

Appendix B - Certificate of Lawful Use or Development, Backdale Quarry – decision notice.



Code No: NP/DDD/1013/0960

P 2382

Applicant: Bleaklow Industries Ltd of Hassop Road, Hassop, Derbyshire

**CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**

**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 191**  
(as amended by section 10 of the Planning and Compensation Act 1991)

Application is made to the PEAK DISTRICT NATIONAL PARK AUTHORITY ("the Authority") as set out in the First Schedule that on 24 October 2013 the matters described in the First Schedule in respect of the land specified in the Third Schedule ("the Land") was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended). A certificate is **granted** as set out in the Second Schedule.

**FIRST SCHEDULE**

**PARTICULARS OF APPLICATION FOR A CERTIFICATE OF LAWFUL USE FOR LAND AT HASSOP ROAD, HASSOP DERBYSHIRE**

Manufacture of matured slaked lime putty and pre mixed mortars from imported raw materials and use of land for ancillary offices.

**SECOND SCHEDULE**

The plan shows the planning unit in cross hatching.

The Authority is satisfied that the use set out in the First Schedule commenced more than 10 years prior to 24 October 2013 and is an independent use from the surrounding quarry area. The authority is not satisfied that the use falls within use class B2 of the Town and Country Planning Act (Use Classes) Order 1987 ("UCO") because, although articles are produced, it is a use carried out, or which has been carried out, in or adjacent to a mine or quarry. It is therefore not an "industrial process" as defined in article 2 of the UCO. As it is not an industrial process, it cannot fall within use class B2 as defined. It is a sui generis use the limitations of which are that:

- 1 Hours of operation are between 8am and 6pm between Mondays and Fridays and 8am to 1pm on Saturdays, except on public and bank holidays when there has been no working;
- 2 There are no more than 16 lorry movements (8 in and 8 out) per day;
- 3 Outside storage of raw materials is confined to the storage bunkers (up to a maximum height of 2 metres) shown on the right hand side of photograph 4 and within the silos and material

hoppers shown within photographs 1, 2, 3 and 4;

4 Parking is confined to the area shown on photograph 1, to the rear as shown on photograph 4 and in front of the ancillary offices as shown on photograph 5; and

5 Production of slaked lime products of no more than 1920 tonnes per annum.

### **THIRD SCHEDULE**

The land and buildings shown cross hatched on the attached plan ("the site") being land at Hassop Road, Hassop, Derbyshire.

Signed:



