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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 Mr Tim Turner
Blue Deer Limited
The Brook Riverside
Baulk Lane
Hathersage
S32 1AF

Agent Ibbotson Architects
The Studio 4 Brunel House
Heather Lane
Hathersage Park
Hathersage
S32 1DP

Application no. HPK/2013/0162

Registered on 09/04/2013

Determined on 08/07/2013

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

Change of Use to A1, A3, D1 & D2 Plus Associated Car Parking at Heritage Trailers Brookfield Dinting 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

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Michael Green
Planning Applications Manager

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.

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. Prior to any other operations commencing (excluding Condition 3 above), the entire site frontage shall be cleared and maintained thereafter, clear of any obstruction exceeding 1m in height (600mm for vegetation) relative to the road level for a distance of 2.4m back from the nearside carriageway edge in order to maximise the visbility available to drivers emerging onto the highway.

5. Before any other operations of commenced (excluding Conditions 3 and 4 above) two new vehicular accesses shall be created to Brookfield (A57) in accordance with the revised application drawing no. 0124.103 Rev E, laid out and constructed to the satisfaction of the Local Planning Authority.

6. The premises, the subject of the application, shall not be taken into use until space has been provided within the application site in accordance with revised application drawing no 0124.103 Rev E for the parking and manoeuvring of visitors/ staff/ customers/ service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use. Parking spaces shall measure a minimum of 2.4m x 4.8m.

7. The premises, the subject of the application, shall not be taken into use until a detailed signing and lining scheme for the proposed one-way route through the site for service/delivery vehicles has been implemented inaccordance with details which have been submitted to and approved in writing by the Local Planning Authority.

8. The development permitted by this planning permission shall be carried out in complete accordance with the approved Supplementary Flood Risk Assessment (FRA) from GLNK Ltd dated 26 June 2013 and the following mitigation measures detailed within the FRA:
1. Flood-proofing and/or flood resilient measures are included at ground floor level of the converted building.
2. The preparation of an emergency evacuation plan, including the registration with Floodline to receive a Flood Warning.
3. Identification and provision of safe routes into and out of the site to an appropriate safe haven.

9. No development shall take place until full details of both hard and soft landscape works

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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.

10. 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.

11. 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.

12. No discharges to atmosphere of any gaseous or particulate matter shall take place until full details of the siting and design of an odour control and ventilation system to cooking equipment to be installed is submitted to, and approved by, the Local Planning Authority. Such control equipment and ventilation as approved, shall be installed and operating correctly before the use hereby permitted occurs.

13. No development shall take place until an artificial light report has be submitted to, and approved by the LPA. The report shall assess light intrusion onto surrounding land, and its likely affect and where appropriate make recommendations to militate against light intrusion. The report shall include an assessment of proposed illuminated signage (with reference to recognised standards and guidance) and demonstrate that the proposed artificial lighting is of an intensity no greater than the minimum necessary to deliver the intended benefits and that the light is directed at only those areas which are intended to be illuminated. Any approved scheme of mitigation shall thereafter be carried out.

14. The D2 Use of the development hereby permitted shall be used for a gym and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without that Order).

15. The A1 retail use hereby permitted shall not exceed 500sqm of gross floor area and there shall be no retail food sales without the prior written consent of the Local Planning Authority.

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Planning Applications Manager

16. The uses hereby permitted shall accord with the building use schedule detailed on approved revised drawing no 0124.103 Rev E unless otherwise agreed in writing with the Local Planning Authority.

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 order to provide adequate visibility from the site in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008.

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

6. 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.

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

8. To reduce the impact of flooding on the proposed development and future occupants and to ensure safe access and egress from and to the site.
9. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008.

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

11. To ensure adequate and appropriate treatment to all boundaries.

12. In order that the amenities of the district shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

13. In order that the amenities of the district shall not be injured, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008.

14.. To define the permission for the avoidance of doubt in the interests of amenity, in accordance with Policies GD5 and TR5 of the High Peak Saved Local Plan Policies 2008.

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15. To ensure that the vitality and viability of neighouring local centres is not undermined in accordance with Policies TC5 of the HIgh Peak Saved Local Plan Policies 2008.

16. To define the permission for the avoidance of doubt.

Summary of reasons for granting permission

The Council entered into pre-application discussions with the applicant to secure a revised/improved scheme, as has been submitted and consequently approved. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal with which is sustainable development and does not raise any material concerns relating to issues of highway safety, residential amenity or flood risk.

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
EMP 4 - Primary Employment Zones
EMP 9 - Change of Use from Industry or business
GD2 - Built up area boundaries
GD3 - Improvement Corridors
GD4 - Character Form and Design
GD5 - Amenity
GD6 - Landscaping
GD7 - Crime Prevention
TC5 - Small shops
TR5 - Access, parking and design

National Planning Policy Framework
Section 1 Building a strong, competitive economy.
Section 2 Ensuring the vitality of town centres.
Section 8 Promoting healthy communities.
Section 10 Meeting the challenge of climate change, flooding and coastal change.

Notes to Applicant

Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991, at least 3 months prior notification should be given to the Strategic Director of Environmental Services at County Hall, Matlock (tel: 01629 538537 and ask for the Maintenance

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Michael Green
Planning Applications Manager

North, Mrs G Mordey) before any works commence on the vehicular access within highway limits.

The proposed access driveway should be surfaced with a solid, bound material (ie; not loose chippings) for the initial 10 metres measured back from the nearside highway boundary.

There is a bus stop fronting the application site. The applicant must contact Derbyshire County Council's Public Transport Unit, County Hall, Matlock or tel:01629 536748 for advice. Should the development necessitate the re-siting of a bus stop, all relevant costs of these works will be recharged to the applicant.

There are street lighting columns fronting the application site. The applicant must contact Derbyshire County Council's Lighting Section tel: 01629 538683) for advice. Should the development approved necessitate the re-siting of any street lighting columns, all relevant costs of these works will be charged to the applicant.

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 538537 and ask for the Maintenance North, Mrs Gail Mordey). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.

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.
Additional guidance can be found in the Environment Agency Flood line Publication 'Damage Limitation'. A free copy of this is available by telephoning 0845 988 1188 or can be found on our website www.environment-agency.gov.uk click on ‘flood’ in subjects to find out about, and then ‘floodline’.
Reference should also be made to the Department for communities and local Government publication 'Preparing for Floods' please email: communities@twoten.com for a copy.

Plans
The plans to which this Notice refers are listed below:

01
0124.103 Rev E
0124.108
00124.111

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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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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.

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14. The D2 Use of the development hereby permitted shall be used for a gym and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order with or without that Order).

15. The A1 retail use hereby permitted shall not exceed 500sqm of gross floor area and there shall be no retail food sales without the prior written consent of the Local Planning Authority.

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16. The uses hereby permitted shall accord with the building use schedule detailed on approved revised drawing no 0124.103 Rev E unless otherwise agreed in writing with the Local Planning Authority.

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.

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Summary of reasons for granting permission

The Council entered into pre-application discussions with the applicant to secure a revised/improved scheme, as has been submitted and consequently approved. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal with which is sustainable development and does not raise any material concerns relating to issues of highway safety, residential amenity or flood risk.

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.

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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.

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