



Mr P Garner
Garner Town Planning Ltd
24A Market Street
Disley
Cheshire
SK12 2AA

Mr Knight
Blake Hall Briargrove Road
Birch Vale
High Peak
SK22 1AY

Application no: DET/2025/0007

Determined on: 20/06/2025

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

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

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

**Application to determine if prior approval is required for a proposed
conversion of barn to dwelling at High Barn Briargrove Road Birch Vale**

in accordance with the submitted application, details and accompanying plans listed below for the following reasons:-

1. The development hereby permitted under Class Q (a) and Class Q (b) must be completed with a period of three years from the date of this decision.

Reason: To comply with Q.2 (3) of the Town and Country Planning (General Permitted development) (England) Order 2015

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Class Q - Design Statement (received 24/04/2025), Location and Site Plan (Drawing no. 2432 / G 001 Rev A), Existing Floor and Roof Plans (Drawing no. 2432 / G 002 Rev A), Existing Elevations (Drawing no. 2432 / G 003 Rev A), Proposed Floor Plans (Drawing no. 2432 / G 004 Rev A), Proposed Roof Plan (Drawing no. 2432 / G 005 Rev A), Proposed Elevations (Drawing no. 2432 / G 006 Rev A), , SECONDARY MEMBERS DESIGN CHECKS (Ref no. GMN240 Rev 1), Portal Frame Connections (ref no. CH75SF), Portlal Frames Eaves Connection (drawing no. CH75SF), Portal Frame Check Portal Frame 1 (ref no. CH75SF).





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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no development as specified in Part 1 Classes A, B, C, D, E and F and Part 2 Class A, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason:- In the interests of visual amenity, the character and appearance of the locality and to comply with Policy EQ3 of the Adopted High Peak Local Plan 2016 and National Planning Policy Framework.

4. All construction works and deliveries shall only take place between the following hours:

08:00 - 18:00 hours (Monday to Friday);

08:00 - 14:00 hours (Saturday)

No working is permitted on Sundays or Bank Holidays.

Reason: In the interests of residential amenity and in accordance with Policy EQ6 of the Adopted High Peak Local Plan 2016 and National Planning Policy Framework.

5. If during development any contamination or evidence of likely contamination is identified that has not previously been identified or considered, then the applicant shall submit to the Local Planning Authority a written scheme to identify and control that contamination. This shall include a phased risk assessment carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part IIA, and appropriate remediation proposals, which shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme shall be implemented in full prior to first use of the building as a dwellinghouse.

Reason: - To ensure all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks and to comply with Policy E10 of the Adopted High Peak Local Plan 2016 and National Planning Policy Framework.

6. Prior to the commencement of development a plan showing all means of boundary treatment, including siting, materials and height shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved plan.

Reason: In the interest of visual and residential amenity and in accordance with Policies EQ3 and EQ6 of the Adopted High Peak Local Plan 2016 and National Planning Policy Framework.

Informatives



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The applicant is advised that a licence from Natural England in respect of any works which may harm protected species e.g. great crested newts may be required before any works are undertaken. It is the applicant's responsibility to ensure that all appropriate licenses are sought.

X *J Colley*

Signed by: Jane Colley Signature

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).
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.