Dated: 30 January 2014

Reg Cooper  
Assistant solicitor and  
Authorised Officer

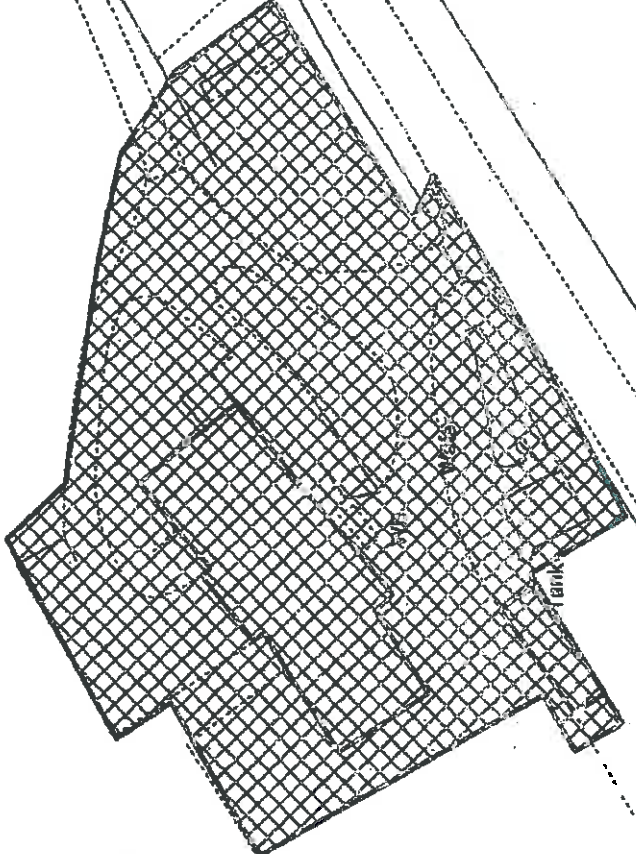
### **Notes**

1. This certificate is issued solely for the purpose of section 191 of the Town and Country Planning Act 1990 (as amended)
2. It certifies that the use specified in the first schedule, but subject to the limitations set out 1 to 5 in the second schedule, taking place on the land described in the third schedule was lawful on 24 October 2013 and thus was not liable to enforcement action under section 172 of the Town and Country Planning Act 1990 on that date.
3. This certificate applies only to the extent of the use described and to the land specified in the third schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

### **Appeals to the Secretary of State for Communities and Local Government**

If you are aggrieved by a determination of your local planning authority under Section 191, then you can appeal under the provisions of the Town & Country Planning Act 1990.

You can submit your appeal online via the Planning Portal website at: [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs), or you may submit your appeal using a form which you can get from the Secretary of State for Communities and Local Government, The Registry, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel: 0117 372 8034 Fax: 0117 372 8782



Back Data Mine  
(Fluorspar)

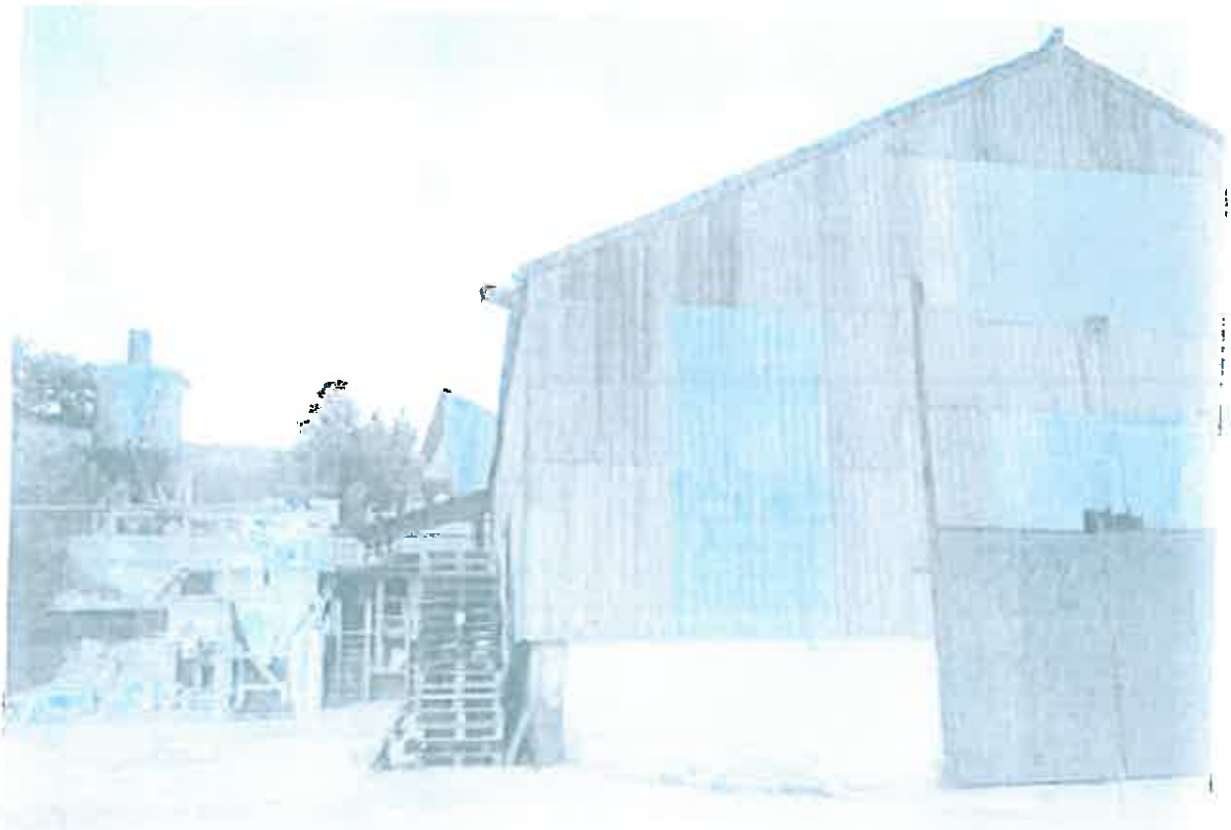
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Drawn by: Newman Jane  
Date: 29 January 2014  
Drawing No:  
Scale: 1:1000 at A4

