

Mrs Teresa Critchlow
Sammons Architectural Limited
Cawdry Buildings Fountain Street
Leek
Staffordshire
ST13 6JP



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Sammons Architectural Limited
Cawdry Buildings Fountain Street
Leek
Staffordshire
ST13 6JP

Mr Hopkins
Richard Lane
Tideswell
SK17 8PZ

Application no: HPK/2023/0204

Determined on: 18th October 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:

Markovitz Builders Merchants Ltd Park Road Hadfield Glossop Derbyshire SK13 2AH

Description of Development:

Demolition of two existing buildings and erection of replacement retail / storage building, partial demolition and alterations to existing trade counter building and amendments to front boundary wall and access

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 hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:- To comply with 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: 2019-2480-13A; 2019-2480-17; 2019-2480-20C; 2019-2480-21A; 2019-2480-22; 2019-2480-23; 2019-2480-24A; 2019-2480-25

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

3. Prior to any works above foundation level, full details of the boundary treatment including specification and colour of stone, to Park Road shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.





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Reason:- In the interests of good design

4. The new building as approved shall be finished in materials that are consistent with those shown on approved plan (2019-2480-21 Rev A) and shall be retained thereafter for the lifetime of the development.

Reason:- In the interests of good design

5. Prior to commencement of development, the applicant shall submit and have approved in writing by the Local Planning Authority details of how space shall be provided during the construction phase within the site for storage of plant and materials, site accommodation, loading, unloading, and maneuvering of goods vehicles, parking and maneuvering of employees and visitors vehicles. The approved space shall be provided prior to commencement of works. Once implemented, the facilities shall be retained free from any impediment to their designated use throughout the construction period.

Reason:- In the interests of Highway Safety

6. Prior to any works above foundation level, the existing access to Park Road shall be modified, laid out and constructed in accordance with the approved plans, with visibility splays of 2.4m x 43m in both directions, or, in the event that these splays cannot be achieved, the maximum achievable splay. The area in advance of sightlines shall be maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

Reason:- In the interests of Highway Safety

7. Off-street parking provision shall be maintained as far as is reasonably possible during the construction period and the final off-street parking layout (minus the spaces affected by the gates) shall be demarked on site within 3 months of the works being completed. The parking spaces shall then be maintained and kept free from any impediment to its designated use for the lifetime of the development.

Reason:- In the interests of Highway Safety

8. There shall be no gates or other barriers on the access other than those shown on the approved plans. Any gates shall not open over the highway and shall be maintained locked in the open position during the hours of operation of the site

Reason:- In the interests of Highway Safety

9. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details.

Reason:- In the interests of the amenities of the area and to minimise unnecessary light





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spillage above and outside the development site.

10. Construction and associated deliveries to the site shall not take place outside 08:00 to 18:00 Mondays to Fridays, and 08:00 to 13:00 on Saturdays, nor at any time on Sundays and Bank Holidays. Pile driving shall not take place outside 09:00 to 16:00 Mondays to Fridays, or at any time on Saturdays, Sundays or Bank Holidays.

Reason:- In the interests of public and residential amenity.

11. The shop area/showroom shall be confined only to the area identified as such on the approved plan 'Floor Plans and Elevations' Drawing 2019-2480-21 RevA, and the trade counter, hereby approved, shall remain ancillary to the primary use of B8 (storage and distribution) at this site. The existing shop area/showroom shall be cease to operate and shall only be used for storage in accordance with the approved plans within 1 month of the new shop area/showroom hereby permitted becoming operational.

Reason:- The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case, and to protect the vitality and viability of the town centre, in accordance with Policies CF1 of the High Peak Local Plan 2016 and section 7 of the National Planning Policy Framework

Informative

1. Where necessary the Local Planning Authority has worked in a proactive and positive manner with the applicant to overcome and address all outstanding planning issues to achieve a sustainable form of development, as required by the National Planning Policy Framework.

X 

Signed by: Ben Haywood

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 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





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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.

