



High Peak Borough Council

working for our community

Mr Alan Yarwood
Roger Yarwood Planning Consultant
Wheatley Road
Matlock
Derbyshire
DE4 2FF

Mr Rodgers
Morningside Walk
Matlock
DE4 3SZ

Application no: DET/2022/0015

Determined on: 30/11/2022

**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 **prior approval** for

Application to determine if prior approval is required for a proposed: Change of use from former Dental practice to 2 residential units at High Peak Dental Care Eccles Road Chapel-En-Le-Frith

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

1. The application has been found to comply with all requirements set out under Schedule 2, Part 3, Paragraph MA.1 of the General Permitted Development Order (as amended 2021) and therefore constitutes permitted development
2. The application has been found to be acceptable having regard to all planning considerations set out under Paragraph MA.2 of the General Permitted Development Order (as amended).
3. The development hereby approved shall be carried out in complete accordance with the submitted plans and specifications as follows: Location Plan / Block Plan (revised version received 29.11.2022) and Plans as Proposed (revised version received 29.11.2022) – floor plans only.





High Peak Borough Council

working for our community

Reason: To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

4. The development hereby approved must be completed within a period of 3 years from the date of this approval.

Reason: In accordance with Class MA.2 (5) of the Town and County Planning (General Permitted Development) (England) Order 1995 (as amended).

Notes:

1. This prior approval decision relates only to the change of use of the premises. Approval for external alterations, such as the additional exterior door shown on the proposed elevations submitted with the application, cannot be granted through prior approval under Class MA. Separate planning permission is required for this external alteration.
2. For the avoidance of doubt, this decision grants prior approval for the partial change of use of the building to provide two dwellings, units 2 and 3, with the retention of 'unit 1' in the current use, as shown on the revised proposed floor plans. No change to the use of unit 1 is granted by this decision.

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 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



High Peak Borough Council

working for our community

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.