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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
Waterside House 35 North Wharf Road
W2 1NW

Agent
Marks & Spencer PLC
5 Merchant Square Property (Mailbox 5.10)
Paddington Basin
London
W2 1AS

Application no. HPK/2013/0606

Registered on 30/10/2013

Determined on 19/12/2013

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

Proposed installation of a temporary refrigeration container from 1st November to 31st January at Marks & Spencer Howard Town Hill 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 storage container hereby approved shall be removed from the site during the period 1 February to 31 October in any one year, and the land reinstated to its former condition.

2. The development hereby approved shall not be carried out otherwise than in complete accordance with the submitted plans and specifications as listed below.

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Michael Green
Planning Applications Manager

3. The existing 2.2m high close boarded boundary fence surrounding the site (or other form of screening as may be agreed by the local planning authority) shall be maintained for the duration of the siting of the storage container.

4. The noise generated by the operation of the temporary refrigerated container hereby approved shall not exceed a level of 45dB as measured as an LAeq during the refrigeration cycle at 15m from the front or side of the unit.

Reasons

1. The storage container is inappropriate for the permanent siting, due to its appearance, and a temporary siting is only appropriate due to the benefits arising from its siting, which out-weigh the visual impact.

2. For clarity and for the avoidance of doubt.

3. In the interest of the visual amenity of the site and to ensure that the developm,ent is adequately screened.

4. To ensure that noise levels are reduced in the interest of the residential amenity enjoyed by the occupants of nearby dwellings.

Summary of reasons for granting permission

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.

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

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC5 - Conservation Areas
BC6 - Demolition in Conservation Areas
GD2 - Built up area boundaries
GD3 - Improvement Corridors
TC1 - Town Centres
TC2 - Town Centre Environment

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Planning Applications Manager

National Planning Policy Framework
Section 1 - Sustainable development and
Section 2 - Encourages economic growth and the vitality of town centres.

Notes to Applicant

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

9002 F

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:

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Planning Applications Manager

(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

High Peak Borough Council, Development Services, Municipal Buildings, Glossop, Derbyshire SK13 8AF
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