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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 Mrs Louise Chapman
16 Kinder Road
Hayfield
SK22 2HS

Agent

Application no. HPK/2013/0115

Registered on 20/03/2013

Determined on 14/05/2013

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

Proposed change of use of ground floor front room to retail space selling ice cream, confectionery, drinks to take away & gifts at 16 Kinder Road Hayfield

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. This permission shall relate to the use of the building only. There shall be no external alterations to the building whatsoever without the prior written approval of the local planning authority.

3. The premises shall not be open for customers outside the following hours: -
[1000 - 1800 hours], Mondays - Fridays
[1000 - 1800 hours], Saturdays
[1000 - 1700] Sundays and Bank Holidays

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Michael Green
Planning Applications Manager

4. 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 any Class within this Order shall take place on the application site.

5. The business use hereby approved shall not be occupied than by a person solely or mainly living in the dwelling occupying the residential floorspace of that unit, a widow or widower of such a person, or any resident dependants.

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. To define the permission for the avoidance of doubt.

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

4. To define the permission for the avoidance of doubt in the interests of amenity, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

5. To define the permission for the avoidance of doubt.

Summary of reasons for granting permission

This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal which raises no amenity issues, highway safety concerns and is considered acceptable to adjoining uses subject to hours and occupancy conditions.

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.

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Michael Green
Planning Applications Manager

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC5 - Conservation Areas
BC8 - Settings of Listed Buildings
EMP 6 - Industry and business within the built-up area boundaries and homeworking
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD5 - Amenity
TC5 - Small shops
TR5 - Access, parking and design

National Planning Policy Framework

Notes to Applicant

The applicant is advised to contact the Councils Environmental Health Department regarding the use of the premises and the required licences for operation.
This permission does not give any consent that may or may not be required under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. The applicant is advised to contact the Local Planning Authority in the first instance if they require to display any signage at the premises.

Plans
The plans to which this Notice refers are listed below:
Location Plan
Site Plan
FP130316

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.

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Michael Green
Planning Applications Manager

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

High Peak Borough Council, Development Services, Municipal Buildings, Glossop, Derbyshire SK13 8AF
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