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**High Peak Borough Council**  
*working for our community*

Mr Mark Strawbridge  
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20 Bath Street  
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Mrs Walters

Application no: HPK/2016/0450

Determined on: 17<sup>th</sup> October 2016

**Town and Country Planning Act 1990**  
**Town and Country Planning (Development Management Procedure) (England) Order 2015**

**FULL PERMISSION FOR DEVELOPMENT**

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990 (as amended).

**Location of Development:**

10 12 Market Place Chapel-En-Le-Frith Derbyshire SK23 0EN

**Description of Development:**

Change of use from Estate Agents to Micro-pub

In pursuance of their power under the above mentioned Act, High Peak Borough Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 'Site Plan 0319A.P.0101', 'Proposed GF Plan 0319A.P.0103'.

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.

3. The use hereby permitted shall not be undertaken except between the following times: 12:00 to 22:30 everyday of the year with the exception of Christmas Eve and New Year's Eve when the use will shall not be undertaken except between 12:00 on either day and 01:00 the following day.

Reason: - To ensure that the amenities of the occupants of neighbouring properties are adequately protected and to comply with policies S1 and EQ6 of the Local Plan and the





NPPF.

4. The yard to the north-east of the site shall not be used in association with the premises of the approved micro-pub. Refuse and/or recycling materials generated from the micro-pub shall at no time be placed or stored in the yard. All refuse and recyclable waste shall be stored within the premises until the day(s) of collection.

Reason: - To ensure that the amenities of the occupants of neighbouring properties are adequately protected and to comply with policies S1 and EQ6 of the Local Plan and the NPPF.

5. All deliveries to and collections from the site shall be received and/or collected from either the door on the north-western corner of the building or the door on the south-western facing elevation.

Reason: - To ensure that the amenities of the occupants of neighbouring properties are adequately protected and to comply with policies S1 and EQ6 of the Local Plan and the NPPF.

### **Informative**

1. It is considered that paras 186 and 187 of the NPPF have been adhered to.

### **Policies**

High Peak Local Plan Adopted April 2016

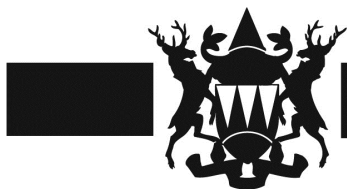
S1 - Sustainable development principles  
S1a - Presumption in favour of sustainable development  
S2 - Settlement hierarchy  
S6 - Central sub-area strategy  
EQ1 - Climate change  
EQ7 - Built and historic environment

Chapel-en-le-Frith Conservation Area Character Appraisal

National Planning Policy Framework

"" Ministerial foreword  
"" Introduction (Inc. Achieving sustainable development, presumption in favour of sustainable development, core planning principles, delivering sustainable development)  
"" 1 Building a strong, competitive economy  
"" 4 Promoting sustainable transport  
"" 10 Meeting the challenge of climate change, flooding and coastal change  
"" 12 Conserving and enhancing the historic environment

National Planning Practice Guidance



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**On behalf of High Peak Borough Council**



## NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section.
2. 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 at Derbyshire County Council.
3. 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](http://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.
4. 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.
5. 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.
6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
7. If the decision to refuse planning permission is for a householder application, and you want to appeal against your local planning authority's decision then you must



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do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate#other-ways-to-apply>. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.