



High Peak Borough Council

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Mr David Harris-Watkins
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Ashby de la Zouch
LE65 1RT

Mr Redfern
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Derbyshire
SK23 9RP

Application no: DET/2024/0025

Determined on: 19/09/2024

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

**PRIOR APPROVAL REQUIRED AND GRANTED FOR CHANGE OF
USE**

APPROVAL

High Peak Borough Council hereby **APPROVE** this application for **Prior Approval** for

**Change of use from agricultural building to dwellinghouse at Birch House
Spinnerbottom Birch Vale**

in accordance with the submitted application, details and accompanying plans in
accordance with the following conditions:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 01, 02, 03A, 04A, 05, 05A, 06;

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

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those shown on the approved plans.

Reason:- To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ6 of the High Peak Local Plan 2016 and relevant paragraphs under Chapter 12 of the National Planning Policy





Framework.

3. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary an approved remediation scheme must be carried out, submitted and approved by the Local Planning Authority. Thereafter, the works shall be carried out in accordance with the approved scheme,

Reason:- To ensure that the development can be carried out safely without unacceptable risks in accordance with Policies EQ6 and EQ10 of the High Peak Local Plan 2016 and relevant paragraphs under Chapter 15 of the National Planning Policy Framework.

4. Prior to the first occupation of the development hereby approved, the two parking spaces shown on the approved shall be laid out, and therefore retained for the parking of vehicles.

Reason: To ensure that sufficient parking is provided, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

5. Before the development is brought into use bat boxes shall be installed and incorporated into the development, in accordance with the guidance and recommendations contained at section F of the Potential Roost Assessment by Wildlife Consultants Limited February 2024, submitted with the application.

Reason:- To enhance roosting opportunities for bats.

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council



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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



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want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

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.