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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 Jennifer Kieras
The Soup Seller Ltd
40 The Avenue
Hadfield
Glossop
SK13 2AN

Agent

Application no. HPK/2013/0505

Registered on 12/11/2013

Determined on 27/12/2013

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

REMOVAL OF CONDITION 4 RELATING TO PLANNING APPLICATION HPK/2011/0401 - IN ORDER TO ALLOW THE USE OF OUTSIDE SEATING AREA IN CONJUNCTION WITH USE OF PREMISES AS A CAFE at 73 High Street West Glossop

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

Conditions

1. The premises shall only be used for a cafe/coffee shop and for no other purpose(including any other purpose within class A3 of the Town and Country Planning [Use Classes] Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without that order).

2. The permission shall relate to the use of the premises only and there shall be no external alterations to the premises whatsoever - including the installation of a flue or other extraction unit, other than that shown on the plans submitted in conjunction with Planning Approval Ref HPK/2011/0404.

……
Michael Green
Planning Applications Manager

3. The site the subject of this permission shall only be used as a customers garden and seating area in conjunction with the use of the adjacent cafe, and only occupied when the cafe is open for business. There shall be no additional seating other than that shown on the submitted application (which for the avoidance of doubt, the current level of seating consists of 4 double-seat benches and a table).

4. There shall be no amplified music or other external music/equipment used in conjunction with the customers garden/seating area.

Reasons

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

2. To define the permission for the avoidance of doubt and in the interest of visual and residential amenity.

3. In order to ensure that there is no undue disturbance for the occupants of surrounding residential property in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

4. In order to ensure that there is no undue disturbance for the occupants of surrounding residential property 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.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
BC2 - Shop Fronts
BC5 - Conservation Areas
GD2 - Built up area boundaries
GD3 - Improvement Corridors
GD4 - Character Form and Design
GD5 - Amenity

……
Michael Green
Planning Applications Manager

TC1 - Town Centres
TC2 - Town Centre Environment
TC5 - Small shops

National Planning Policy Framework

Notes to Applicant

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

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

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.

.....
Michael Green
Planning Applications Manager

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