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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 Mr Mario Napolitano
43 Pennine Road
Simmondley
Glossop
SK13 6UL

Application no. HPK/2013/0085

Registered on 08/03/2013

Determined on 03/05/2013

Agent

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

Proposed Change of Use to Wine Bar / Restaurant at Jacksons Buildings Victoria Street 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 use hereby permitted shall not be open between the hours of 23:30 on one day and 09:00 on the following unless agred otherwise in writing by the Local Planning Authority.

3. The eating and drinking area shall ocuupy the basement and ground floors only unless agreed otherwise in writing with the Local Planning Authority.

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Michael Green
Planning Applications Manager

4. Within 3 months of this decision notice, a scheme shall be submitted to and approved in writing showing security measures to be be implemented and which shall include provision of CCTV cameras. The scheme shall be implemented and retained as agreed unless specified otherwise in writing by the Local Planning Authority.

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 amenity, in accordance with Policy GD5 GD7and TC9 of the High Peak Saved Local Plan Policies 2008 and sections 2, 7, 8 and 11of the National Planning Policy Framework.

3. In the interests of amenity, in accordance with Policy GD5, GD7 and TC9 of the High Peak Saved Local Plan Policies 2008 and sections 2, 7, 8 and 11of the National Planning Policy Framework.

4. To secure a safe environment as sought by the National Plannning Policy Framework Section 8 paragraph 69 and minimise the opprtunities for crime as required by High Peak Local Plan policy GD7.

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 subject to planning conditions would contribute to the vitality of the town centre without undue harm to neighbouring land uses.

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
BC3 - Security Measures
BC5 - Conservation Areas
GD3 - Improvement Corridors
GD4 - Character Form and Design
GD5 - Amenity
GD7 - Crime Prevention
TC1 - Town Centres

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Planning Applications Manager

TC2 - Town Centre Environment
TC9 - The Evening Economy Pubs, Clubs and takeaways
TC12 - Prime retail Frontage
TR5 - Access, parking and design

National Planning Policy Framework sections 2, 7 8 and 11

Notes to Applicant

For the avoidance of doubt, this consent does not grant consent for the installation of a flue. A separate planning permission must be obtained for this element.

The Local Authority assisted the applicant in their efforts to provide a complete application capable of proceeding to a determination.

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

Location Plan
LC01

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.

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Michael Green
Planning Applications Manager

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