

MR BARRY CULLEN
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M19 2AH



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Mr Luigi Raimo
Luigi Motors
Chinley
Derbyshire,
SK12 2PY

Application no: HPK/2023/0541

Determined on: 25th March 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:

Land Adjacent, Stubbins House, Unnamed Road From Stubbins Lane To Tithe Barn Farm,
Chinley, Derbyshire, SK23 6ED

Description of Development:

Erection of a stone building to provide a dwelling (part retrospective) and associated landscaping works

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 approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications: -

Location Plan Reference: Location Map

Proposed Floor Plans, Section and Elevations Reference: 1263/Proposals Rev 4

Landscaping Plan Reference: 1263/Landscaping Rev 3 (13.12.2023)

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

2. The development hereby permitted shall be constructed of those materials as outlined within the application form. The materials shall be natural slate and stone reclaimed from the existing building, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: - To ensure that the external appearance of the development is satisfactory and to





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comply with policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2023).

3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking or re-enacting that Order) any works for the erection, extension or alterations as defined in Schedule 2 Part 1 Class A, B, C, D, and E shall not be carried out unless a further planning permission has first been granted on application to the Local Planning Authority.

Reason: To prevent development that may cause harm to the amenities of the neighbouring properties to comply with policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2023).

4. Prior to the installation of any windows, doors or rooflights, details of the materials, colours, profile, reveals and methods of opening of these features shall be submitted to and approved in writing by the Local Planning Authority. The work shall be completed in strict accordance with the agreed details.

Reason: To ensure a high-quality development and in the interests of visual amenity in accordance with policy EQ6 of the of the High Peak Local Plan (2016) and the NPPF (2023).

Reason for Approval

The Committee gave weight to the fact that there was an existing building on site, and that the proposal would reuse materials whilst achieving better levels of insulation and a more sustainable development. Weight was also given to the collapse of the original building due to unforeseen circumstances (bad weather). The principle of a dwelling had already been established along with the associated vehicle movements. These factors amounted to very special circumstances to outweigh the harm to the Green Belt.

Informative

1. This is considered to be a sustainable form of development and so complies with the provisions of High Peak Local Plan (2016) and the NPPF (2023).

2. All refuse bins to be stored and retained within the site boundary, the resident will be responsible for moving the bins to and from the storage area each week and moving the bins to the presentation point at the front of the property, returning them to the storage area.

3. The Local Highway Authority has no objection to the above subject to the applicant applying for a section 184 licence. The construction of a new access will require the extension of a verge crossing from the carriageway under the Highways Act 1980 - Section 184 and the Applicant is required to obtain the permission of Derbyshire Highways details can be found at

www.derbyshire.gov.uk/transport-roads/roads-traffic/licences-enforcements/vehicular-access/vehicle-accesses-crossovers-and-dropped-kerbs.aspx

or email

highways.hub@derbyshire.gov.uk before commencing any works on the highway.





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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.

