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High Peak Borough Council

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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
Punch Taverns
Jubilee House Second Avenue
Burton Upon Trent
DE14 2WF

Agent
Fusion By Design
Mr Christian Harvey
Rodely House
Coal Hill Lane
Leeds
LS13 1DJ

Application no. HPK/2012/0557

Registered on 28/09/2012

Determined on 23/11/2012

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

Refurbishment to public house, including new external covered seating area, boundary treatment works & emergency exit stair at 123 St Johns Road, Buxton

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 development hereby approved shall be carried out in complete accordance with the approved plans and specifications.

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Michael Green
Planning Applications Manager

3. Before any operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading / unloading and manoeuvring of goods vehicles, designed, laid out and constructed all to the satisfaction of the Local Planning Authority in advance of construction work commencing and maintained free from impediment throughout the duration of construction works.

4. No part of the canopy shall be within 0.5m of the nearside kerb and the minimum height of the canopy shall be 2.6m over adjacent footway level

5. Prior to the commencement of development details shall be provided of the height of the flue above roof level, as shown on plan ref 3565-2A. The approved details shall be fully installed before the use commences.

6. The flue approved under condition 5 shall not be fitted with any restriction at the outlet.

7. No discharges to atmosphere of any gaseous or particulate matter shall take place until full details of siting and design of an odour control and ventilation system to cooking equipment to be installed is submitted to, and approved in writing by, the Local Planning Authority. Such control equipment and ventilation, as approved, shall be installed and operating correctly before the use hereby permitted occurs and maintained thereafter.

8. The extraction system serving cooking equipment shall incorporate anti-vibration mounts and flexible couplings to prevent structure-borne noise to adjoining occupiers.

9. The external seating area as shown on plan ref 2838/06 Rev A shall not be used for the consumption of drinks at anytime outside of the hours of 0800hours to 2300hours on any given day.

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. In the interests of the visual amenities of the locality and in accordance with Policy GD4 of the adopted High Peak Saved Local Plan Polices 2008.

3. In the interests of highway safety and in accordance with Policy TR5 of the adopted High Peak Saved Local Plan Policies 2008.

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5. In the interests of residential amenity and in accordance with Policy GD5 of the adopted High Peak Saved Local Plan Policies 2008.

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6. In the interests of residential amenity and in accordance with Policy GD5 of the adopted High Peak Saved Local Plan Policies 2008.

7. In the interests of amenity, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

8. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

9. In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, 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 would enhance the visual amenities of the locality and would not harm the residential amenities of the surrounding neighbouring properties.

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

BC1 - External Materials
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD5 - Amenity
TC9 - The Evening Economy Pubs, Clubs and takeaways
TR5 - Access, parking and design

National Planning Policy Framework
Paragraphs 17, 19, 20, 56, 57, 58

Notes to Applicant

1. Under Section 178 of the Highways Act 1980, the canopy shall be made the subject of a legal agreement/licence between the developer and the County Council. Advice regarding the procedures for undertaking these works may be obtained from the Strategic Director of Environmental Services at the County Hall, Matlock on 01629 580000.
2. Construction works may require Traffic Management, especially measures to ensure pedestrian safety, and advice regarding procedures should be sought from Dave Bailey, Traffic Management on 01629 538686.

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Michael Green
Planning Applications Manager

Plans
The plans to which this Notice refers are listed below:
2838/05
2838/06 Rev A
3565-2A

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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Michael Green
Planning Applications Manager