

DEEMED PLANNING PERMISSION

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

THIS PERMISSION DOES **NOT** CONSTITUTE APPROVAL UNDER THE BUILDING REGULATIONS

(Please see notes at end of this letter)

To
Calderdale M.B.C
c/o Atkins Ltd
Russell Spencer
Chadwick House,
Birchwood Park
Warrington
WA36AE

For the purposes of the Town and Country Planning General Regulations 1992 and in accordance with plans approved on 06.11.2020,

Plan Type	Reference	Version	Date Received
Landscape Plan	776-XQL-XX-00-DR-L-0202-S2	P01	07.10.2020
General Arrangement	DR ZL 000002		17.08.2020
Location Plan	DR ZL 000001		17.08.2020

Deemed Planning Permission is granted for:

Demolition of Sowerby Bridge Market building and change of use of part of Tuel Lane car park, to form a new area of public realm to include provision for pop-up market stalls and use as a market/events space.

on land at

**Sowerby Bridge Market
Wharf Street
Sowerby Bridge
Calderdale**

Subject to the following conditions:

The development to which this permission relates must be begun not later than the expiration of THREE YEARS beginning with the date on which this permission is granted

and subject to the additional conditions below:

1. The development shall be carried out in complete accordance with the approved plans, unless the variation from approved plans is required by any other condition of this permission.
2. Before demolition commences a scheme shall be submitted to the Local Planning Authority setting out mitigation measures for the control of dust, emissions from fixed and mobile plant and machinery, and of noise from the demolition and construction works. The scheme shall provide for the mitigation of demolition and construction dust such that the residual impact is negligible. The scheme shall be agreed in writing with the Local Planning Authority prior to commencement of the works and implemented in its entirety.
3. The development shall be carried out in accordance with the mitigation measures as set out in Section 5 of Ecological Impact Assessment undertaken by Atkins dated August 2020
4. No construction shall begin until full details of the foul and/or surface water and/or sustainable systems of drainage if feasible and/or sub-soil drainage and external works for the development (taking into account flood risk on and off site and including details of any balancing works, off-site works, existing systems to be re-used, works on or near watercourses and diversions) have been submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented prior to the first operation of the development and retained thereafter.
5. No removal or management of any tall vegetation, including brambles, ivy, trees and shrubs, should be carried out between 1st March and 31st August inclusive unless a competent ecologist has undertaken a bird survey immediately before the vegetation has been cleared and provided written confirmation that no birds will be harmed or disturbed and/or that there are appropriate measures in place to protect nesting birds on site. Any such written confirmation should be submitted to the Local Planning Authority
6. Notwithstanding any details shown on the permitted plans the construction of any surfacing, railings, street furniture (Hand rails, bollards, cycle stands, benches, bins) shall not begin until details design, materials, colour and finish have been submitted to and approved in writing by the Local Planning Authority. The details so approved shall then be provided in full prior to the development being brought into use and thereafter retained

7. Before commissioning of the development details of a landscaping scheme which shall submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of three heavy standard size (3m+) new native trees together with a programme of maintenance and establishment. Plants dying, removed, destroyed or severely damaged / diseased within five years of planting shall be replaced in a manner to be approved by the Local Planning Authority.
8. The scheme of landscaping approved under condition 7 above shall be implemented in the first planting season following commencement of the development

The reasons for the Councils decision to grant a permission for the development subject to the above conditions are:

1. For the avoidance of doubt as to what is permitted and to ensure a more satisfactory development of the site and compliance with the policies of the Replacement Calderdale Unitary Development Plan.
2. Reason to protect residential amenity in accordance with EP8 of the Replacement Calderdale Unitary Development Plan and National Planning Policy Framework paragraphs 170(e) and 180(a).
3. To ensure compliance with Policies NE17 of the Replacement Calderdale Unitary Development Plan and Section 15 of the NPPF.
4. To ensure proper drainage of the site and to ensure compliance with the EP22 of the Replacement Calderdale Unitary Development Plan.
5. In the interests of conservation and to protect the ecological species and in order to ensure compliance with NE16 of the Replacement Calderdale Unitary Development Plan.
6. To ensure the use of appropriate materials in the interests of visual amenity and to ensure compliance with BE1 BE14 BE18; of the Replacement Calderdale Unitary Development Plan
7. In the interests of amenity and to help achieve a satisfactory standard of landscaping and to ensure compliance with BE3 of the Replacement Calderdale Unitary Development Plan.
8. In the interests of amenity and to help achieve a satisfactory standard of landscaping and to ensure compliance with BE3 of the Replacement Calderdale Unitary Development Plan.

Informative(s)

1. The Local Planning Authority has endeavoured to work with the applicant/agent in relation to this application, to secure a development that positively contributes to the economic, social and environmental well being of Calderdale in accordance with the National Planning Policy Framework.

DATED: 6 November 2020

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Richard Seaman
Corporate Lead
For Planning Services

NOTES

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, bylaw, order or regulation.

DEEMED PERMISSIONS UNDER REGULATION 3

This permission refers only to the development granted under Regulation 3 of the Town and Country planning General Regulations and is only valid to be undertaken by the Local Planning Authority itself or with the joint applicant.