



TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

FULL PLANNING APPLICATION

PERMISSION

Applicant Mr Gareth Woodward
Rubicon House 2 Market Street
Chapel en le Frith
SK23 0ES

Application no. HPK/2015/0699

Registered on 07/01/2016

Agent AJS Architecture
32 Carr Road
Buxton
SK17 6WF

Determined on 03/03/2016

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

Proposed Change of Use of Former Natwest building to form office storage and retail (A1) for Rubicon Watches and 3 self contained offices (B1) below with new access to street frontage at Rubicon House 2 Market Place Chapel-En-Le-Frith

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

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed 01A, Proposed 02A, Proposed 03, Proposed 04
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

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Signed on Behalf of High Peak Borough Council

4. Notwithstanding the details shown on Dwg. Proposed 03 submitted 7th January 2016, there shall be no external secure roller shutters installed on any of the window or door openings to the development hereby approved.

5. For the avoidance of doubt there shall be no installation of external ramps or steps to the building unless otherwise agreed in writing with the Local Planning Authority in consultation with the Highway Authority. Any approved scheme shall be implemented in full to a timescale to be agreed with the Local Planning Authority.

6. Any windows adjacent to street level on either Market Place, Terrace Road or Market Street shall open inwards only unless otherwise agreed in writing by the Local Planning Authority.

7. Prior to occupation of the development hereby permitted details of the provision of a bin storage and dwell area for use on refuse collection days shall be provided clear of the public highway but within the site curtilage. The details shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be implemented in full in accordance with the approved details.

Reasons

1. To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning, in accordance with Policy GD5 of the High Peak Saved Local Plan Policies 2008 and paragraph 17 of the National Planning Policy Framework.
3. To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policies BC1, BC5 and GD4 of the High Peak Saved Local Plan Policies 2008 and the National Planning Policy Framework.
4. To preserve the character and appearance of the conservation area in accordance with Policies BC5 and GD4 of the High Peak Saved Local Plan Policies 2008 and paragraph 131 of the National Planning Policy Framework.
5. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008 and the National Planning Policy Framework.
6. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008 and the National Planning Policy Framework.
7. To ensure that adequate provision is made for loading and unloading within the site in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008 and the National Planning Policy Framework.

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Summary of reasons for granting permission

During the course of the consideration of the application the Council sought amendments to the proposals to ensure that the development preserved the special historic qualities of the Conservation Area. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 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.

POLICIES RELEVANT TO THIS DECISION

Chapel-en-le-Frith Neighbourhood Plan 2013-2028

TC1 – New Retail Development in Chapel-en-le-Frith Town Centre
TC2 – Mixed Use in the Town Centre
TC3 – Use of redundant Buildings in Chapel-en-le-Frith Town Centre

High Peak Local Plan Saved Policies

BC1 - External Materials
BC5 - Conservation Areas
EMP 6 - Industry and business within the built-up area boundaries and homeworking
GD2 - Built up area boundaries
GD4 - Character Form and Design
GD5 - Amenity
TC1 - Town Centres
TC6 - Retention of Local Centres and Village Shops
TR5 - Access, parking and design

High Peak Local Plan Submission Version 2014

S1 – Sustainable Development Principles
S1a – Presumption in Favour of Sustainable Development
S2 – Settlement Hierarchy
S6 – Central Sub-area Strategy
CF1 – Retail and Town Centres
CF6 – Accessibility and Transport
E1 – New Employment Development
EQ5 – Design and Place Making
EQ6 – Built and Historic Environment

National Planning Policy Framework

Paragraphs 14 and 17
Section 1 – Building a Strong Competitive Economy

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Section 2 – Ensuring the vitality of Town Centres
Section 7 – Requiring Good Design
Section 12 – Conserving and Enhancing the Historic Environment

Notes to Applicant

The applicant's attention is drawn to the following:

It is noted from the submitted details that the pedestrian door associated with the ATM area opens out over the adjacent public highway. This is unacceptable and is clearly prejudicial to the safety of passing pedestrians. Whilst this arrangement has the benefit of planning consent under HPK/2015/0157 the applicant is advised that the door arrangement is an offence under the Highways Act 1980.

Construction works will require Traffic Management, especially measures to ensure the protection of passing pedestrians, and advice regarding procedures should be sought from Dave Nicholson, Traffic Management on 01629 538685. Surveyor who can be contacted at Derbyshire County Council.

Plans

The plans to which this Notice refers are listed below:

Existing 01, Existing 02, Existing 03, Proposed 01A, Proposed 02A, Proposed 03,
Proposed 04

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:

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High Peak Borough Council, Development Services, Municipal Buildings, Glossop, Derbyshire SK13 8AF
Tel 0845 129 7777 or 01298 28400 Fax 01457 860290 Minicom 0845 129 48 76
E-mail planning@highpeak.gov.uk Website www.highpeak.gov.uk

(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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Signed on Behalf of High Peak Borough Council