

PLANNING DECISION NOTICE

Peak District National Park Authority

Tel: 01629 816200

E-mail: customer.service@peakdistrict.gov.uk

Web: www.peakdistrict.gov.uk

Aldern House, Baslow Road, Bakewell, Derbyshire, DE45 1AE



**PEAK
DISTRICT
NATIONAL
PARK**

**To: The Fitzherbert CE Primary School
C/o Mrs Kerry McNair
Firs Farm Barn
Fenny Bentley
Ashbourne
Derbyshire
DE^ 1LD**

P.1405

THIS NOTICE RELATES TO PLANNING CONTROL ONLY, ANY OTHER STATUTORY CONSENT MUST BE OBTAINED FROM THE APPROPRIATE AUTHORITY

TOWN & COUNTRY PLANNING ACTS & GENERAL DEVELOPMENT ORDER

In pursuance of the powers vested in the Peak District National Park Authority under the above Acts and Order, and with reference to your application for Full Planning Permission, details of which are as follows:

Office Code No. NP/DDD/0419/0373
Date received: 09 April 2019
Proposal: The erection of a yurt as a temporary structure, in the school playing field.
Location: Fitzherbert Primary School
Ashes Lane
Fenny Bentley

Parish: Fenny Bentley

THE DECISION

NOTICE IS HEREBY GIVEN THAT PERMISSION FOR THE PROPOSED DEVELOPMENT in the manner described on the application and shown on the accompanying plans and drawings is

GRANTED subject to the following conditions:

1. The development hereby permitted shall be begun within 3 years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted details and plans and the amended site plan dated 27-6-19 subject to the following conditions:
3. The yurt hereby approved shall be used only for purposes of the delivery of education ancillary to Fitzherbert Primary School.
4. When the yurt is no longer required for the delivery of education it shall be removed from the site and the ground restored to its previous condition.

Reasons for Conditions:

Signed

Date

23 August 2019

Attention is called to the notes at the end of this Decision Notice

Form TCP3

1. To comply with Sections 91, 92, and 93 of the Town and Country Planning Act 1990 (which requires the National Park Authority to reconsider the proposal afresh after a period of years)as amended by Section 51 of the Planning Compulsory Purchase Act 2004.
2. For clarity and the avoidance of doubt.
- 3&4. In the interest of amenity and protecting the character of the National Park.

Note: Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise. Section 38(3) of the Act also provides that the development plan consists of saved Development Management policies and the adopted Core Strategy.

Core Strategy Policies include: **GSP1, GSP2, GSP3, DS1**

Relevant Development Plan policies include: DMC3, DMH7, DMC8

STATEMENT OF APPLICANT'S RIGHTS ARISING FROM THE REFUSAL OF PLANNING PERMISSION OR FROM THE GRANT OF PERMISSION SUBJECT TO CONDITIONS

Please note, only the applicant possesses the right of appeal.

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.

If you want appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy on telephone number: 0303 444 5000 or by email to enquiry@pins.gsi.gov.uk.

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.

The Inspectorate will publish details of your appeal on their website. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available in the Planning Inspectorate's [Personal Information Charter](#).

Appeals Examined by Inquiry

If you intend to submit an appeal that you would like examined by inquiry then you must notify the local planning authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. You will be required to complete the **Notification of an intention to submit an appeal email template**, which can be found under this link: [Inquiry Guidance](#).

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 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) or, where the land is situated in a National Park, the National Park Authority for that Park in whose area the land is situated. This notice will require the Council or Authority to purchase his interest in the land in accordance with the provisions of [Part VI](#) of the Town and Country Planning Act 1990.

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To: **The Fitzherbert CE Primary School**
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Dear Sir or Madam

Please find attached a copy of the approval notice for the development outlined below.

Please read this notice carefully. It is particularly important that you comply with any conditions which require details to be submitted and agreed, or some other action to be taken, before work commences. These are often known as "pre-conditions" and usually start with words such as "Prior to the commencement of development" or "Before any work takes place", but there may be other similar words, so please read this notice carefully.

Failure to comply with pre-conditions could result in any work carried out being unlawful and the permission not implemented. **Similarly, failure to comply with the conditions and/or the approved plans could result in abortive work and possible enforcement action.**

If you are employing a builder or other contractor to carry out the work you should ensure that he has a copy of the approval notice and approved plans before starting work.

If you wish to amend the approved plans in any way, you must first agree this with us. There is a formal process for submitting and agreeing both minor ("non-material amendments") and more significant amendments to the approved plans. Details can be found on the Authority's web site at <http://www.peakdistrict.gov.uk/planning/advice/do-i-need-permission>

Please return the first tear-off section at the bottom of this letter before work commences and the second tear-off section once the work has been completed. Two pre-paid labels are enclosed for your use.

Yours faithfully

A handwritten signature in black ink that reads 'John R Scott'.

John Scott
Director of Conservation and Planning

PLANNING DECISION NOTICE

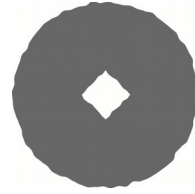
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To Peak District National Park Authority, Aldern House, Baslow Road, Bakewell, Derbyshire DE45 1AE

APPLICATION No: NP/DDD/0419/0373

P. 1405

Site Address: Fitzherbert Primary School, Ashes Lane, Fenny Bentley,

Development: The erection of a yurt as a temporary structure, in the school playing field.

The above development **commenced** on _____

Signed: _____ Date _____

Name (in block capitals): _____



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The above development was **completed** on _____

Signed: _____ Date _____

Name (in block capitals): _____