



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

OUTLINE PLANNING APPLICATION

PERMISSION

Applicant Rev Hazel Cook
Zion Methodist Church Simmondley Lane
Glossop
SK13 6NS
Agent SJ Design Ltd
The Old Co-Op Building Church Street
Hayfield
SK22 2JE

Application no. HPK/2013/0001

Registered on 15/01/2013

Determined on 11/03/2013

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

Outline Application for Proposed Demolition of the Existing School Building, Vestry and Toilet Block to Facilitate New Parking Area and 2 New Dwellings at Zion Methodist Church Simmondley Lane Simmondley Glossop

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

Conditions

1. The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is later.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.
3. Approval of the details of layout, appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

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4. The materials of external construction to the dwellings shall be coursed natural gritstone to the walls with natural blue slate to the roof and timber doors and windows.
5. Prior to the start of work on site, a pre-commencement check for bats and evidence of bats should be undertaken of the cellar. This check should be undertaken by a suitably qualified and licensed ecologist during the winter months (November-February). If bats, or evidence of bats, is identified then no work shall commence until an appropriate mitigation strategy has been submitted to and approved in writing by the Local Planning Authority and a European Protected Species licence has been secured from Natural England.
6. Before any other operations are commenced (excluding demolition/site clearance), space shall be provided within the site curtilage for the 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
7. Before any other operations are commenced, the existing access between Adderley Place and Simmondley Lane shall be modified generally in accordance with the application drawings, laid out, constructed and provided with 2.4m x 47m visibility splays in either direction, the area in advance of the sightlines being maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.
8. Before any other operations are commenced (excluding conditions 6 and 7 above) new vehicular accesses shall be created to Adderley Place generally in accordance with the application drawings, laid out, constructed and provided with 2.4m x 18m visibility splays in either direction, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.
9. Before any operations are commenced (excluding conditions 6, 7 and 8 above), detailed designs including samples of materials to be used in the construction of the pedestrian margin parallel to Adderley Place shall be submitted to the Local Planning Authority for written, the proposed works being completed in accordance with the approved scheme and details prior to the proposed car park being taken into use and maintained throughout the life of the development free from any impediment to its designated use.
10. The residential dwellings, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking of residents' and visitors; vehicles (including secure/covered cycle parking), located, designed, laid out and constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The allocated car parking spaces for each dwelling shall be maintained throughout the life of the development free from any impediment to its designated use.
11. Car parking for the church shall be provided within the site curtilage, designed, laid out and constructed in accordance with details to be submitted and approved in writing by

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the Local Planning Authority. These details shall also include and indicate any on site cycle storage provision, gates, barriers, other boundary treatments, lighting or structures proposed within the car park. The car park shall be maintained throughout the life of the development free from any impediment to its designated use.

12. 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:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) 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;
 - (iii) 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'.

13. 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.
14. 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 that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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15. 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 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14, 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 15.

16. No construction/demolition work at the site shall take place outside the following hours:-
(i) 07:00 hours to 19:00 hours Mondays to Fridays.
(ii) 08:00 hours to 16:00 hours on Saturdays.
(iii) At any time on Sundays or Public Holidays except by agreement with the Local Planning Authority.
(iv) All deliveries to the site shall be limited to within the above hours.

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

17. No piling shall take place outside the hours 09:00 hours to 16:00 hours Mondays to Fridays
18. A scheme of dust suppression shall be submitted to include measures to prevent dust escaping from the site e.g. wet suppression of dust during dry periods or cessation of activities during windy periods and measures to clean vehicular wheels as appropriate to prevent mud on the highway.
19. No development, including demolition, shall take place until a Written Scheme of Investigation for historic building recording has been submitted to and approved in writing by the Local Planning Authority. No development shall commence until all on-site elements of the approved scheme have been completed to the written satisfaction of the Local Planning Authority, and until the provision to be made for analysis, reporting, publication and dissemination of the results and archive deposition has been secured. The Written Scheme of Investigation shall include an assessment of significance and research questions; and
- (1) The programme and methodology of site investigation and recording
 - (2) The programme and provision for post investigation analysis and reporting
 - (3) Provision to be made for publication and dissemination of the analysis and records of site investigation
 - (4) Provision to be made for archive deposition of the analysis and records of the site investigation
 - (5) Nomination of a competent person or persons/organisation to undertake the works set out with the Written Scheme of Investigation.

