

LET7251

PUBLIC
Form TCP 3

DERBYSHIRE COUNTY COUNCIL

TO: Mr M Simpson-Baker
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1.119.14

TOWN AND COUNTRY PLANNING ACT 1990

In pursuance of the powers vested in the Council under the above Act and all related Acts, Orders and Regulations, and with reference to your application Code No CD1/0526/4 received on the 11 May 2026 for permission for **the erection of a 2.4m high fencing around the single classroom block on the existing playing field at Thornsett Primary School playing field, Portland Road, High Peak, Thornsett, SK22 4HD** in the manner described in the application and shown on the accompanying plan(s) and drawing(s), NOTICE IS HEREBY GIVEN that permission for the proposed development is **GRANTED subject to compliance with the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: The condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development shall take place in accordance with the details contained in the corresponding documents and plans:

Documents:

- Application form dated 08 May 2026.
- BNG exemption letter dated 18 May 2026.
- Design and assess statement version 1.1 dated 28 April 2026.
- Planning statement dated 27 April 2026.

Date 03 August 2026

Signed



Authorised Officer of the Council

- Recreation and open space statement dated 08 May 2026.
- Waste management statement dated 18 May 2026.

Plans:

- Drawing number, 625026-CDP-ZZ-XX-DR-A-8001-P01, 'Site Location Plan', dated 27 April 2026.
- Drawing number, 55070_T-0, 'Topographical survey', dated 29 July 2025.
- Drawing number, 625026-CDP-ZZ-XX-DR-A-2003-P01, 'Proposed elevations', dated 18 May 2026.
- Drawing number, 625026-CDP-ZZ-XX-DR-A-2002-P02, 'Proposed site plan', dated 18 May 2026.

Reason: To enable the County Planning Authority to monitor the development in the interests of the amenity of the area.

Landscaping

3. The fencing and gate shall be finished in Fir Green (RAL 6009). The colour finish shall be maintained throughout the life of the development.

Reason: In the interest of the preserving the openness with the wider landscape.

Date 03 August 2026

Signed



Authorised Officer of the Council

BNG Informative – Full Permission BNG Does Not Apply

Statutory Imposition of the Biodiversity Gain Plan Condition

The general effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permissions granted for the development of land in England are deemed to have been granted subject to the condition that **the development may not begin unless:-**

- (a) a Biodiversity Gain Plan has been submitted to the planning authority,**
- (b) the planning authority has approved the plan.**

This condition (“the Biodiversity Gain Condition”) does not apply to every permission that is granted. This is because the Act provides for some exceptions (contained in paragraph 17 of Schedule 7A to the Act) transitional arrangements and exemptions (by reference to regulations, which at the date of this notice are understood to be the Biodiversity Gain Requirements (Exemptions) Regulations 2024) that disapply paragraph 13 in certain cases.

Based on the information available this permission does not require the approval of a biodiversity gain plan before development is begun because one of the statutory exemptions or transitional arrangements listed is relevant development below the de minimis threshold, meaning development which impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

NOTES

Appeals to the Secretary of State

- 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.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority’s decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority’s decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Date 03 August 2026

Signed

Authorised Officer of the Council

- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals should be made online via [Appeal a planning decision](#). If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available.
- Before making an appeal, you may find it helpful to review guidance and watch a video explaining the appeals process at <https://www.gov.uk/government/collections/make-an-appeal-to-the-planning-inspectorate-and-associated-guidance>
- 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.

Purchase Notices

- 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 the owner 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 County Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

The following notes are the further advice of the County Council.

- This permission relates to planning control only. Any other statutory consent necessary to enable the proposed development to commence must be obtained from the appropriate authority or regulator.

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Signed



Authorised Officer of the Council

CONTROLLED