

Roger T Marshall
31, Dale Road,
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SK17 8BG



High Peak Borough Council

working for our community

Roger T Marshall
31, Dale Road,
Dove Holes,
Buxton,
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SK17 8BG

Mr Rob Jones
Dove Holes Cricket Club,
Hallsteads,
Dove Holes,
Derbyshire,
SK17 8BT

Application no: HPK/2023/0370

Determined on: 10th January 2024

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:

Dove Holes Cricket Club, Hallsteads, Dove Holes, Derbyshire, SK17 8BT

Description of Development:

Retrospective planning application for the temporary multifunctional marquee

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 marquee hereby permitted shall be removed and the land restored to its former condition on or before 11 December 2024

Reason: To enable the applicant to submit a planning application for a permanent extension, given that the marquee structure is of a temporary nature and is not suitable as a permanent prominent feature at this location adjacent to the A6 and its potential to cause nuisance to residential properties, in accordance with Policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

2. The development hereby approved shall be maintained in accordance with the following submitted plans and subject to the following conditions and/or modifications: -

- Site and Location Plans Drawing Ref: Sheet 3
- Floor Plan, dated Revised September 2023
- Elevations Drawing Ref: Sheet 2

Reason: - For the avoidance of doubt and in the interests of proper planning and in





accordance with the National Planning Policy Framework.

3. The development hereby approved shall be used only as a temporary extension of and in connection with the operation of the existing Dove Holes Cricket Club premises and shall not be used as an independent business operation or as part of any other business operation.

Reason. The application has been assessed as extended use by the existing recreational club premises. The condition is required to ensure that any proposed independent uses are assessed against the relevant national and local plan policies and to protect residential amenity in accordance with Policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

4. There shall be no live music performance, or amplified sound played within the Marquee outside of the hours 11.00 to 23.00 on any day. Noise from the development shall not exceed 50dB LAeq, 15 minute, when measured 1m from the façade of any residential building.

Reason: to prevent any unacceptable detriment to residential amenity in accordance with the provisions of the NPPF and Policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

5. The marquee hereby permitted shall only be used between 11.00hrs and 23.30hrs on any day

Reason: to prevent any unacceptable detriment to residential amenity in accordance with the provisions of the NPPF and Policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

6. All windows and external doors of the marquee shall be kept closed after 21:00 hours, or at any time when live or recorded music entertainment takes place, except for the immediate access and egress of persons.

Reason: to prevent any unacceptable detriment to residential amenity in accordance with the provisions of the NPPF and Policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2021).

Informative

1. The Local Planning Authority have where necessary worked in a positive and proactive manner to address and overcome all outstanding planning issues to achieve sustainable development, as required by paragraph 38 of the NPPF.



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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, as per your website..
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





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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.

