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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 Mr David Kirk
Bradbury Property Co
22 Hardwick Street
Buxton
SK17 6DU

Agent AJS Architecture
Mr Andrew Smith
32 Carr Road
Buxton

Application no. HPK/2012/0547

Registered on 08/10/2012

Determined on 30/11/2012

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

Change of use of two retail units & lobby space from A1 shops to A3 restaurant/cafe to form proposed tea rooms. Demolition of garage store to rear & construction of food store/kitchen with terraced roof area. at Old Court House George Street 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. No development shall commence until samples of the materials to be used in the construction of the external surfaces of the approved development hereby permitted have been submitted to and approved in writing by the local planning authority. The development

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Michael Green
Planning Applications Manager

shall be carried out in accordance with the approved details.

3. All new pointing shall be carried out in accordance with the booklet "The Re-pointing of Stone" a copy of which is attached to this decision notice. The use of strap pointing shall be avoided.

4. Notwithstanding information shown on the approved plan, details of the proposed railings/ spiral staircase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use. the developemnt shall be commenced in accordance with the approved details.

5. The proposed roof terrace shall be not be used as an external seating/cafe area or for any other ourpose other than as a means of escape, outside the hours of 9.00 and 16.00 on any 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 visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

3. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

4. To protect the character and appearance of the existing building, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

5. In the interests of the amenity of neighjbouring occupiers, 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 that is an appropriate town centre use; and that will enhance the visual amenity and character of the Listed Building in accordance with adopted High Peak Local Plan Policies.

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Michael Green
Planning Applications Manager

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

BC5 - Conservation Areas
BC6 - Demolition in Conservation Areas
BC10 Archaeological and Other Heritage Features
GD5- Amenity
GD2 - Built up area boundaries
TC1 - Town Centres
TC2 - Town Centre Environment
TR5 Access parking and Design

National Planning Policy Framework

Notes to Applicant

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

Location Plan
Block Plan
SITE PLAN 01
PLAN A
PLAN B
PLAN D
SURVEY 01
SURVEY 02
SURVEY 03
PROPOSED 01 B REGS
PROPOSED 02 B REGS
PROPOSED 03 B REGS
PROPOSED 04 B REGS
PROPOSED 01
PROPOSED 02
PROPOSED 03
PROPOSED 04
PROPOSED 05

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.

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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