





# High Peak Borough Council

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Mr Burgess  
Shaw Marsh Farm Unnamed Road From  
Eaves Knoll Road To Shaw Marsh Farm  
New Mills  
Derbyshire  
SK22 4QE

Application no: HPK/2021/0024

Determined on: 02/06/2021

**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:**

Shaw Marsh Farm Unnamed Road From Eaves Knoll Road To Shaw Marsh Farm New Mills Derbyshire SK22 4QE

**Description of Development:**

Demolition of part of existing attached single story outbuilding in poor condition in order to build a new downstairs bedroom and living area extending to the side and rear of the farmhouse

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: 1) Location Plan; 1:5000 2) Location Plan 1:1250; 3) Site Plan; 6) Proposed Floor Plans; 7) Proposed Elevations (May 2021)

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

3. No development shall commence until samples of the materials to be used in the construction of external walls, roofs and window frames of the building have been





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submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with the approved materials.

Reason:- To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ6 and EQ7 of the High Peak Local Plan 2016 and relevant policies under Chapter 12 and 16 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 and the colour of the windows 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:- In the interests of good design, and in order to ensure that the character and appearance of the building and wider conservation area is preserved, in accordance with LP Policy EQ7 relevant paragraphs under Chapter 16 of the NPPF, and Section 72(1) of the Town and Country Planning Act 1990.

5.

- a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and
  - The programme and methodology of site investigation and recording
  - The programme for post investigation assessment
  - Provision to be made for analysis of the site investigation and recording
  - Provision to be made for publication and dissemination of the analysis and records of the site investigation
  - Provision to be made for archive deposition of the analysis and records of the site investigation
  - Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation"
- b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a)."
- c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured."

Reason:- In the interests of preserving potential archeological assets in accordance with LP Policy EQ7 relevant paragraphs under Chapter 16 of the NPPF





6.

- a) No development, including demolition, shall take place until a Written Scheme of Investigation for historic building recording has been submitted to and approved by the local planning authority in writing, until all on-site elements of the approved scheme have been completed to the written satisfaction of the local planning authority, and until the provision to be made for analysis, reporting, publication and dissemination of the results and archive deposition has been secured. The Written Scheme of Investigation shall include an assessment of significance and research questions; and
- The programme and methodology of site investigation and recording
  - The programme and provision for post-investigation analysis and reporting
  - Provision to be made for publication and dissemination of the analysis and records of the site investigation
  - Provision to be made for archive deposition of the analysis and records of the site investigation
  - Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation"
- b) No development shall take place other than in accordance with the Written Scheme of Investigation for historic building recording approved under condition (a)."
- c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for historic building recording approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured."

Reason:- In the interests of preserving potential archeological assets in accordance with LP Policy EQ7 relevant paragraphs under Chapter 16 of the NPPF

**Informative**

1. The Local Planning Authority have worked positively and proactively with the applicant to address all outstanding planning issues relating to the application to achieve sustainable development in line with paragraph 38 of the NPPF

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Signed by: Jane Colley Signature

**On behalf of High Peak Borough Council**





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### **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.

