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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 Paul Barrett
16 Hockerley New Road
Whaley Bridge
SK23 7GA

Agent

Application no. HPK/2013/0311

Registered on 24/06/2013

Determined on 16/08/2013

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

Proposed Change of Use from UCO B1 Business to A3 Restaurants & Cafes with the intention of providing a two Storey Cafe. at 34 Union Road New Mills

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 premises only. There shall be no external alterations to the premises whatsoever without the prior written approval of the local planning authority.

3. The use shall not take place other than between the hours of: -
0800 - 2230, Mondays - Saturdays
0900 - 1600 Sundays or Bank Holidays.

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Michael Green
Planning Applications Manager

4. No loading or unloading of vehicles shall take place between 2200 hours and 0700 hours the next morning, or at any time on Sundays and Public Holidays.

5. No discharges to atmosphere of any gaseous or particulate matter shall take place until full details of the 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. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with that approval and retained for so long as the use continues.

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 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.

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

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

Summary of reasons for granting permission

The Council has sought a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

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
GD5 - Amenity
TC1 - Town Centres

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Michael Green
Planning Applications Manager

TC2 - Town Centre Environment
TC9 - The Evening Economy Pubs, Clubs and takeaways
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
Site Plan
01
02
03
04
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.

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

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