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High Peak Borough Council

working for our community

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

FULL PLANNING APPLICATION

PERMISSION

Applicant Miss Sadie Ingham
56 Bank Street,
Hadfield
Glossop
SK13 1BB

Application no. HPK/2011/0039

Registered on 27/01/2011

Determined on 18/03/2011

Agent

High Peak Borough Council hereby **PERMIT** this application for **FULL PLANNING PERMISSION** for

Change of use of part of garden centre to cafe/tearoom at Wimberry Hill Nurseries Cemetery Road Glossop

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

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission unless some other specific period has been indicated in other conditions given.

2. The proposed coffee shop shall be limited to the area shown on plan SA/WH01only.

3. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting the Order with or without modification) no change of use permitted by

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Andy Ellis – Development Control Manager

Classes A and C of Part 3 of Schedule 2 of the Order shall take place on the application site.

4. The proposed system of odour control shall be installed before any discharge to atmosphere and this system, or an approved alternative, shall be retained throughout the lifetime of the development.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990 and section 51 of the Planning and Compulsory Purchase Act 2004.

2. For the avoidance of doubt and in accordance with the applicant's sted intentions.

3. To enable the Council to exercise control over future developments at the site, in accordance with Policy GD4 and Policy GD5 of the High Peak Saved Local Plan Policies 2008.

4. To ensure a satisfactory standard of development, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

Summary of reasons for granting permission

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal which is acceptable in terms of visual amenity and highway safety, and which can be considered an acceptable use within the existing building.

The decision to grant planning permission has also been taken having regard to all other relevant material planning considerations and to the following relevant policies and proposals in the Development Plan.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies
EMP 7 - Industry and business in the countryside
GD4 - Character Form and Design
GD5 - Amenity
OC1 - Countryside Development
OC4 - Landscape Character and Design
OC6 - Agricultural Development
TR5 - Access, parking and design

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Andy Ellis – Development Control Manager

Plans
The plans to which this Notice refers are listed below:

Loc Plan
SA/WHO1

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section on 0845 129 7777.

Any other statutory consent necessary must be obtained from the appropriate authority.

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, Derbyshire, County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.

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. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.highpeak.gov.uk for details.** 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.

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.

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.

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Andy Ellis – Development Control Manager

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Andy Ellis – Development Control Manager

High Peak Borough Council, Development Services, Municipal Buildings, Glossop, Derbyshire SK13 8AF
Tel 0845 129 77 77 Fax 01457 860290 Minicom 0845 129 48 76
E-mail planning@highpeak.gov.uk Website www.highpeak.gov.uk

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