

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 MBC
c/o Atkins Ltd
Russell Spencer
Chadwick House
Birchwood Park
Warrington
WA3 6AE

For the purposes of the Town and Country Planning General Regulations 1992 and in accordance with plans approved on 08.01.2021,

Plan Type	Reference	Version	Date Received
General Arrangement	DR-ZL-000006	P01.2	16.11.2020
Location Plan	DR-ZL-000004		22.09.2020

Deemed Planning Permission is granted for:

Creation of new car park

on land at

Car Park Adjacent To Hebden Vale Centre
Bridge Lanes
Hebden Bridge
Calderdale

Subject to the following condition:

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 development commences a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following
 - a) Risk assessment of potentially damaging construction activities including details on the control of contaminated/silty water from entering the adjacent canal and river
 - b) Identification of biodiversity protection zones
 - c) Practical measures to avoid or reduce impacts during construction from contamination via wind blow, seepage or spillage.
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers, ramps and warning signs.The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.
3. Before development commences details of the construction of the car park shall be submitted and approved in writing by the Local Planning Authority. The details shall include
 - i) Existing and proposed finish levels
 - ii) Cross sections relative to the canal showing the extent of earthworksThe development shall be constructed in accordance with the approved details and thereafter retained.
4. Prior to the formation of the proposed new ramped access to the Rochdale Canal towpath, full details of the proposed works including large scale drawings where necessary, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:
 - o A cross section, showing the canal, embankment and new car park
 - o Details showing the access interface with the canal towpath
 - o Canalside elevations showing the external appearance of the proposed access and its relationship to the existing canal wall and wider historic canal environment
 - o Measures to ensure the safety of towpath users, either on, or while entering, the towpathThe approved details shall be implemented in their entirety before the development is first brought into use.
5. Prior to the formation of the new ramped access onto the Rochdale Canal details of a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the planting of locally native plants 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.

6. The scheme of landscaping approved under condition 5 above shall be implanted in the first planting season following commencement of the development
7. Before any external artificial lighting is installed within the development site, details of a scheme to adequately control any glare and obtrusive light produced by artificial external lighting at the proposed development shall be submitted to, and approved in writing by, the Local Planning Authority. The lighting installation shall comply with the recommendations of the Institution of Lighting Professionals (ILP) "Guidance Notes for the Reduction of Obtrusive Light reference GN 01: 20 for environmental zone E 32. The artificial lighting should be installed in accordance with the scheme so approved and retained thereafter. The scheme should include the following information:-
 - a. The proposed level of maintained illuminance, measured horizontally at ground level;
 - b. The maintenance factor;
 - c. The predicted maximum vertical illuminance that will be caused by the lighting when measured at windows of any residential properties in the vicinity;
 - d. The proposals to minimise or eliminate glare from the use of the lighting installation when viewed from windows of properties in the vicinity;
 - e. The proposed type of luminaires to be installed showing for each unit, the location, height, orientation, light source type and power;
 - f. The proposed hours of operation of the lighting.
 - g. Measures to minimise impacts on protected and biodiversity action speciesFurthermore there shall also be submitted upon completion of the development a statement of a suitably qualified contractor that the light emitted by any lighting installation to which this condition applies is fully compliant with the ILP guidance for the relevant environmental zone.
8. No drainage works 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
9. A survey of existing site drainage, including any culverts/watercourses that may cross the site, showing connectivity and condition, shall be carried out prior to demolition of any existing structures and the findings submitted to the Local Authority for comment.
10. Prior to being discharged into any watercourses, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstanding's shall be passed through an oil and grit interceptor installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority. Roof water shall not be required to pass through the interceptor
11. The development shall be carried out in accordance with the submitted flood risk assessment (Atkins, dated September 2020, job number 5198497 Rev 2) and the following mitigation measures it details:
 - o Ground levels will not be altered on site.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

12. Before the development is first brought into use details of the boundary treatment (fence / wall) along the north and east boundaries of the site shall be submitted to and agreed in writing by the Local Planning Authority. The fences so approved shall be provided in full before the development comes into use and thereafter retained in good order
13. Before the erection of any boundary treatment a scheme to address vehicles floating, or displaced as a result of flooding so as not to jeopardise others in the surrounding area shall be submitted to and approved in writing by the Local Planning Authority the approved scheme shall be implemented before the carpark is first brought into use and thereafter retained and maintained in good order
14. The car park shall not be brought into use until details of the facilities to permit the recharge of electrically powered vehicles, which complies with IEE regulations and BSEN 62196-1 has been submitted to and agreed in writing by the Local Planning Authority. Once approved the scheme shall be incorporated into the development and implemented no later than the first use of the development, and shall be retained and maintained in good order thereafter

The reasons for the Council's 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. In order to protect water resources and to safeguard protected / priority species and their habitats in accordance with EP14 NE16 of the Replacement Calderdale Local Plan
3. In the interests of preserving the structural integrity of the canal infrastructure
4. In the interests of preserving the structural integrity of the canal embankment, preserving the character and appearance of the waterway corridor, preserving the historic character of the waterway and avoiding any adverse impact on users of the canal, in accordance with the aims of paragraph 170 (part e) and 178 of the National Planning Policy Framework and RCUDP Policy EP15
5. To ensure that there is a well laid out scheme of health shrubs in the interests of amenity, and to ensure compliance with Policy NE17 of the Replacement Calderdale Unitary Development Plan
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7. To comply with the requirements of the National Planning Policy Framework para 170(e) and 180(a) and (c) and Calderdale's Replacement UDP Policy EP8.Drainage
8. To ensure proper drainage of the site and to ensure compliance with the EP14 and EP22 of the Replacement Calderdale Unitary Development Plan.
9. To ensure proper drainage of the site and to ensure compliance with EP22 of the Replacement Calderdale Unitary Development Plan.
10. To prevent pollution of the aquatic environment and protect the public sewer network
11. To prevent increasing risk to the site and elsewhere.
12. In the interests of visual amenity and/or privacy and to ensure compliance with BE1, BE5, BE18 of the Replacement Calderdale Unitary Development Plan.
13. In the interests of safety and to prevent increasing risk to the site and elsewhere
14. To encourage the use of sustainable transport and satisfy the WYLES mitigation criteria

Informative(s)

1. The applicant's attention is drawn to the consultation responses from the Environment Agency which can be viewed on our website at www.calderdale.gov.uk. Click on the search button in the Search and Comment on Planning Applications box and then enter the relevant application number. Consultation responses can be found when you click on the Comments tab.
2. 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: 8 January 2021

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.