



High Peak Borough Council
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Amy Hubble
High Peak Architects Limited
Wharf House
Wharf Road
Whaley Bridge
Derbyshire
SK23 7AD

Mr Simon Hinchcliffe
Horwich Lodge
Eccles Road
Whaley Bridge
Derbyshire
SK23 7EW

Application no: HPK/2023/0523

Determined on: 25/01/24

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:

Horwich Lodge, Eccles Road, Whaley Bridge, Derbyshire, SK23 7EW

Description of Development:

Rebuild an outbuilding and link extension connecting it to the house

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 the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in complete accordance with the submitted plans and specifications as follows:-

1811.PL01 - Location Plan
1811.PL02 Rev A – Site Plans
1811.PL03 – Existing Plans
1811.PL04 – Existing Elevations





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1811.PL05 Rev A – Proposed Plans
1811.PL06 Rev A – Proposed Elevations

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

3. The external facing and roofing materials shall be as detailed within the application and there shall be no variation without the prior consent in writing of the Local Planning Authority. For the avoidance of doubt the rebuilt outbuilding shall be constructed from materials reclaimed from the existing building and, where necessary, any new materials shall match the existing on a like for like basis.

Reason:- To ensure that the works harmonise with the existing development.

4. Prior to the installation of any new or replacement window or door within the development hereby approved, full details of their proposed design including details of materials, recess, fabrication and colour finish shall be submitted to the Local Planning Authority (LPA) and approved in writing. The windows and doors shall be installed in strict accordance with the approved details.

Reason:- To ensure that the proposed design and appearance of the windows and doors respect the character of the existing building.

5. Prior to the demolition of the outbuilding, a precautionary inspection of the building shall be undertaken by a suitably qualified ecologist to ensure no evidence of roosting bats is present. If evidence of roosting bats is found, no works to the outbuilding shall commence until a suitable mitigation strategy has been produced (including licensing where necessary) and been submitted to and approved in writing by the LPA. A short statement of compliance shall be submitted to the LPA upon completion of the inspection. Should mitigation be required, then the development shall be carried out in strict accordance with that mitigation strategy.

Reason: To establish the presence or absence of bats, in the interest of protected species and/or their habitats.

6. Prior to first occupation of the rebuilt outbuilding, details of a bat and bird box plan shall be submitted to and approved in writing by the LPA. A minimum of one bat box and one general purpose bird box shall be installed in accordance with the approved details. Woodcrete models shall be favoured to provide long-lasting and secure nesting and roosting opportunities. Boxes shall be attached at eaves level, with bird boxes avoiding south facing elevations. The approved scheme shall be provided prior to first occupation of the development hereby approved, and thereafter maintained and retained in perpetuity.

Reason: In the interest of delivering ecological enhancements at the site.





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Informative(s):

1. In accordance with paragraph 38 of the NPPF (2021) the Council approach decision-taking in a positive way by taking a proactive approach to development proposals. In this instance the application proposals were acceptable without amendment and the scheme has been approved without delay.
2. The application site is adjacent to a public rights of way, Whaley Bridge 42 and 45 as detailed on the Derbyshire Definitive Map. These routes must remain unobstructed on its legal alignment at all times and the safety of the public using them must not be prejudiced either during or after the development works take place.

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.
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 you want to appeal against your local planning authority's decision then you must



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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.

