



High Peak Borough Council

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Application no: DET/2021/0003

Determined on: 09/04/2021

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
(ENGLAND) ORDER 2015**

PRIOR APPROVAL REQUIRED FOR CHANGE OF USE

APPROVAL

High Peak Borough Council hereby **APPROVE** this application for **DETERMINATION** for

**Change of use of agricultural building to one dwelling house at Stubbins Farm
Unnamed Road From Stubbins Lane To Tithe Barn Farm Chinley**

in accordance with the submitted application, details and accompanying plans listed as follows: 100 Location Plan; 200 Proposed Plans

subject to the following conditions

1. The development hereby permitted under Class Q (a) and Class Q (b) must be completed with a period of three years from the date of this decision.

Reason:- To comply with Q.2 (3) of the Town and Country Planning (General Permitted development) (England) Order 2015.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 100 – Location Plan; 200 – Proposed Plans

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





High Peak Borough Council

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3. The curtilage of the dwelling hereby permitted shall consist solely of the area outlined in red on the approved drawings. The curtilage shall not extend beyond this area.

Reason:- To enable the Local Planning Authority to control the development in detail and to ensure the development does not have a harmful environmental effect.

4. No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. These areas shall be maintained for those purposes at all times thereafter.

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

5. Prior to the proposed development being first brought into use, an Ecological Enhancement scheme shall be submitted to and agreed in writing by the local planning authority. The scheme shall be based on the recommendations set out within Section 4 of the updated Bat Report prepared by Dunelm Ecology dated August 2020 and include the provision of bird and bat boxes attached at the eaves/apex, with bird boxes not being included on the southern elevation, together with photographs of the boxes in situ. Thereafter the approved scheme shall be implemented in full prior to the first occupation of the dwelling.

Reason:- In the interests of achieving a nett gain in biodiversity in accordance with paragraph 175 of the NPPF

6. Prior to the development being first brought into use, a Lighting Strategy shall be submitted to and approved in writing by the local planning authority which should provide details of the chosen luminaries, their locations, and any mitigating features such as dimmers, PIR sensors, and timers. Thereafter the approved scheme shall be implemented in full prior to the first occupation of the dwelling.

Reason: To safeguard wildlife in the interests of nature conservation.

7. Any necessary new walling stone shall be selected to closely match in type, block size, colour and texture that of the existing building where it is to be inserted and any new roofing tiles shall be stone slate tiles to closely match in colour size and texture to those of the existing roof and there shall be no variation without the prior consent in writing of the Local Planning Authority.



High Peak Borough Council

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Reason: To ensure that the works harmonise with the existing development and in the interests of appropriate safeguard to the architectural and historic features of the building which define its design and external appearance.

8. Prior to the installation of any windows and doors which shall be of timber, detailed plans and sections of the proposed windows and doors at a scale of 1:10 together with details of the proposed finishes and the depth of their recess in the wall openings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as subsequently approved.

Reason: To ensure that the external appearance of the development is satisfactory and appropriate to the building and the character of the rural area and in the interests of appropriate safeguard to the architectural and historic features of the building which define its design and external appearance.

X 

Signed by: Jane Colley Signature

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 at buildingcontrol@highpeak.gov.uk
1. 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.
2. 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. An application will need to be made to discharge conditions and a fee is payable with the application. For more details please refer





High Peak Borough Council

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to our web site: www.highpeak.gov.uk 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.
3. 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.
4. 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.
5. 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.
6. 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 do so within 12 weeks of the date of this notice.
7. If this is a decision to refuse planning permission for a minor commercial application, and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
8. If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
9. If you want to appeal against your local planning authority's decision for any other type of development, including listed building consents then you must do so within 6 months of the date of this notice Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
10. The Secretary of State can allow a longer period for giving notice of an appeal, but 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 the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the



High Peak Borough Council

working for our community

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.

11. 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.