 of the National Planning Policy Framework.

11. No works shall commence until details of all soil and vent pipes, heater flues and meter boxes have been submitted to and agreed in writing by the Local Planning Authority. The works shall be completed in strict accordance with the agreed details.

Reason:- To preserve the setting and architectural and historical integrity of the building in accordance with Policies EQ6 and EQ7 of the High Peak Local Plan 2016 and Section 12 of the National Planning Policy Framework.

12. No works shall be carried out on the site between the 1st March and 31st August inclusive, unless the site is surveyed for breeding birds, and a scheme to protect breeding birds is submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be carried out in accordance with the approved scheme.

Reason:- To provide adequate safeguards for the protection of any protected species existing on the site, in accordance with Policy EQ5 of the High Peak Local Plan 2016 and paragraph 17 and Section 11 of the National Planning Policy Framework.

13. No construction works shall commence on site until a precautionary activity survey is undertaken for the presence of bats during the active season April - August. The results of this survey shall be submitted to the Local Planning Authority and if any bats are found a scheme for appropriate mitigation measures shall be submitted to



and approved in writing by the Local Planning Authority. In addition all other mitigation measures shall be implemented in accordance with the mitigation recommendations contained within Section 6 of the submitted Ecological Report (EVR Ecology, 2016(17)/EB/62), and maintained thereafter for the lifetime of the development.

Reason:- To provide adequate safeguards for the protection of any protected species existing on the site, in accordance with Policy EQ5 of the High Peak Local Plan 2016 and paragraph 17 and Section 11 of the National Planning Policy Framework.

14. No development shall take place including any works of demolition until a construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
- parking of vehicles of site operatives and visitors
  - storage of plant and materials
  - site accommodation
  - loading, unloading and manoeuvring of goods vehicles,
  - routes for construction traffic and any restrictions as may be required in terms of vehicle width and weight

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

15. No part of the development hereby permitted shall be first brought occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained thereafter, free from any impediment to their designated use.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

16. No development shall commence until an appraisal to demonstrate that the water supply intended to serve the development is both suitable (wholesome) and sufficient, has been submitted to and approved in writing by the Local Planning Authority. This appraisal shall be carried out by appropriately qualified person(s) and shall specify the means by which a water supply shall be provided and thereafter maintained to the development. Such appraisal shall also demonstrate that the sufficiency of any other supply in the vicinity of the development, or any other person utilising the same source or supply, will not be compromised by the proposed development. The development itself shall not be occupied until the supply or any proposed treatment, storage or infrastructure has been installed in accordance with the approved specification.

Reasons: In the interests of amenity in accordance with Policy EQ5 of the Adopted High Peak Local Plan and Paragraph 17 of the National Planning Policy Framework.



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### Informative

The Council entered into pre-application discussions with the applicant to secure a sustainable scheme, as has been submitted and consequently approved. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

1. The application site is affected by a Public Right of Way {no.44 Chapel en le Frith} on the Derbyshire Definitive Map. The route must remain unobstructed on its lawful alignment at all times and safety of the public using it must not be prejudiced either during or after development works take place. Advice on the procedures for the temporary or permanent diversion of such routes may be obtained from the County Council's Public Rights of Way Section at Shand House, tel: tel 01629 533190 or email [etcprow@derbyshire.gov.uk](mailto:etcprow@derbyshire.gov.uk).
  - The granting of planning permission is not consent to divert or obstruct a public right of way. If it is necessary to temporarily obstruct a right of way to undertake development works then a temporary closure is obtainable from the County Council. Please contact 01629 533190 for further information and an application form or email [etcprow@derbyshire.gov.uk](mailto:etcprow@derbyshire.gov.uk)
  - If a right of way is required to be permanently diverted then the Council that determines the planning application (The Planning Authority) has the necessary powers to make a diversion order.
  - Any development insofar as it will permanently affect a public right of way must not commence until a diversion order (obtainable from the planning authority) has been confirmed. A temporary closure of the public right of way to facilitate public safety during the works may then be granted by the County Council.
  - To avoid delays, where there is reasonable expectation that planning permission will be forthcoming, the proposals for any permanent stopping up or diversion of a public right of way can be considered concurrently with the application for the proposed development rather than await the granting of permission.
2. The applicant will need to consult with the relevant refuse collection department to ascertain details of what will be acceptable to them in terms of number and location of bins and means of access. Bin storage should not obstruct the private drive access, parking or turning provision. Additionally a dwell area for bins should be provided, clear of the public highway, for use on refuse collection days.





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X *J. Colley*

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Signed by: Jane Colley

**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](http://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





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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.

