

Mr Carl Priestley
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Clarence Arcade Stamford Street
Ashton
United Kingdom



High Peak Borough Council

working for our community

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Burton on trent
DE14 2WF

Application no: HPK/2024/0316

Determined on: 12th November 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:

8 Bridge Street Whaley Bridge Derbyshire SK23 7LR

Description of Development:

Demolition of outbuildings to the rear yard of an existing public house to facilitate the formation of an external drinking area to include raised decked area, fixed seating, smoking shelter and festoon lighting

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: 3187-GOYT-0002.2; 3187-GOYT-0002.3A; 3187-GOYT-0004; DR-S-0001

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

3. The brick buttresses shall be constructed and finished in accordance with the details contained within the Remedial Works Plan (Ref: DS-S-0001) and shall be painted white in keeping with the existing wall.

Reason:- In the interests of good design and preserving the character and appearance of the Conservation Area.





4. The metal poles shall be aluminium and planted black (RAL No. 9005) as confirmed in writing by email dated 05/11/2024

Reason:- In the interests of good design and preserving the character and appearance of the Conservation Area.

5. The external external drinking area, raised decked area, fixed seating, smoking shelter and festoon lighting hereby permitted shall not be used after 22:00 on any given day.

Reason:- In the interests of preserving public and residential amenity

6. There shall be no speakers or amplified music operating in the external area at any time.

Reason:- In the interests of preserving public and residential amenity

7. Access to the external area hereby approved shall be from within the existing Public House only. No public access to the external area shall be made available other than from within the premises.

Reason:- In the interests of preserving public and residential amenity

8. All external lighting contained within the rear yard area of the Public House shall only be operated between the hours of 15:00 and 22:00 on any given day.

Reason:- In the interests of preserving public and residential amenity

9. Therefore, the proposed drainage on site shall include the following:
- All surface waters and foul waters must drain away from the direction of the railway boundary.
 - Soakaways for the proposal must be placed at least 30m from the railway boundary.
 - Any drainage proposals for less than 30m from the railway boundary must ensure that surface and foul waters are carried from site in closed sealed pipe systems.

Reason: In the interests of railway safety

Informative

1. The Local Planning Authority has where necessary worked in a positive and proactive manner with the applicant to resolve all outstanding planning issues in order to achieve a sustainable form of development as required by the National Planning Policy Framework.
2. It is recommended that there is CCTV coverage of the external drinking and smoking areas.

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 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.

