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High Peak Borough Council

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TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

FULL PLANNING APPLICATION

PERMISSION

Applicant
Peveril Securities Ltd
C/o Agent

Agent
RED Property Services
The Edge Business Centre
Clowes Street
Manchester
M3 5NA

Application no. HPK/2011/0103

Registered on 25/02/2011

Determined on 1/08/2011

High Peak Borough Council hereby **PERMIT** this application for **FULL PLANNING PERMISSION** for

Proposed new retail unit and associated revised car parking layout. at Howard Town Mill Victoria Street Glossop

in accordance with the submitted application, details and accompanying plans listed below subject to the following conditions and reasons:-

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission unless some other specific period has been indicated in other conditions given.

2. No development shall commence until samples of the materials to be used in the construction of the external surfaces of the approved development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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Michael Green
Planning Applications Manager

3. Before any other operations are commenced (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials/ site accommodation/ loading and unloading of goods vehicles/ parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

4. Before any of the operations hereby approved are commenced, which involve the movement of material in bulk to or from the site, facilities shall be provided as agreed in writing with the Local Planning Authority to prevent the deposition of extraneous material on the public highway and shall be maintained [throughout the contract period/ throughout the life of the development] whenever the said operations are carried out.

5. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the revised application drawings for the parking, loading and unloading, picking up and setting down passengers and manoeuvring of visitors, staff, customers, service and delivery vehicles (including secure covered cycle parking), laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

6. There shall be no gates of other barriers which would obstruct access to the site, service or car parking areas.

7. Prior to the development commencing details shall be submitted to and approved in writing by the Local Planning Authority of a car park management strategy. Details to include proposals for car park signage, allocation, implementation and monitoring program. The approved management scheme shall be implemented prior to the commencement of the use and shall be maintained in accordance with the approved details thereafter unless otherwise agreed in writing by the Local Planning Authority.

8. The development hereby permitted shall not be occupied until a full scheme of works to provide and install MOVA control at the Victoria Street/High Street/Norfolk Street signalised junction has been submitted to and approved in writing by the Local Planning Autnority.
The works shall be carried out in accordance with the Local Planning Authority's written approval before the premises hereby permitted are first occupied.

9. The premises, the subject of the application, shall not be occupied until the pedestrain footway on the southern side of the site access road, has been laid out, constructed and surfaced in accordance with details to be submiited to and agreed in writing with the Local Planning Authority and shall be fully open for use throughout the Collanade.

10.Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until the following conditions (i) to (iv) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local

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High Peak Borough Council, Development Services, Municipal Buildings, Glossop, Derbyshire SK13 8AF
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Planning Authority in writing until condition (iv) has been complied with in relation to that contamination.

(i) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

a) a survey of the extent, scale and nature of contamination;

(b) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters,ecological systems, archeological sites and ancient monuments;

(c) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(ii). Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(iii) Implementation of Approved Remediation Scheme The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that subject to the approval in writing of the Local Planning Authority.

(iv) Reporting of Unexpected Contamination In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (i), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (ii), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (iii).

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11. The use hereby permitted shall be carried out and operate in full accordance with the details set out in the Breeam Pol 8 Environmental Noise Study for this development, prepared by Sol acoustics, June 2011 unless otherwise agreed in writing with the Local Planning Authority.'

12. No construction work at the site shall take place outside the following hours:-

1. 0700 hours to 1900 hours Mondays to Fridays.
2. 0800 hours to 1600 hours on Saturdays.
3. At any time on Sundays or Public Holidays except by agreement with the Local Planning Authority.

13. Any equipment which needs to be operated outside the hours specified in Condition 12 above shall be acoustically screened in accordance with a scheme to be agreed in writing with the Local Planning Authority.

14. If piling is necessary, a written method statement shall be submitted to and approved in writing by the Local Planning Authority. No piling shall take place until the method statement has been approved.

15. No piling shall take place outside the hours 0900 hours to 1600 hours Mondays to Fridays.

16. The development hereby approved shall not be drained otherwise than to a separate system. There shall be no discharge of surface or other run-off waters to the foul sewer.

17. a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until the pre-start element of the archaeological fieldwork has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

b) No development shall take place other than in accordance with the Written Scheme of Investigation for archaeological work approved under condition (a).

c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for archaeological work approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

All archaeological work should be carried out by a suitably qualified and experienced

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archaeological contractor. The development control archaeologist should be contacted in the first instance for a written brief from which the WSI may be developed.