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20. This consent does not permit the demolition of any part of the building except that indicated on the approved plan(s). The remaining part shall be retained and made good with salvaged materials to match the existing in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, indicating timescales and method of demolition / construction and the location of protective fencing and access points into the site during the works.
21. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced, or before the building is occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.
22. The residential 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.
23. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include the number, sizes and species of the proposed planting; the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (eg drainage power, communications, cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of section 92 of the Town and Country Planning Act 1990.
2. 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.
3. To ensure a satisfactory standard of development, in accordance with Policy GD4 of the High Peak Saved Local Plan Policies 2008.
4. 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.
5. To safeguard wildlife in the interests of nature conservation.
6. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
7. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

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8. 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. In the interests of highway safety and to ensure adequate car parking provision within the site in accordance with the adopted standards of the Local Planning Authority and in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
11. In the interests of highway safety and to ensure adequate car parking provision within the site in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.
12. To ensure a satisfactory standard of development, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
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15. To ensure a satisfactory standard of development, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
16. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
17. In order to protect the amenities of the area, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
18. In the interests of visual amenity, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
19. To enable the site's archaeological remains to be properly investigated and recorded, and to prevent the archaeological interests of the site, in accordance with Policy BC10 of the High Peak Saved Local Plan Policies 2008.
20. To maintain the character of the building and to ensure the satisfactory visual relationship of the new development to the existing, 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.
21. To ensure adequate and appropriate treatment to all boundaries.
22. To ensure a satisfactory standard of development, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.
23. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

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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 in its current form will enable the long term future and enhancement of a heritage asset that positively contributes to the townscape and immediate setting. The car park and highway modifications will allow much needed off street parking provision and increase highway safety. The residential development is considered appropriate to its scale, location, utilises previously developed land and will cause no detrimental impact to amenity of adjacent occupiers.

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.

The Council entered into pre-application discussions with the applicant to secure a revised/improved scheme from the previous withdrawn application and during the course of the consideration of this application the Council sought amendments to the proposals to ensure that it was sustainable and in the interests of highway safety and amenity. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
BC10 - Archaeological and Other Heritage Features
CF2 - Local Community facilities
EMP 9 - Change of Use from Industry or business
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD5 - Amenity
H1 - Principles of Housing Provision
H5 - Housing within the Built up Area Boundaries
H11 - Layout and Design of residential development
LT3 - Protection of recreational land and facilities

National Planning Policy

Notes to Applicant

(1) Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991, at least 12 weeks prior notification should be given to the Environmental Services Department of Derbyshire County Council before any works commence on the vehicular access within highway limits, please contact Gail Mordery on 01629 538537 for further information.

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(2) The application site is affected by a public Right of Way (Footpath number 50 Glossop 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. Further advice can be obtained by calling 08456 058058 and asking for the Rights of Way Duty Officer.

-Please note that the granting of planning permission is not consent to divert or obstruct a public right of way.

-If it is necessary to temporarily obstruct a right of way to undertake development works then a temporary closure is obtainable from the County Council. Please contact 08456 058058 for further information and an application form.

-If a right of way is required to be permanently diverted then the Council that determines the planning application (The Planning Authority) has the necessary powers to make a diversion order.

-Any development insofar as it will permanently affect a public right of way must not commence until a diversion order (obtainable from the Planning Authority) has been confirmed. A temporary closure of the public right of way to facilitate public safety during the works may then be granted by the County Council.

-To avoid delays, where there is reasonable expectation that planning permission will be forthcoming, the proposal for any permanent stopping up or diversion of a public right of way can be considered concurrently with the application for the proposed development rather than await the granting of permission.

(3) Pursuant of Sections 219/220 of the Highways Act 1980, relating to the Advance Payment Code, where the development takes place fronting new or private streets the Highway Authority is obliged to serve notice on the developer, under the provisions of the Act, to financially secure the cost of bringing up the estate streets up to adoptable standards at some future date. This takes the form of a cash deposit equal to the calculated construction costs and may be held indefinitely.

(4) If possible the site should be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/ watercourse/ surface water sewer and may require the consent of the Local Authority. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities. The applicant should contact United Utilities on this matter on 0845 7462200.

(5) A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999. The applicant should contact United Utilities on this matter on 0845 7462200.

(6) The applicant is advised that, in carrying out the work, he should comply with the advice contained in the survey by name of consultant, and that details of methods of working etc. are

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adhered to.

(7) The granting of planning permission does not absolve the applicant from complying with the relevant law on protected species, including obtaining and complying with the terms of any licence that may be required as described in Part IV (B) of Ministerial Circular 06/2005.

(8) Breeding birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended), as are all bat species. It is an offence to disturb, injure or kill these species. If bats are found during the course of the development, works must stop immediately and a local representative of Natural England should be contacted.

Plans

The plans to which this Notice refers are listed below:

Location Plan 100

101

102

103

202 Rev B

203

204

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.

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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