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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 Richard Body
2 Longlands Road
New Mills
SK22 3BL

Agent Peter Young Architect
60 Dickens Lane
Poynton
SK12 INT

Application no. HPK/2013/0496

Registered on 27/08/2013

Determined on 22/10/2013

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

Proposed Change of Use of Existing Public House to Ground Floor Mini Market/Flexible Space for Small Retail Business Use, 3No. 3 Bedroom Apartments on First Floor. Private External Sitting Out Space, at 34 Market Street 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. 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 shall be carried out in accordance with the approved details.

…….
Michael Green
Planning Applications Manager

3. No works shall take place on site until details of windows, including glazing bar details at 1:20, together with details of the door joinery and velux windows, have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

4. Notwithstanding any details shown on the approved plans all external timber shall be painted in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall be maintained thereafter.

5. Notwithstanding the provisions of Class D, Part 3 of Schedule 2 of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without that Order, the ground floor of the building shall be used for A1 purposes only.

6. The ground floor use shall not take place other than between the hours of: -
0830 - 1800, Mondays - Saturdays
0930 - 1630, Sundays or bank holidays

7. No loading or unloading of vehicles shall take place between the hours of 2100 hours and 0700 hours on weekdays and Saturdays and at any time on Sundays and Public Holidays.

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a detailed plan indicating the positions, heights, designs and finished colours of all boundary treatments including a sample of materials for the proposed stone wall to be erected as boundary treatment. The boundary treatments shall be completed before the use hereby permitted is commenced, or before the building is occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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.

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Michael Green
Planning Applications Manager

5. 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.

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

8. To ensure adequate and appropriate treatment to all boundaries.

Summary of reasons for granting permission

The Council has negotiated 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

BC1 - External Materials
BC5 - Conservation Areas
CF2 - Local Community facilities
EMP 6 - Industry and business within the built-up area boundaries and homeworking
EMP 9 - Change of Use from Industry or business
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD5 - Amenity
H1 - Principles of Housing Provision
H5 - Housing within the Built up Area Boundaries
TC1 - Town Centres
TC2 - Town Centre Environment
TC5 - Small shops
TC6 - Retention of Local Centres and Village Shops
TR4 - Traffic Management
TR5 - Access, parking and design

National Planning Policy Framework

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Michael Green
Planning Applications Manager

Notes to Applicant

None

Plans

The plans to which this Notice refers are listed below:

Location Plan Rev A
T/01
T/02 Rev A
T/03
T/04 Rev A
Site Plan T/05
T/08 Rev A

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.

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:

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Michael Green
Planning Applications Manager

(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.
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Michael Green
Planning Applications Manager

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E-mail planning@highpeak.gov.uk Website www.highpeak.gov.uk

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National Planning Policy Framework

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Planning Applications Manager

Notes to Applicant

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T/03
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