



High Peak Borough Council

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Gow Hole Farm Gow Hole
Furness Vale
SK23 7QE

Application no: DET/2021/0002

Determined on: 12/10/2022

**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

**4 proposed houses created by converting barns at Gow Hole Farm Gow Hole
Furness Vale**

in accordance with the submitted application, details and accompanying plans listed below for the following reasons:-

07 Rev 3

03 Rev B

04 Rev B – North west and south east elevations

04 Rev B – Proposed ground floor and south elevation

05 Rev A

06 Rev A

Flood Risk Assessment by WML consulting dated March 2022.

Daytime bat survey and bat emergence survey by Rachel Hacking April - June 2021

1. The approval is granted subject to the conditions and limitations relevant to Class Q (a) and (b) as set out in the GPDO 2015 as amended including that the development under Class Q(a) and under Class Q(b) hereby approved must be completed within a period of 3 years starting with the date of this prior approval.





Reason: for clarity and the avoidance of doubt.

2. Prior to the installation of any windows and doors the specific construction material and colour finish of all windows and doors shall first have been submitted for approval in writing by the local planning authority and shall thereafter be installed in accordance with the details as subsequently approved in writing by the local planning authority.

Reason: In the interests of the character and appearance of the buildings and wider area.

4. All windows and external doors shall be set behind a reveal of 100mm behind the outer edge of the external walls.

Reason: In the interests of the character and appearance of the building.

5. Prior to the installation of any means of enclosure, full details including the materials, height and siting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the buildings and wider area.

6. Prior to the commencement of development, a dawn survey to record the use of the buildings by bats shall be carried out and the results submitted to and approved in writing by the Local Planning Authority. Where bats are found, details of their protection and any mitigation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved protection and mitigation measures.

Reason: To safeguard the population of European Protected Species

7. The development shall take place incorporating the mitigation and enhancement measures for protected species all as detailed under the heading of 'Recommendations' at section 5 of the applicant's submitted ecological report by Rachel Hacking Ecology dated April – June 2021.

Reason: To safeguard the population of European Protected Species

8. The development hereby permitted shall not commence, until following measures have been submitted to and approved in writing by the Local Planning Authority:

- a) A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated



Sites – Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment.

- b) A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.
- c) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local planning authority.

A validation report detailing the approved remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted to and approved in writing by the Local Planning Authority prior to [first occupation of the development/the development being brought into use]. The report shall include details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: In the interests of the health of future occupiers of the development hereby approved.

9. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. There shall be no fires lit on the site for purpose of disposing of demolition materials. Any open fires that arise shall be extinguished without delay.

Reason: In the interests of residential amenity.

10. All construction works and deliveries to the site shall take place between the hours of:

- 08:00 - 18:00 hours (Monday to Friday);
- 08:30 - 14:00 hours (Saturday)
- No working is permitted on Sundays or Bank Holidays.

Reason: In the interests of residential amenity.

11. All works shall take place strictly in accordance with the flood mitigation measures identified at paragraphs 5.38- 5.42 of the Flood Risk Assessment by WML consulting dated March 2022.



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12. Prior to the commencement of development, full details of the final finish of the external elevations and roof materials shall be submitted to and approved in writing by the Local Planning Authority. Where any new material are required, details shall be submitted for written approval. Therefore all works shall take place strictly in accordance with the approved details.

Reason: In the interests of the visual appearance of the building.

13. Prior to the first occupation of the development hereby approved, the car parking and bin collection point as shown on plan ref 07 Rev 3 shall be laid out and provided for the purposes of parking vehicles and the storage of refuse bins. Thereafter the parking and bin collection point shall remain for the lifetime of the development.

Reason: In the interests of highway safety.

X *B.J. Haywood*

Signed by: Ben Haywood

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 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



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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 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.

