

Mr Jake Rothwell
WBC Drawings
Lockside 38 Leigh Street
Wigan
WN1 3BE



High Peak Borough Council

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Lockside 38 Leigh Street
Wigan
WN1 3BE

Ms Anokye-Gyan
11 Hawthorne Avenue
Hucknall
Nottingham
NG15 6LN

Application no: HPK/2022/0521

Determined on: 3rd May 2023

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:

32 Portland Hotel St Johns Road Buxton Derbyshire SK17 6XQ

Description of Development:

Proposed change of use from a Hotel to C3 Holiday Lets

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: SJR-LP; SJR-PL1; SJR-PL2A; SJR-PL3; SJR-PL4; SJR-PL5; SJR-06A

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

3. For the avoidance of doubt, the approved use hereby approved shall not at any time include habitable accommodation at the lower ground floor (basement) level

Reason:- In the interests of preserving the amenity of future occupants in accordance with Local Plan Policy EQ6 and EQ10, and relevant paragraphs under Chapters 12 and 15 of the NPPF





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4. All construction or demolition works associated with the development hereby approved shall not take place outside the following times:

- 08:00 – 17:00 Monday – Friday
- 08:00 – 13:00 Saturdays
- No working on Sundays or Bank Holidays

Reason:- In the interests of public and residential amenity in accordance with Local Plan Policies EQ6 and EQ10

5. The residential units hereby approved shall be used solely for short term holiday lets and at no time shall be occupied on a permanent basis

Reason:- For the avoidance of doubt and in the interests of ensuring that the use as proposed is retained

6. The residential units subject of this approval shall not be occupied by any person(s) for a period of longer than 2 calendar months and no person(s) who has occupied the holiday let shall occupy the holiday let again at any time within six months of the day of the last occupation of the building. The building shall not be sold, let or otherwise occupied as a permanent place of residence at any time. A register of occupants and their permanent addresses shall be maintained and made available for inspection by the Local Planning Authority upon their request

Reason:- In order to ensure that the nature of the use can be suitably controlled by the Local Planning Authority

7. For the avoidance of doubt, the outer entrance door on the principal elevation facing St Johns Road shall be retained in situ for the life time of the development.

Reason:- In the interests of preserving the character and appearance of the building and wider area

Informative

1. The Local Planning Authority have where necessary worked in a positive and proactive manner with the applicant to address and overcome all outstanding planning matters to achieve a sustainable form of development as required by the National Planning Policy Framework.
2. The applicant is reminded that any changes to replace or upgrade fenestration is likely to require planning permission in its own right.





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X *B.J. Haywood*

Signed by: Ben Haywood

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 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.

