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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

APPLICATION FOR CONSERVATION AREA CONSENT

PERMISSION

Applicant Mr John Brazier
Aim Engineering Ltd
Melandra Road
Brookfield
Glossop
SK13 6JE

Application no. HPK/2013/0294

Registered on 24/05/2013

Determined on 05/08/2013

Agent Shaw Cavanagh Ltd
5 Knightsbridge Mews
Didsbury
M20 6GX

High Peak Borough Council hereby **PERMIT** this application for **CONSERVATION AREA CONSENT** for

Application to Replace Extant Planning Permission - HPK/2010/0340 - Conservation Area Consent for Partial Demolition & Repair / Construction at Salem Mill Hyde Bank Road New Mills

in accordance with the submitted application, details and accompanying plans listed below and 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 demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works for the redevelopment of the site has been made in accordance with the proposals which received planning permission under reference HPK/2013/0293 (or

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Michael Green
Planning Applications Manager

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subsequent planning permissions amending this consent). The Local Planning Authority shall be advised as to the completion of such a contract prior to the demolition taking place. The written approval of the phasing and timing of works involved shall be secured before any part of the demolition hereby approved first commences. All works shall then be carried out in accordance with the approved timetable.

3. This consent does not permit the demolition of any part of the building except that indicated on the approved plans unless otherwise agreed in writing with the Local Planning Authority. The remaining part shall be retained and incorporated in the new structure in accordance with the approved planning permission reference HPK/2013/0293 (or subsequent planning permissions amending this consent).

4. "a) No development shall take place until a Written Scheme of Investigation for archaeological work and historic building recording has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme 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 archaeological Written Scheme of Investigation 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 archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

5. All demolition works to the Mill building should be carried out to avoid the bird breeding season which extends from March to late August unless agreed in writing with the Local Planning Authority. In the event that works need to be undertaken within this period a check for nesting birds should be carried out by a suitably qualified ecologist prior to the commencement of any works. If any works are discovered they should be left undisturbed until all young have fledged.

6. All works to remove the roof slates and carryout demolition in areas of the building which have been identified as suitable bat access points should be carried out in accordance with

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the recommendations set out in the Bat and Barn Owl Survey - 3rd Report carried out by Martin Prescott Environmental Services and dated 22.05.2013.

7. All roof rafters, trusses and purlins shall be retained and re-used 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. To ensure that the demolition only occurs as the immediate precursor to redevelopment, having regard to the location of the site in the Conservation Area and in accordance with Policy BC5 of the High Peak Saved Local Plan Policies 2008.

3. 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.

4. 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.

5. To safeguard wildlife in the interests of nature conservation.

6. To safeguard wildlife in the interests of nature conservation.

7. In order to protect the archaeological interests of the site, in accordance with Policy BC10 of the High Peak Saved Local Plan Policies 2008.

Summary of reasons for granting permission

This is considered to be a sustainable form of development and so complies with the provisions of the NPPF.

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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POLICIES RELEVANT TO THIS DECISION

High Peak Local Plans Saved Policies

BC5 - Conservation Areas

National Planning Policy

Plans

The plans to which this permission refers are listed below:

Location Plan

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 74 of the Planning (Listed Building and Conservation Areas) 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.

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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