

Mr P Garner
Garner Town Planning Ltd
24a Market Street
Disley
Cheshire
SK12 2AA



High Peak Borough Council

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SWan HotelPH Stable Yard
New Mills
Derbyshire
SK22 3JS

Application no: HPK/2024/0110

Determined on: 19/07/2024

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:

Swan Hotel Buxton Road New Mills Derbyshire SK22 3JS

Description of Development:

Retrospective permission for Use of lower ground floor as indoor gym, and creation of outdoor exercise area

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 carried out in accordance with the following approved plans: 2205 Block Plan (with north point); 2205 Elevation; 2205 Floor Plans; 2205 Location Plan

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

2. Within 3 months of the date of this decision, details of sheltered, secure and accessible bicycle parking shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved bicycle details shall be installed within 3 months of the date of approval and retained solely for the purposes of bicycle parking.

Reason:- To promote sustainable travel and healthy communities in line with policy CF 6 of the High Peak Local Plan





3. The level of noise emitted from the site shall not exceed:
- a. 45 dB LAeq,15 minutes before 08:00 on weekdays and before 09:00 at the weekend or bank holidays;
 - b. 50 dB LAeq,15 minutes at any other time.

Reason:- To maintain residential amenity in accordance with Polciy EQ 6 of the High Peak Local Plan

4. The internal lower ground floor gym shall not operate outside of the following hours:-
- 06:15 am until 20:15 pm Monday – Friday
 - 07:30 am until 17:30 pm on weekends and bank 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 191 of the National Planning Policy Framework.

5. The outdoor exercise area shall not operate outside of the following hours:-
- 9:00 am until 19:00 pm Monday – Friday
 - 9:00 am until 17:30 weekends and bank 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 191 of the National Planning Policy Framework.

6. Prior to the installation of any external lighting, details including location, number and luminance levels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the lighting shall be installed in accordance with the approved details.
7. There shall be no sound-amplifying equipment, loudspeaker, public address system operated or music played outside and in connection with the outdoor exercise area.

Reasons:- To protect residential amentiy in accordance with Polciy EQ 6 of the High Peak Local Plan 2016 and paragraph 191 of the National Planning Policy Framework.

Informative

1.The proposed development is judged to be of suitable design and meets the tests of sustainability in planning. There are not judged to be any adverse implications for neighbours



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or wider public amenity and street scene. As the application was considered acceptable there was no need for any negotiation or amendment as would otherwise be advocated within the National Planning Policy Framework paragraph 38.

X *J Colley*

Signed by: Jane Colley Signature

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 DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel: [0333 880 2000](tel:03338802000).
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





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you want to appeal against your local planning authority's decision then you must 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.

