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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 Edward Pearce
10 Rock Terrace
Buxton
SK17 6HN

Agent

Application no. HPK/2013/0506

Registered on 09/10/2013

Determined on 05/12/2013

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

Proposed removal or variation on condition 2 relating to planning application HPK/2012/0711 - The building hereby approved shall be operated by Jet Tec for business purposes within Class B and for no other purpose at Ladmonlow Yard, Leek Road, Buxton

in accordance with the submitted application, details and accompanying plans listed below subject to the following conditions and reasons:-

Conditions

1. The building hereby approved shall be used solely for the purpose of Class B1 of the Town and Country Planning Use Classes Order 2005 and for no other purpose.

2. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings and no later than 12 months of that occupation or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the approved scheme die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.

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Michael Green
Planning Applications Manager

3. Noise arising from operations at the site shall not exceed the background noise level by more than 5dB, measured as a 1 hour LAeq for daytime measurements and a 5 minute Laeq for nightime measurements, at a noise sensitive property. Measurements should be undertaken in accordance with the procedures outlined in BS4142:1997.

4. No discharges to atmosphere of any gaseous or particulate matter shall take place, arising from the operation of any process or plant, unless in accordance with a scheme of atmospheric pollution control measures to be approved in writing by the Planning Authority. The approved scheme shall be implemented before the use hereby permitted occurs and maintained thereafter.

5. The premises shall not be open for business outside the hours 0730 and 1800 Mondays to Fridays; 0800 and 1600 hrs on Saturdays and at nop time on Sundays or Bank Holidays.

Reasons

1. In the interests of the amenity of adjoining neighbouring properties and in order to protect the character of the countryside from unwarranted development and in accordance with Policies GD5 and OC1of the High Peak Saved Local Plan Policies 2008.

2. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

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 visual and residential amenity, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

5. 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 also been taken having regard to all other relevant material planning considerations and to the following relevant policies and proposals in the Development Plan.

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

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

EMP 7 - Industry and business in the countryside
GD4 - Character Form and Design
GD5 - Amenity

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Michael Green
Planning Applications Manager

OC1 - Countryside Development
OC4 - Landscape Character and Design
TR5 - Access, parking and design

National Planning Policy Framework

Notes to Applicant

The applicant is advised that the conditions imposed under HPK/2012/0711, and subsequently agreed with the Local Planning Authority are still extant and any development should comply with these conditions.

Plans
The plans to which this Notice refers are listed below:
Location Plan
01
02

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.

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Michael Green
Planning Applications Manager

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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