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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 Dr Donna Dallas-Skerry
Carr Cottage Farm
Whitehough
Chinley
SK23 6EJ

Agent Ashall Town Planning
The dairy
Crabtree Lane
High Legh
Knutsford
WA16 6PE

Application no. HPK/2011/0412

Registered on 28/07/2011

Determined on 10/10/2011

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

Change of Use from offices B1 to childrens day nursery D1 at 25 Market Place Chapel-En-Le-Frith

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 day nursery hereby approved shall operate for a period of one year from the date of opening unless a further permission has been sought and granted. The applicants shall notify

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Michael Green
Planning Applications Manager

the Local Planning Authority of the date of opening in writing.

3. Prior to the commencement of development on site a managment scheme for the operation of the day nursery shall be submitted to and approved in writing by the Local Planning Authority. The management scheme shall include details of drop-off and collection; 'meet and greet' arrangements;incentives for car sharing/walking and management and hours of use of the garden. The day nursery shall be operated in strict accordance with the agreed scheme.

4. Prior to the commencement of development on site a structural survey or a sound insluation test shall be carried out to the party wall between 25 and 27 Market Place and shall be agreed by the Local Planning Authority in writing.

5. The maximum number of children accommodated in the day nursery shall not exceed 28 at any one time.

6. The day nursery shall not operate outside the hours of 8.00am and 6.00pm Monday to Friday. The nursery shall not operate at any time on a Saturday, Sunday or Bank Holiday.

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 order for the use to be monitored in the interests of neighbours amenity and highways safety and convenience in accordance with Policy GD5 of the adopted High Peak Local Plan 2008.

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

4. In oder to confirm that there is adequate sound insulation to prevent a loss of amenity to the adjoining occupier in accordance with Policy GD5 of the adopted High Peak Local Plan 2008.

5. For the avoidance of doubt and in particular because of the limited available car parking space and proximity to neighbouring residents.

6. 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 in line with advice from Planning Inspectors on appeal. The

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site lies within the town centre where such uses are considered acceptable. Conditions have been proposed to mitigate against or monitor any potential harmful effects of the development.

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
EMP 6 - Industry and business within the built-up area boundaries and homeworking
GD2 - Built up area boundaries
TC1 - Town Centres
TC2 - Town Centre Environment

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

Location Plan
Site Plan
01
02
03
04
05
06
07
08
09
10
11
12

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.

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Planning Applications Manager

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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Planning Applications Manager