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Ground Floor V1 Velocity Tenter Street
Sheffield
S1 4BY



High Peak Borough Council

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Mr Moradi
Victoria Works Hyde Bank Road
New Mills
SK22 4BP

Application no: HPK/2022/0389

Determined on: 08/06/2023

Town and Country Planning Act 1990 Town and Country Planning (Development Management Procedure) (England) Order 2015

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990 (as amended).

Location of Development:

Victoria Works Hyde Bank Road New Mills Derbyshire SK22 4BP

Description of Development:

Variation of condition 2 relating to HPK/2021/0695

In pursuance of their power under the above mentioned Act, High Peak Borough Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):

1. The development must be begun not later than the expiration of three years beginning with the date of the original consent (HPK/2021/0695) dated 27th May 2022.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan
Site Plan 01-02 Rev D
D5481-1PD-001 Rev C
01-03 Rev A
01-04 Rev A
01-05

Reason:- For the avoidance of doubt and in the interests of proper planning, in accordance with the National Planning Policy Framework.





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.

Reason:- To ensure that the external appearance of the development is appropriate to its surroundings in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

4. The development shall be take place in strict accordance with the approved Construction Management Plan under DOC/2022/0040 dated 12/07/2022, which shall be adhered to throughout the construction period.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

5. The proposed fronting footway (including residual public highway), to Church Lane / and Hyde Bank Road, shall be laid out and fully completed prior to the first residential occupation of the development hereby approved.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

6. Prior to the first occupation of the development hereby approved the bin store as shown on plan ref 01-02 Rev D shall be laid out and retained for the lifetime of the development.

Reason:- In the interests of public health and residential amenity and in accordance with Policy EQ6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

7. All windows shall be acoustically glazed in accordance with table 4.1 of the Noise Impact Assessment by ENS dated 2nd December 2021.

Reason:- To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected in accordance with Policy EQ6 of the High Peak Local Plan 2016 and paragraph(s) 17 and 123 of the National Planning Policy Framework.

8. The ground floor as shown on the approved plans shall be used for B8 purposes only of the Schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) Order 2015), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:- In order to preserve the residential amenities of future occupants and to ensure that the local planning authority can apply an appropriate level of control over the future use of the premises in accordance with Policy B8 of the High Peak Local Plan 2016.

9. There shall be no vehicular parking within the red line area as shown on plan ref 01-02



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Rev D.

Reason:- In the interests of highway safety, in accordance with Policy CF6 of the High Peak Local Plan 2016 and the National Planning Policy Framework.

Informative

1. In respect to condition 5, planning permission does not give you approval to work on the public highway. Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway without the formal written agreement of the County Council as Highway Authority. It is strongly recommended that you make contact with the County Council at the earliest opportunity to allow time for the process to be completed, which may take up to 12 weeks. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained by contacting the County Council via email - ete.devcontrol@derbyshire.gov.uk. The applicant is advised to attain construction approval for the proposed works prior to applying for any associated condition to be discharged.

2. The Local Planning Authority has acted positively in determining this application, in accordance with paragraph 38 of the National Planning Policy Framework by assessing the proposal against relevant planning policies and all material considerations.

X 

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council





NOTES

1. Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting DBCP Limited, Web: dbcp.co.uk; Email: info@dbcp.co.uk ; Tel:0333 880 2000.
2. 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 at Derbyshire County Council.
3. 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.
4. 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.
5. 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.
6. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
7. If the decision to refuse planning permission is for a householder application, and





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you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice. All other types of development have a 6 month deadline for submission of appeals. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate#other-ways-to-apply>. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

8. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

