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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 Hemin Mustafai
71 St Nicholas Avenue
Stoke on Trent
ST6 8LG

Agent
10 Rock Terrace
Buxton
SK17 6HN

Application no. HPK/2013/0530

Registered on 09/10/2013

Determined on 29/01/2014

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

Proposed change of use from concrete paving manufacture (HPK/2009/0149) to drive in hand car wash and valet service open to the public at Unit 1 Ladmanlow 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 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 use hereby permitted shall be discontinued on the expiry of a period of 12 months from the date of this permission, or the commencement of the use hereby permitted, whichever is the sooner.

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Michael Green
Planning Applications Manager

3. The development hereby approved shall not be carried out otherwise than in complete accordance with the revised plans and specifications shown on drawing no Drg.01, Drg.02, Drg.03 and Plan View.

4. The use hereby permitted shall be open between the hours of 09.00 and 1800 Monday to Fridays and 0900 and 1600 on Saturdays, Sundays and public holidays only.

5. The turning and parking areas shall be maintained in accordance with the submitted plans, and shall be keep free from any impediment to the designated use.

6. No development shall take place until the proposed hand car wash and valet service is constructed in accordance with plan ref Plan View. The scheme shall ensure that:
1. The car washing area must be bunded and car washing should be carried out in only such designated areas as appropriately bunded.
2. The discharge from the car wash will be discharged to the existing private plastic pipe leading into the mains sewer in the A53 Leek road.
3. Any liquid soaps and polish classified as low grade chemicals should be securely stored as specified within the scheme.

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 highway safety and residential amenity and in accordance with Policies TR5 and GD5 of the High Peak Saved Local Plan Policies 2008.

3. For the avoidance of doubt.

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

5. In the interests of highway safety and in accordance with Policy TR5 of the adopted High Peak Saved Local Plan Policies 2008.
6. To ensure that pollution prevention measures are in place and in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008 and paragraph 120 of the National Planning Policy Framework.

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.

During the course of the consideration of the application the Council sought amendments to the proposals to ensure that pollution measures where addressed. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

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Michael Green
Planning Applications Manager

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
OC1 - Countryside Development
OC4 - Landscape Character and Design
OC6 - Agricultural Development
TR5 - Access, parking and design

National Planning Policy Framework
Paragraph 17 – Core Principles
Section 1 – Building a strong, competitive economy
Section 3 – Supporting a prosperous rural community
Section 11 – Conserving and enhancing the natural environment

Notes to Applicant

The applicant is advised that car wash liquid waste is classed as trade effluent. Before discharging to a sewer you must always get a trade effluent consent or enter into a trade effluent agreement with your water and sewerage company or authority. If you are not able to discharge effluent to the foul sewer it will be classed as waste and you must then comply with your duty of care responsibilities. More information regarding the discharge of trade effluent can be found at www.netregs.gov.uk and http://publications.environment-agency.gov.uk/pdf/PMHO0307BMDX-e-e.pdf

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

Location Plan
Drg.01
Drg.02
Drg.03
Plan View

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.

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Michael Green
Planning Applications Manager

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:
(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