18. Notwithstanding the details shown on the Approved Landscaping Plan, PL550.L.01 Rev H, no development shall take place until full details including samples of all external hardsurface materials, minor artefacts and structures (eg furniture, refuse or other storage units, signs, and fencing, etc shall be submitted to and approved in writing with the Local Planning Authority. Details shall also include methods of coursing and pointing of approved setts, flags and other surface materials. The hard landscping works shall be carried out in full accordance with the approved details.

19. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings and no later than 12 months of that occupation or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the approved scheme die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.

20. The premises, the subject of the application, shall not be occupied until the pedestrain footway on the southern side of the site access road, has been laid out, constructed and surfaced in accordance with details to be submiited to and agreed in writing with the Local Planning Authority and shall be fully open for use throughout the Collanade.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990 and section 51 of the Planning and Compulsory Purchase Act 2004.

2. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

3. To ensure satisfactory service provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

4. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

5. To ensure satisfactory service provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

6. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

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7. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

8. To increase the capacity of this road junction in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

9. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

10. To ensure that the site is developed in a safe manner and ensure a satisfactory standard of development in the interests of the amenity of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

11. In order that the amenities enjoyed by the occupants of the adjacent dwellings shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

12. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

13. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

14. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

15. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

16. To ensure a satisfactory standard of development, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

17. To enable the site's archaeological remains to be properly investigated and recorded, in accordance with Policy BC10 of the High Peak Saved Local Plan Policies 2008.

18. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

19. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

20. In the interests of pedestrian safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

Summary of reasons for granting permission

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal which is an appropriate town centre use and will preserve

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and enhance the visual characteristics of Norfolk Square Conservation Area and regenerate this part of the town centre.

The decision to grant planning permission has also been taken having regard to all other relevant material planning considerations and to the following relevant policies and proposals in the Development Plan.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
BC5 - Conservation Areas
Archaeological and Other Heritage Features
GD4 - Character Form and Design
GD5 - Amenity
TC1 - Town Centres
TC2 - Town Centre Environment
TC3 - Large Stores
TC11 - Regeneration Areas in Glossop
TR1 - Transport Implications of new development
TR5 - Access, parking and design
TR11 - Footpaths, bridleways and byways

National Planning Policy
PPS1 Delivering Sustainable Development.
PPS4 Planning and Sustainable Growth.
PPS5 Planning and the Historic Environment.
PPG13 Transport.

Notes to Applicant

1. The Environment Agency recommends that in areas at risk of flooding consideration is given to the incorporation into the design and construction of the development of flood proofing measures. These include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels.

2. Pursuant to Section 278 of the Highways Act 1980, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Director of Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the Area Development Manager [name and contact number]). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.

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3. Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (eg; street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

4. Pursuant to Section 50 (Schedule 3) of the New Roads and Streetworks Act 1991, before any excavation works are commenced within the limits of the public highway, at least 6 weeks prior notification should be given to the Director of Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the New Roads and Streetworks Section).

5. Where development has been approved subject to the preparation and implementation of a Travel Plan, the applicant is obliged to submit the appropriate documentation to the Local Planning Authority well in advance of the development being taken into use. Advice regarding the content of Travel Plans may be obtained from the Director of Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the Transportation Section).

6. The application site is affected by a Public Right of Way (Footpath Glossop FP203 on the Derbyshire Definitive Map). The route must remain unobstructed on its legal alignment at all times and the safety of the public using it must not be prejudiced either during or after development works take place. Advice regarding the temporary (or permanent) diversion of such routes may be obtained from the Director of Environmental Services at County Hall, Matlock (tel: 01629 580000 and ask for the Footpaths Officer.

Plans

The plans to which this Notice refers are listed below:

Location Plan P2952-1-3000
P2952-1-3210 Rev I
P2952-1-3211 Rev I
P2952-1-3212 Rev L
P2952-1-3310 Rev O
P2952-1-3311 Rev O
P2952-1-3002 Rev F
P2952-1-3101 Rev J
P2952-1-3500
P2952-1-3501
P2952-1-3502
P2952-1-3503
P2952-1-3412 Rev F
P2952-1-3413 Rev F
PL550.L.01 Rev H

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Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section on 0845 129 7777.

Any other statutory consent necessary must be obtained from the appropriate authority.

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, Derbyshire, County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.

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.

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.

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.

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Michael Green
Planning Applications Manager