

Ms Nicola Pearce
Jonathan V. Davies
Buxton
Derbyshire
SK17 6JY



High Peak Borough Council

working for our community

Ms Nicola Pearce
Jonathan V. Davies
Buxton
Derbyshire
SK17 6JY

Mr Frith
Bailey Flatt Farm Redgap Lane
Buxton
Derbyshire
SK17 7JG

Application no: HPK/2023/0273

Determined on: 12th December 2023

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:

Bailey Flatt Farm Redgap Lane Green Fairfield Buxton Derbyshire SK17 7JG

Description of Development:

Conversion of redundant barns to create 2no. dwellinghouses. Conversion of existing shippon to Double Garage. Alterations to main house comprising single storey orangery to the rear and porch to the front the rear

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: A200; D203; D204; D205

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

3. The materials of external construction shall be a matching coursed natural gritstone to the walls with natural blue slate to the roof.

Reason:- In the interests of visual amenity, in accordance with Local Plan Policy EQ6 of the High Peak Local Plan.





High Peak Borough Council

working for our community

4. Prior to the installation of any windows or doors, details of all windows and doors, including glazing bar details at a scale of 1:20, together with details of the door joinery, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason:- To ensure the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ6 of the High Peak Local Plan

5. Before any works of construction commence to the barn, details of the following shall be submitted to the Local Planning Authority for prior written approval:
 1. A structural survey of the existing condition of the barn detailing precisely those parts of the building that are to be removed to enable conversion and detailing additional structural works including foundations and internal walls;
 2. A methodology describing the process and phasing by which those parts of the building to be removed will be demolished and subsequently reconstructed and the method by which those parts of the building to remain will be supported during the process of demolition and reconstruction.

Reason:- For the avoidance of doubt and in the interest of preserving the traditional character of the existing buildings

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) A, B, C, D, E, G and H or Part 2 Class(es) A and C of Schedule 2 of that Order shall be carried out within the site without express planning permission first being obtained from the Local Planning Authority. Reason:- In the interests of the appearance of the building and surrounding area and in the interests of residential amenity.

Reason:- In the interests of the appearance of the building and surrounding area and in the interests of residential amenity.

7. The curtilages of the dwellings hereby approved, including garden areas, shall be strictly limited to the areas identified on the approved Proposed Site Plan

Reason:- To protect the character and appearance of the countryside, in accordance with EQ3 of the High Peak Local Plan.

8. Prior to first occupation of the approved dwellings, the highways improvement works as shown on the approved Site Plan (Ref: C200) shall be implemented in full, which includes a signed Section 278 Agreement with the Highways Authority under the Highways Act (1980).

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak





Local Plan.

9. Prior to any demolition works, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the entire construction period.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan.

10. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the approved application drawings for the parking/ manoeuvring of residents/ visitors/ service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan.

11. There shall be no gates or other barriers within 10m of the nearside highway boundary and any gates shall open inwards only, unless otherwise agreed in writing by the Local Planning Authority.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan.

12. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The approved facilities shall be provided prior to the first occupation of the development and retained for their designated purposes at all times thereafter.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan.

13. Prior to the first occupation of the development hereby approved, a scheme of ecological mitigation and enhancements based on Section 4 (pages 17-20) of the Ecological Impact Assessment by Peak Ecology 2019 (referred to within updated assessment by Helen Hamilton Ecology 2023) shall be submitted to and approved in writing by the Local Planning Authority to achieve a net gain in biodiversity. Such approved measures shall be implemented in full prior to the first occupation of the development hereby approved and maintained thereafter, with photographs of the measures in situ to be submitted to and approved in writing by the Local Planning Authority to fully discharge the condition.



High Peak Borough Council

working for our community

Reason:- To safeguard and enhance the ecology of the area in accordance with Policy EQ5 of the High Peak Local Plan and the National Planning Policy Framework.

14. Prior to any demolition works, a Natural England Bat Licence shall be obtained and a copy submitted to the Local Planning Authority. Once granted, all works shall proceed strictly in accordance with the approved mitigation, which should be based on the proposed measures outlined in the Bat Report (Helen Hamilton Ecology 2023) and amended as necessary based on any correspondence with Natural England.

Reason:- To protect a European Protected Species and to comply with Local Plan policy EQ5 and the NPPF.

15. Prior to the installation of any external lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority to safeguard bat roost features within the conversion and surrounding foraging habitat. This shall provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. No external lighting shall be installed except in accordance with the approved strategy

Reason:- In the interest of protecting protected species in accordance with Local Plan Policy EQ5 and relevant paragraphs under Chapter 15 of the NPPF

16. No demolition, conversion works or vegetation clearance shall take place between 1st March and 31st August inclusive unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48hrs prior to clearance. In addition to general bird nesting, nesting barn owl and swallows have been confirmed on site (Helen Hamilton Ecology 2023). If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

Reason:- In the interest of protecting protected species in accordance with Local Plan Policy EQ5 and relevant paragraphs under Chapter 15 of the NPPF

17. Prior to the occupation of the development hereby approved full details of the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be occupied until the scheme has been implemented in accordance with the approved details.

Reason: In the interests of amenity and to comply with Policy EQ6 of the High Peak Local Plan.

18.
 - a) The rainwater goods to be used in the development hereby permitted shall be cast metal and finished in black fitted on simple rise and fall metal brackets.
 - b) Rooflights shall be conservation style fitted as flush as possible with the roof covering





High Peak Borough Council

working for our community

Reason:- In the interests of visual amenity, in accordance with Local Plan Policy EQ6 of the High Peak Local Plan.

Informative

1. The Local Planning Authority has worked in a positive and proactive manner with the applicant to address all outstanding planning issues to achieve a sustainable form of development in accordance with the National Planning Policy Framework.

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 DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel: [0333 880 2000](tel:03338802000).
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 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





High Peak Borough Council

working for our community

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. 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.

