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High Peak Borough Council

working for our community

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
Marks & Spencer PLC
The Point 37 Wharf Road
London
W2 1AF

Agent
Nathaniel Lichfield & Partners
Mr Brian O Connor
One St James Square
Manchester
M2 6DN

Application no. HPK/2012/0274

Registered on 01/06/2012

Determined on 25/07/2012

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

Proposed Installation of Plant Machinery on Eastern Side of the M&S Store. 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. The use hereby approved shall require the plant and equipment to be installed and operated in accordance with details set out in the "BREEAM Pol 8 Environmental Noise Study", prepared by Sol Acoustics, June 2011, ref. P1307- REP02REV A-MPF and in

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Michael Green
Planning Applications Manager

particular:

1) Before the operation of the development hereby approved, the plant and equipment shall be enclosed by a close boarded acoustic fence 2.5m high. Such a fence shall be adequately maintained during the life of the development.

2) The 1.5m wide gap between the existing retaining wall and the external wall of the proposed store at the edge of the external plant zone, as shown in figure 5 of Sol Acoustics noise study referenced above, must be acoustically closed off by a solid screen of a minimum mass of 10kg/m2 and a minimum height of 3.5m before the plant and equipment are operated. Such a solid screen shall be adequately maintained during the life of the development.

3) The overall level of noise from the combined operation of plant and equipment hereby approved shall not exceed those shown in the table below during the time periods and locations specified below:

Location	Overall Noise Level not to be exceeded (dB, LAeq)	
	Day time (0700 to 2300hrs)	Night time(2300 to 0700)
Rear of residential properties In High Street East	40	35
Rear Façade of Howard Town Mill facing Glossop Brook	53	51
Victoria Street Façade	51	51
All other facades at Howard Town Mill	40	35
Existing commercial premises	50	-

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 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.

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Michael Green
Planning Applications Manager

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 will protect the amenities of neighbouring residents and have no impact on the visual amenities of the Conservation Area.

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

BC5 - Conservation Areas
GD3 - Improvement Corridors
GD4 - Character Form and Design
GD5 - Amenity
TC1 - Town Centres
TC11 - Regeneration Areas in Glossop

National Planning Policy Framework

Notes to Applicant

None

Plans

The plans to which this Notice refers are listed below:

Location Plan
208 Rev 01
200 Rev 01
118 Rev 01
650 Rev 02

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

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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.
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