Title:  
Site at Hassop Road, Hassop,  
Derbyshire

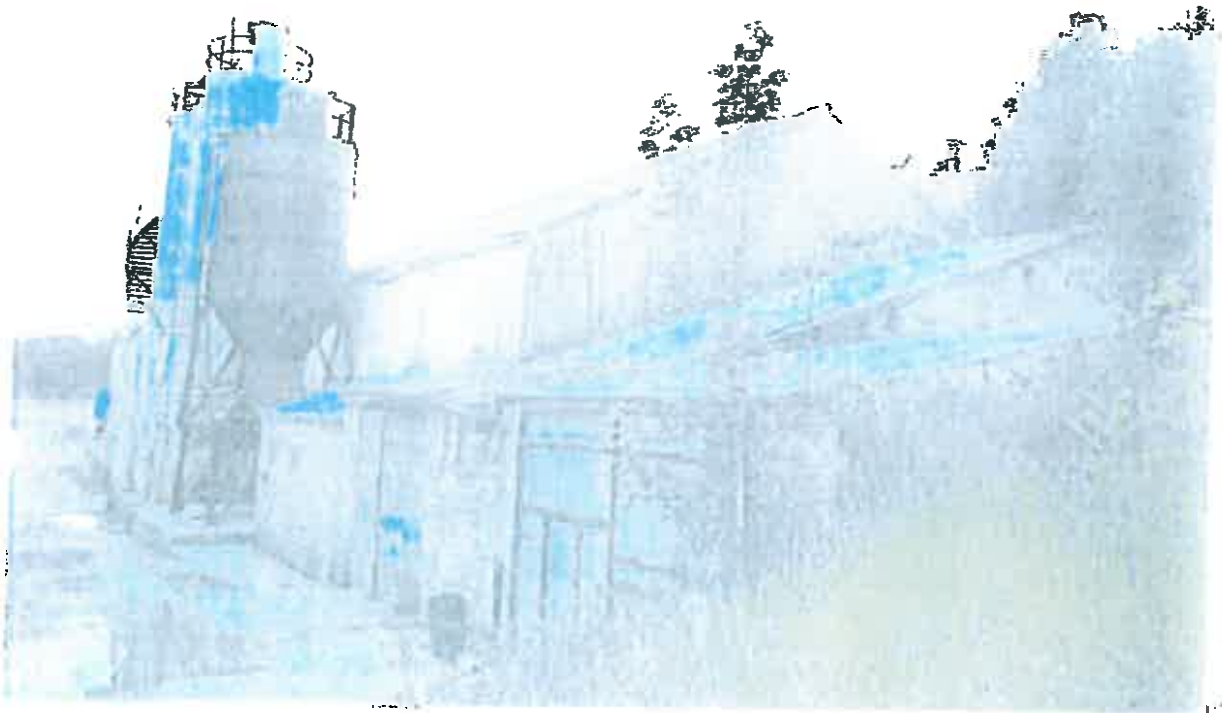


**Photograph 1: Front elevation from the south showing the production building and powder silos.**



**Photograph 2: Front elevation from the south-west showing the production building**

**Photograph 3: Front elevation from the north-east showing the production building and powder silos.**



**Photograph 4: Rear elevation from the north-east showing the production building, aggregate storage areas and off-loading dock..**



Photograph 5: Company offices and car parking area...