



High Peak Borough Council

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Robert Ford
Parkside Park Road
Leek
ST13 8JT

Messrs. Bloor
c/o agent

Application no: DET/2023/0008

Determined on: 28th April 2023

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

DESCRIPTION OF DEVELOPMENT

Portal framed general purpose agricultural building on livestock holding at land off
Brierlow Bar, Brierlow Road, Buxton

PRIOR APPROVAL REQUIRED

High Peak Borough Council has determined that the prior approval of the authority will be required as to the siting, design and external appearance of the proposed portal framed general purpose agricultural building on livestock holding at land off Brierlow Bar, Brierlow Road, Buxton. **The development must not begin before the authority grant such approval.**

The applicant must now:-

Display a notice by site display on or near the land on which the proposed development is to be carried out, leaving the site notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant (the date at the head of this decision notice) and where the site notice is, without fault or intention of the applicant, removed, obscured, or defaced before the period of 21 days has elapsed, the applicant is treated as having complied with the requirements if the applicant has taken reasonable steps for protection of the notice, and if need be, its replacement.

The site notice must contain –

- (a) the name of the applicant
- (b) the address or location of the proposed development





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- (c) a description of the proposed development and of the materials to be used
- (d) a statement that the prior approval of the authority will be required as to the siting, design and appearance of the building, or, as the case may be, the siting and means of construction of the private way
- (e) the name and address of the local planning authority

and be signed and dated by or on behalf of the applicant. It is suggested that when such a site notice has been displayed, a dated photograph of the notice in place is provided to the authority for their records.

You must now apply to obtain the authority's prior approval of the siting, design and external appearance for the proposed general purpose agricultural building. The authority shall make a decision in relation to your application within 8 weeks beginning with the day immediately following that on which the application is received by the authority, or within such a longer period as may be agreed by the applicant and the authority in writing. You are advised to read the Officers delegated report.

The Council will now await your response and further application submission before taking any further action on this matter.

X *B.S. 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 DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel: [0333 880 2000](tel:03338802000).
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 want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.



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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.

