

Mr syed Helal Uddin  
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58 Southwood Drive  
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**High Peak Borough Council**

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Mr syed Helal Uddin  
SHUAS  
58 Southwood Drive  
Baxenden  
Accrington  
BB5 2PZ

Mr Chowdhury  
Sweetons 97 Station Road  
Hadfield  
Glossop  
SK13 1AR

Application no: HPK/2017/0100

Determined on: 23/05/2017

**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:**

95-97 Station Road Hadfield Glossop Derbyshire SK13 1AR

**Description of Development:**

Proposed change of use of 97 Hadfield Road from laundry (Sui Generis) to (class A3) café, trading in conjunction with 95 Hadfield Road, an existing hot food takeaway (class A5)

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: 1371-1 and 1371-2.

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

3. Notwithstanding the details shown on the submitted plans and forms no works shall commence until detailed plans of the new shop front at a scale of 1:10, including colour scheme, finish and illumination to be applied have been submitted to and agreed in writing by the Local Planning Authority. The works shall be completed in





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strict accordance with the agreed details.

Reason:- In the interests of visual amenity in accordance with Policy EQ6 of the High Peak Local Plan 2016 and paragraph 17 of the National Planning Policy Framework.

4. Prior to the use hereby permitted commencing, a scheme for the installation of equipment to control the emission of fumes and odour from the premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with, and be consistent with DEFRA 2005, Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust systems. The approved scheme shall be implemented in full before the use hereby permitted first comes into operation. All equipment installed as part of the odour control scheme shall thereafter be operated and maintained to ensure compliance with DEFRA 2005, Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems and in accordance with the manufacturer's instructions.

Reason:- To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected in accordance with Policies EQ6 and EQ10 of the High Peak Local Plan 2016 and paragraph 17 of the National Planning Policy Framework

5. Prior to the use hereby permitted commencing, a report detailing the noise emissions from the proposed extract ventilation system shall be submitted to the Local Planning Authority for written approval. The report shall identify that the cooking equipment extraction system shall be fitted with effective silencers in accordance with an acoustic specification to be agreed with the Local Planning Authority. The approved silencers shall be installed prior to the commencement of the use hereby approved and subsequently maintained.

The extraction system serving cooking equipment shall incorporate anti-vibration mounts and flexible couplings to prevent structure-borne noise to adjoining occupiers.

6. The use hereby permitted shall not be open to customers other than between the hours of 10.00am to 22.30pm hours on Monday to Saturday and 10.00am to 22.30pm on Sundays or Public Holidays.

Reason:- To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected in accordance with Policy EQ6 of the High Peak Local Plan 2016 and paragraph 17 of the National Planning Policy Framework.

### **Informative**

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



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X *J. Colley*

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Signed by: Jane Colley

**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.